



PARLIAMENT OF UGANDA

# PARLIAMENTARY DEBATES

(HANSARD)

---

OFFICIAL REPORT

SECOND SESSION - THIRD MEETING

WEDNESDAY, 22 MARCH 2023



PARLIAMENT OF UGANDA

## IN THE PARLIAMENT OF UGANDA

### Official Report of the Proceedings of Parliament

#### SECOND SESSION - 19TH SITTING - THIRD MEETING

Wednesday, 22 March 2023

*Parliament met at 2.02 p.m. in Parliament House, Kampala.*

#### PRAYERS

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

*The House was called to order.*

#### COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable members, I welcome you all to this afternoon sitting. I commend the determination you exhibited yesterday when we passed the Anti-Homosexuality Bill, 2023. *(Applause)*

The 11<sup>th</sup> Parliament has entered into the history books of Uganda for the good work you did yesterday. On behalf of the Parliament of Uganda, I appreciate you all. Thank you very much. *(Applause)*

The exercise of our legislative role, as envisaged under Article 79 of the Constitution of the Republic of Uganda, 1995, is intended for the peace, order, development and good governance of Uganda. I urge you to ensure that in all that you do, you live true to the intentions of the framers of our mighty Constitution that we seek to uphold.

This is the kind of commitment we have defined as the 11<sup>th</sup> Parliament. We legislate for our people; we are a people-centred Parliament and with that, great nations are built on the concerted efforts of leaders and citizens. The

selfless work you are doing is what is going to build this country and we must leave this country better than we found it.

I urge all of you to strive to transform the lives of the people you represent. I appreciate the work you do here but I also want you to do some work for the people you represent in the constituencies. You may not have money to give them but you need to encourage them; talk to them and ensure that they get into an economic activity. They need to be guided; people will always listen to their leader. So, I want all of you to come back in the 12<sup>th</sup> Parliament. All of you should come back. *(Applause)*

This is the best Parliament we have had and we want all of you. However, you can only come back if you are working with your constituents and you are supporting them.

We have Government programmes and we should not allow them to be swindled. Let us focus our hands and eyes so that we can monitor what is being done and the people on the ground can benefit.

Once again, I would like to thank you very much. The Bill we passed was the Bill of the year. *(Applause)* Next item. There is a point of procedure from the Member for Busia.

2.07

**MR GEOFREY MACHO (Independent, Busia Municipality, Busia):** Madam Speaker, you are a great woman. *(Laughter)* I have said “you are a great woman” because what

failed parliaments in Africa and East Africa – Yesterday, you led the Parliament of the Pearl of Africa to make history in the region. We are the first on the continent to pass a law to preserve our culture. Madam Speaker, you made history and you made us make history as well.

Therefore, I agree with your communication that yesterday, you made us a people-centred Parliament; a Parliament that speaks the voices of the people without fear. Madam Speaker, the elders of Busia Municipality asked me to thank you. *(Laughter)* This is why I rose up in this august House to thank you, for what you did.

**THE SPEAKER:** Thank you.

**MR MACHO:** And we shall continue deliberating on the needs of our people although, yesterday, I felt pain that the teachers in the secondary and tertiary schools of Busia District have not got salaries for two months. I said that let us first pass this Bill, and then I will talk today.

I pray, Madam Speaker, that as a way of thanksgiving for the Bill we passed yesterday, the teachers of secondary and tertiary institutions should get their salaries.

Lastly, it is almost four days and our brothers and sisters from the border are not able to cross from one side to another. Madam Speaker, one clan runs both countries – there is too much deployment in Kenya to the extent that our people are unable to cross to fetch water.

My prayer is that the leaders of East Africa should talk, for the calm of the region. Madam Speaker, the major principle of the East African Federation is stability and peace, which fosters the objective of the East African cooperation or free movement of people, goods and services.

Once again, I would like to thank you, Madam Speaker, for what you did yesterday.

**THE SPEAKER:** Thank you. We give glory to God for whatever happened yesterday, but

in particular, we must thank the President for standing with us.

2.10

**MR SIMON PETER WOKORACH (NRM, Aswa County, Gulu):** Thank you, Madam Speaker, for this opportunity. I join the Members of Parliament of this House to thank you, Rt Hon. Speaker, for the exercise well done yesterday. That exercise made us know the cowards of this august House. They were not in yesterday but today, some of them are in.

**THE SPEAKER:** Honourable members, as I promised, I am going to get a printout of all Members who were here yesterday.

**MR WOKORACH:** Thank you very much. Due to the sensitivity of yesterday's exercise, in your communication, Madam Speaker, you made mention about tomorrow's exercise of paying tribute to our fallen comrade, the Rt Hon. Jacob Oulanyah. It is my humble prayer that the programme is shared. Otherwise, I am told there are people travelling from Omoro to come and attend tomorrow's exercise. I request that the programme is shared with us so that we know what will happen tomorrow.

Secondly, in your communication, you talked about doing a lot for our communities, which is a call to all of us. I am aware that last year, the Ministry of Agriculture, Animal Industry, and Fisheries supported Members of Parliament with seeds. How I wish the same can be extended as soon as possible so that we can utilise the rains. I submit.

**THE SPEAKER:** Thank you. Hon. Ssemujju?

2.12

**MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso):** Thank you very much. I join you, Madam Speaker, as I make a short comment on your communication, in thanking colleagues who were here yesterday during the consideration of the Anti-Homosexuality Bill, 2023. This Parliament now stands on a high moral ground in our communities - at least I represent the people of Kira and they are very happy.

The request from my constituents is that we must now also decisively deal with the issue of the iron sheets. We should get the ministers who shared the iron sheets and treat them like we treated the other suspects. Once that has been done, the popularity of the 11<sup>th</sup> Parliament - at least in my constituency - will go up significantly. Therefore, like you guided us very well yesterday and like you have guided us in many cases, continue to guide us as we deal with these ministers.

In fact, the request from Kira is that they should not come to Parliament; they should be in Kitalya and Luzira until their case is determined, just like we had for our colleagues; Hon. Ssegirinya and Hon. Ssewanyana. Hon. Bahati, the request from Kira is that we help police so that they can take these suspects to court and then to Luzira and Kitalya. That way, the population of this Parliament will continue rising.

**THE SPEAKER:** Honourable member, thank you. The issue of iron sheets is still under investigation and our committee is going to bring a report to this House. Honourable members, is that all on my communication?

**MR SSEWUNGU:** Thank you, Madam Speaker. My point of procedure is, recently you communicated here, asking Members of Parliament and the civil servants to declare their wealth to the Inspector General of Government (IGG).

There is a letter circulating in the public where Gen. Museveni is directing army officers not to declare their wealth but under Article 227 of the Constitution, the IGG is not directed by anybody. Once a person gets money from the Consolidated Fund, he is mandated to declare his wealth. Would it be procedurally okay for the Attorney-General to appear before this Parliament and explain under which legal regime Gen. Museveni is directing the IGG to stop army officers from declaring their wealth? Have they stolen? What is he shielding? Even in the Anti-Corruption Act, it is the same - *(Member rose)* I am on a point of procedure.

**THE SPEAKER:** He is on a point of procedure.

**MR SSEWUNGU:** Madam Speaker, why shouldn't the Attorney-General appear before this Parliament and explain to us because this will be raping the Constitution and it is not correct. We have all declared.

There are army officers who have been placed in offices of public concern like permanent secretaries and others, meaning that they are getting money from the Consolidated Fund. There is no way -

**THE SPEAKER:** The point has been understood. Government?

2.16

**THE GOVERNMENT CHIEF WHIP (Mr Denis Obua):** Madam Speaker, first of all, Uganda is governed by the rule of law and secondly, I want to state that I am not yet aware or have not yet seen the letter the honourable colleague referred to. As such, I cannot proceed to make a commitment on behalf of Government unless otherwise. I beg to submit.

**THE SPEAKER:** Honourable member, was the letter addressed to you? Let us get the letter and then we will ask the Attorney-General to come and respond.

**MR SSEWUNGU:** Madam Speaker, once a letter is written by the President, it becomes a public document. It is in the public; even the *Observer* has run a story on it today.

**THE SPEAKER:** Honourable member, can you sit down?

**MR SSEWUNGU:** Madam Speaker, you were asking me and I needed to respond.

**THE SPEAKER:** Let us get the letter and have the Attorney-General come and respond to it. Stop arguing like you are in a *malwa* joint. *(Laughter)*

2.17

**MR SOLOMON SILWANY (NRM, Bukooli County Central, Bugiri):** Madam Speaker, first of all, thank you for your communication and, I join others in thanking you for yesterday. As you appreciate for the work we are doing, we have a glaring problem at hand.

As at yesterday, Ugandans travelling to Kenya with goods are stuck. Actually, I do not know how Hon. Macho missed this but from Bugiri almost to Busia, Ugandans are not allowed to go into Kenya.

It is a very serious crisis that Ugandans are not allowed to enter with their goods because of the strike that is taking place in Kenya - *(Interruption)*

**MS ASINANSI NYAKATO:** Thank you, for giving way. Madam Speaker, it is not only goods; even fuel trucks from the Kenyan side cannot move. It is now three days since they have been packed. They cannot crossover, meaning that the challenge that we had last year - of fuel crisis - may arise again.

**MR SILWANY:** Madam Speaker, sometimes Government does not come to respond and things keep building up. Wouldn't it be procedurally right for you to guide and direct Government to come and communicate to us the proposals they have - because this is something that is already taking place.

The strikes are on-going and fuel is not being transported across the border into the country, and our traders cannot do business as their things are stuck. The Government should communicate before we reach a worse situation. They should tell us what they are going to do so that we move in an organised manner.

**THE SPEAKER:** Thank you. Government?

**MR OBUA:** Madam Speaker, first of all, this issue involves two ministries; on the side of taxes, it is the Ministry of Finance, Planning and Economic Development. Then you also

have the Ministry of Works and Transport. You also have – they are now three ministries - the Ministry of Trade.

Since the Minister of Finance is here - because we are also seemingly losing revenue - he can undertake to lead the other two and see how best to respond to the issue at hand. Hon. Matia, my senior, with the permission of the Speaker, please respond.

2.21

**THE MINISTER OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Matia Kasaija):** Madam Speaker, it is a pleasure to be with you, once again. *(Laughter)* We shall handle that issue when and as our capacity has developed. Thank you.

**THE SPEAKER:** Honourable members, in the public gallery this afternoon, we have students and teachers of the following primary schools, under the umbrella of Save the Children Uganda. They include:

1. Muguluka Primary School; where are you? Please stand up. You are welcome. *(Applause)*
2. Kikusa Primary School; you are welcome. *(Applause)*
3. St Kizito Tikalu Primary School; you are welcome. *(Applause)*
4. Kabale Primary School; you are most welcome. *(Applause)*

They are represented by Hon. Wakayima Musoke. Thank you for bringing the children to witness the proceedings.

In the public gallery, we also have a delegation of students from Cavendish University Law Society. Please stand up. You are most welcome. *(Applause)*

Leader of the Opposition?

2.22

**THE LEADER OF THE OPPOSITION**

**(Mr Mathias Mpuuga):** Thank you, Madam Speaker. I observed the demeanour of the Minister of Finance, Planning and Economic Development while responding to a very pertinent matter raised by Hon. Silwany. I never wanted to seek his immediate clarification because he was running away. However, I knew I would have him after he has submitted.

I would like to strictly respond to two issues. One, his submission on the crisis in Kenya is not satisfactory. Could he inform the country about our import capacity: how many months can we sustain the economy in the face of an import crisis? We know you have depleted our reserves. Now we have a crisis with one of our major trading partners. For how many months can we sustain the economy in case Kenya went into crisis?

You did not supply a potent answer to the honourable member and simply said, you will deal with it. Do you rule over Kenya as well? Are you the finance minister for Kenya?

Madam Speaker, yesterday – and I was waiting for my senior and he is here today. He is now running Parliament and has cut the parliamentary budget. Do you want to inform Parliament on whether our budget is still statutory or you have moved it to something else? You have cut it. That is what we mean. So, committees will not work – and you are aware that without oversight, there should be no expenditure. You are raising money to spend in the entities but you do not want to give Parliament the money to exercise oversight over your work. *(Applause)*

Do you want to explain where you get the authority to cut the budget of Parliament to exercise oversight over your work? Thank you, Madam Speaker.

**THE SPEAKER:** Thank you. Honourable minister, the budget of the Parliamentary Commission is a statutory one. It is only the President that has powers to do anything. We always discuss our budget with the President

and it is approved. In the current budget, there was an approved budget for the Parliament of Uganda. However, to our dismay, the same budget that was approved by the President has been slashed and we will not have money for emoluments, which is statutory. We will also not have money for committees yet one of our roles is oversight. That is what the Leader of the Opposition is asking, as a member of the Parliamentary Commission.

**MR MATIA KASAIJA:** Thank you very much, Madam Speaker. Since I came here not having got - I remember that we talked about that issue. I beg that you allow me to retreat and come and give you a solid answer - *(Interjections)*- because I would not want to talk about something -

**THE SPEAKER:** Honourable members, we need a solution to this issue. If the minister says he wants to retreat and give us feedback – the minister you are looking at is also a Member of Parliament. He is also affected.

**MR SSEMUJJU:** Madam Speaker, the point of order I am raising is that Hon. Matia Kasaija is a member of the Parliamentary Commission. He now says, “You know, I came here not knowing.” Don’t you even know that you are a member of the Parliamentary Commission? Do you need to retreat to know that you are a member of the Parliamentary Commission?

**THE SPEAKER:** Hon. Kasaija is retreating to come and give us feedback on the issue of the budget and secondly, about Kenya. We will give Hon. Kasaija 20 minutes to give us feedback. *(Applause)*

**MR SSEKIKUBO:** Madam Speaker, I thank you very much for the opportunity. I wanted, initially, to thank you because for the first time, I saw a united Parliament. Your ability to galvanise both sides of this House in a common cause and position was impressive. There are not many occasions where Parliament is united as it was yesterday.

However, before the honourable minister can run away -

**THE SPEAKER:** Honourable minister, you have something to lay at the Table before you leave.

**MR SSEKIKUBO:** Madam Speaker, I see, for the first time, ministers running away from their responsibilities and this is saddening. When a direct question was raised that we are seeing a blockade at the border, it elicited a direct response. However, the minister said, “We shall act as it comes and within our means.” This is the first time I am getting a very vague response from the Front Bench.

Even the Leader of Government Business was unable to respond to the press story that Hon. Ssewungu quoted. Here, we get information from all sources and angles. The best you could do was to say: “I will check and give a response to this House.”

However, the Frontbench is too mean with information and too undecided, Madam Speaker -

**THE SPEAKER:** Hon. Ssekikubo, we could also hear from the trade minister.

**MR SSEKIKUBO:** Most obliged.

**THE SPEAKER:** Thank you. Let us not answer for the sake of it; let us take action.

2.30

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati):** Madam Speaker, I request that we make a statement to this House tomorrow about what is happening at our borders.

**THE SPEAKER:** A statement and action. I will also need a statement from the shadow minister.

**MR BAHATI:** Yes, and the steps we are taking to help.

**THE SPEAKER:** Hon. Okot?

2.31

**MR AMOS OKOT (NRM, Agago North County, Agago):** Thank you, Madam Speaker. If the trade minister is going to give information of that kind – there were very many issues raised on the Floor of Parliament, especially on the Uganda Wildlife Authority. They could also indicate something in relation to that so that in a way - (*Interjection*) - because the trade minister is going to come and submit a detailed report here yet we have other pending and burning matters.

**THE SPEAKER:** Under rule 220, we are going to have action taken reports next week. Government Chief Whip, all the issues that were raised must be responded to. So, ask all your ministers to be ready to come and present those reports.

**MR OLANYA:** Thank you, Madam Speaker. Last week, you directed that Members of Parliament with matters of urgent importance should get in touch with the honourable ministers, through the Speaker, so that the matters are addressed. Getting honourable ministers is becoming very difficult -

**THE SPEAKER:** Start by getting me because it was through me. My office is open 24/7.

**MR OLANYA:** You are right but you were very busy last week.

**THE SPEAKER:** I have never been busy for a Member.

**MR OLANYA:** Thank you. The point I was trying to bring up is that there are other matters of importance that are very urgent, for example, the power blackout in Northern Uganda. In my district Amuru, people are using electricity for less than four hours a day. Power comes and goes –

**THE SPEAKER:** Have you written to us about that matter?

**MR OLANYA:** I wrote to your office.

**THE SPEAKER:** No.

**MR OLANYA:** I wrote as a matter of –

**THE SPEAKER:** Bring evidence and table it.

**MR OLANYA:** Madam Speaker –

**THE SPEAKER:** Hon. Olanya, if you have not done it, please do it. We will contact the Minister of Energy and have it done.

**MR OLANYA:** Thank you very much.

2.34

**THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi):** Thank you, Madam Speaker. The honourable ministers are always available for Members of Parliament –(*Interjections*) - and the standing instruction is that we give priority to Members of Parliament when they come to our offices –(*Interjections*) – yes, listen. For instance, in the Ministry of ICT and National Guidance, we gave the instruction that when a Member of Parliament comes to the ministry, he should access the minister straight away. Even if I am having a meeting, you can come and I attend to you.

**THE SPEAKER:** Honourable members, the ministers are making a commitment that they will be there.

**DR BARYOMUNSI:** We are making a commitment because the Members are our colleagues. Through this, the message goes to my colleagues that we should prioritise Members when they come to our ministries so that we respond to the issues that they have. Therefore, do not accuse us in a blanket manner that we do not respect or give priority to Members of Parliament. We do.

**THE SPEAKER:** Thank you. Honourable members, I think we need to streamline how we can handle these things faster.

**MR KATUSABE:** Thank you, Madam Speaker. First of all, I want to deliver to you greetings from Kasese. I lost an uncle and I have just returned.

Madam Speaker, at the burial of my uncle, they asked me to deliver this appreciation to you in regard to your letter dated 7 February 2023. You gave attention when one of our senior citizens aged 75 years was abducted, illegally detained in an illegal facility, tortured and murdered and his body was dumped in Mulago Hospital.

Your letter addressed to the Minister for Internal Affairs generated a response from the minister dated 14 February 2023 and also a letter from the Minister for the Presidency dated 9 February. Finally, there was a letter from the Minister for Internal Affairs addressed to the IGP.

Specifically, Madam Speaker, you directed that the murder of the senior citizen be comprehensively investigated and action taken. All these letters are addressed to the IGP. Specifically, the Minister for Internal Affairs – Gen. Kahinda Otafiire - directed the IGP to respond within seven working days and give you a copy.

I have just come from your office and this copy of the report from the IGP is not yet in your office. I look at this as something fundamentally wrong and this speaks volumes to our systems. A Minister for Internal Affairs is the main supervisor of the IGP. I do not know under what condition of law the IGP can ignore clear instructions from the Speaker and the minister and not take action. It is now three weeks and the IGP was given only seven working days.

The reason I took the Floor is basically to ask a procedural question. Madam Speaker, do we still have a country that is governed by a set of laws, procedures and systems? Is the IGP of Uganda now the supervisor and champion of crime and criminality?

The people of Kasese want accountability. The body was buried in a city mortuary. The same office of the police went and exhumed the body without a court order. Who is this IGP or police system that wants to make this country uncomfortable?



**THE SPEAKER:** Thank you. I got a response from the IGP and I am going to have a discussion with you, and the Leader of the Opposition, on the response. I actually had a meeting with the IGP and his team in regard to that letter. We will have a closed-door meeting in respect of that.

I even informed you - First of all, sorry for the loss of your uncle. We condole with you but I also informed you that I had information to share. If we can have that meeting tomorrow with the Leader of the Opposition, that will be good.

**MR KATUSABE:** Madam Speaker, I want to thank you for your kindness and grace. Much appreciated.

2.40

**MR ELIJAH OKUPA (Independent, Kasilo County, Serere):** Thank you, Madam Speaker. Two weeks ago, hundreds of people who belong to Christ Disciples Church -

**THE SPEAKER:** Is that on my communication?

**MR OKUPA:** No.

**THE SPEAKER:** Hon. Elijah, I asked that you put it in writing and bring it to me and I will forward it. You are speaking but there is nobody to respond. The minister responsible is not here. Just put it down in writing and we will forward it to the Government Chief Whip. We need a response.

**MR OKUPA:** Madam Speaker, I beg your indulgence; if you could allow me, then the minister can take it up. Thank you. As I stated earlier on, two weeks ago, hundreds of people that belong to the Christ Disciples Church in Serere, and more so in Kasilo, left Kasilo after their leaders told them that a catastrophe was going to befall Uganda. They sold their properties and left en masse for Ethiopia.

The concern of the people is that we do not want to hear that what happened in Kanungu

has happened in Ethiopia. Yesterday, I received a video of the church in Ethiopia.

Madam Speaker, the Ministry of Foreign Affairs needs to pick up this matter because we do not know what is going to happen. We do not want a repeat of the Kanungu situation.

These sects are being confused. They decided to sell all their properties and leave on a trek. I do not even know how they moved; these villagers have never even reached Soroti Town. We do not know where the security was to allow such a population to leave and find themselves in Ethiopia.

Madam Speaker, we do not want to discover mass graves because we have lost people because they belong to certain sects and their leaders have confused and deceived them. Thank you.

**THE SPEAKER:** Thank you. That is a potential case of human trafficking and must be handled. Government Chief Whip, pick it up and the minister will come and report.

Hon. Ssewungu, can you lay on the Table the letter you talked about?

**MR SSEWUNGU:** Thank you, Madam Speaker. I beg to lay the letter I talked about -

**THE SPEAKER:** First apologise for making noise.

**MR SSEWUNGU:** Madam Speaker, I did not make noise. In good faith, I must apologise before you, Madam Speaker.

**THE SPEAKER:** Okay, lay it on the Table.

**MR SSEWUNGU:** Madam Speaker, this letter was written on 24 April 2022 to Hon. Beti Kamyia Turwomwe, the Inspector General of Government (IGG). I do not want to delve into its details because they are unnecessary. Let me lay this letter where the President stopped the IGG from asking senior army officers to declare wealth on the Table. I beg to lay.

**THE SPEAKER:** Thank you.

**MR SSEWUNGU:** I can give copies to the ministers on the front row –(Interjection)- it was received. I can also provide the newspaper to the Government Chief Whip since he has no papers in his office - so that he reads the *Observer* carefully to understand what I am talking about. Thank you, Madam Speaker.

#### LAYING OF PAPERS

##### TREASURY MEMORANDUM ON THE REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS (CENTRAL GOVERNMENT) ON THE REPORT OF THE AUDITOR-GENERAL ON THE HEALTH SECTOR FOR THE FINANCIAL YEAR 2019/2020

**THE SPEAKER:** Honourable members, Section 53(1) of the Public Finance Management Act requires the Minister of Finance, Planning and Economic Development to submit treasury memoranda within six months to Parliament for adoption. It will be referred to the Auditor-General pursuant to Article 163 of the Constitution of Uganda.

In furtherance to Section 53(1) of the Public Finance Management Act, I now invite the Minister of Finance, Planning and Economic Development to lay the memoranda.

2.45

**THE GOVERNMENT CHIEF WHIP (Mr Denis Obua):** Madam Speaker, on behalf of the Government represented by the Ministry of Finance, Planning and Economic Development, I beg to lay the Treasury Memorandum on the report of the Committee on Public Accounts (Central Government) on the report of the Auditor-General on the health sector for the Financial Year 2019/2020. I beg to lay.

**THE SPEAKER:** Thank you very much. The treasury memorandum is referred to the Auditor-General pursuant to Section 13(1) of the National Audit Act, 2008.

##### REPORT OF THE DELEGATION OF THE 17<sup>TH</sup> SESSION OF THE PARLIAMENTARY UNION OF THE ORGANISATION OF ISLAMIC COUNTRIES (PUIC) HELD IN ALGIERS, ALGERIA, 29<sup>TH</sup> – 30<sup>TH</sup> JANUARY, 2023

**THE SPEAKER:** Honourable members, rule 33 provides for the laying of reports from parliamentary delegations abroad. Today, we have such a report from Hon. Hassan Kirumira. I will now invite him to lay it on the Table, and speak very briefly about his report.

**MR SSEKIKUBO:** Madam Speaker, thank you for granting me the opportunity. Usually, when the treasury memorandum is laid, it is a detailed report indicating what actions the Government has taken on the recommendations of Parliament.

When the honourable minister rose, I thought he would lead us through the recommendations - the import is for Parliament to know that particular actions have been taken. It is in that spirit that we receive the report and proceed.

**THE SPEAKER:** You have not looked at the report; you are debating in anticipation. The report we have here has all the actions taken and the Auditor-General is going to look at the actions, whether done or not, and then report back to the House. The report is here and we are going to deposit a copy in the library. If you need a copy – actually, you can look at my copy so that it helps you.

2.48

**MR HASSAN KIRUMIRA (NUP, Katikamu County South, Luweero):** Thank you, Madam Speaker. Before I lay this report, allow me to make mention that Uganda has been a member of the Organisation of Islamic Cooperation countries (OIC) since 1974. As a member country, a lot of benefits accrue to Uganda as a result of this membership. For example, the Islamic University in Uganda was constructed by this organisation.

Uganda also benefits through numerous scholarships from OIC member states.

Moreover, these scholarships are obtained by Ugandans irrespective of their faith. Uganda stands to benefit greatly in terms of investment in different fields such as agriculture, industry, and many others from these wealthy countries. There are also numerous opportunities regarding Islamic Banking that Uganda can explore.

Madam Speaker, the most patent resolution of this conference was reaffirming the need to respect the independence, cultures and civilisation values of member countries and reject attempts to impose and/or undermine any cover for strange external behaviours or practices, including homosexuality.

I wish to note that the OIC has the same position of this august House and the people of Uganda regarding resisting attempts by cultures that contravene our values. To that end, allow me to lay a report of the delegation of Parliament to the 17<sup>th</sup> Session of the Parliamentary Unions with the Organisation of Islamic Countries, which took place in the capital Algiers from 29 to 30 January 2023.

**THE SPEAKER:** Thank you very much, Hon. Kirumira. The report will be deposited in the parliamentary library for easy reference. Thank you for giving us a brief summary of the report. I also thank you for representing the country. You are doing very well.

**MR ALLAN MAYANJA:** Thank you, Madam Speaker. Rule 33(3) reads: *“The Speaker shall appoint time, not exceeding forty five minutes, for debate.”* Regarding the parliamentary delegation abroad, are we procedurally moving well on such an important report that we have not given time to debate? Thank you.

**THE SPEAKER:** Rule 8 gives the Speaker discretion to determine matters that – So, I have given him time and he has presented his report. I said, take it to the library and you will go and read it. Hon. Tinkasiimire is also on a point of procedure.

**MR TINKASIIMIRE:** Madam Speaker, thank you for giving me this latitude. My

submission was on the surmise that you had given us the opportunity to debate the report. The matter that I wanted to raise involves the concerns of Muslims participating in the Parish Development Model where people are forming Savings and Credit Cooperative Organisations (SACCOs).

These SACCOs require people to take money at an interest and that is contrary to the Islamic faith *-(Interjection)-* No, I thought I would use this opportunity to raise this matter in the circumstances. How are we going to restructure these Government policies to be in line with what is propagated at the Organisation of Islamic Conference?

**THE SPEAKER:** Hon. Tinkasiimire, when a loan is taken under Islamic banking, that is when it becomes *haram* to ask for interest. However, it does not limit Muslims from going to the open market and getting loans. Most of the people who get loans are Muslims and they go to the banks because they are business-minded. They go and get loans and they pay interest.

You are speaking about Islamic banking. Hon. Allan, this is part of the report of the Inter-Parliamentary Union (IPU) and Non-Aligned Movement (NAM). We are going to have the report of the IPU put together with what Hon. Hassan and Hon. Kimosho have and we have a debate on international reports.

**MR ALLAN MAYANJA:** Most obliged, Madam Speaker.

**MR SSEMUJJU:** Madam Speaker, we keep receiving messages from the IGG to declare our wealth and we saw you declaring yours. In view of this letter, which you have said Government should respond to, I thought that the Uganda People’s Defence Forces (UPDF) officers who come to this Parliament and say nothing every day *-(Laughter)-* that at least they would be able to tell us how they are going to deal with this matter because they are Members of Parliament and we are all supposed to declare our wealth - at least as Members of Parliament.

Since you know that they just come and sit and wait, and when it is a controversial matter, they run away, can you guide us, as Members of Parliament, because they are also Members of your Parliament? What do they do since they cannot speak for themselves? I am now helping them.

**THE SPEAKER:** Honourable Member, the legal advisor of Government, under Article 119 of the Constitution, is the Attorney-General. Therefore, the Attorney-General is going to come and respond to this letter.

**MR WAKOOLI:** Thank you, Madam Speaker. My name is Godfrey Wakooli –

**THE SPEAKER:** Hon. Wakooli, before you are allowed to speak, you do not switch on the microphone. Okay?

**MR WAKOOLI:** I am sorry, Madam Speaker.

**THE SPEAKER:** Speak.

**MR WAKOOLI:** Thank you, Madam Speaker. I represent the people of Butiru. Many times, I have listened to senior colleagues in this House. One of them, Hon. Ssemujju, has just pointed out that we have colleagues in this House who do not speak.

Some of us in this House have issues to raise but when you see senior Members of Parliament rise - Some of them stand up to speak and they consume most of our time and we do not speak. I want to request that even as he has accused the UPDF that they do not speak –

**THE SPEAKER:** My UPDF Members speak on important issues.

**MR WAKOOLI:** Madam Speaker, the procedural matter I am seeking is that this House is also supposed to grant opportunity to new Members of Parliament. You find a Member of Parliament standing up to raise very trivial matters when we have serious issues to raise.

**THE SPEAKER:** Hon. Wakooli, you are now speaking. Are you an old Member of

Parliament? Did you give yourself a chance to speak?

**MR WAKOOLI:** Thank you, Madam Speaker. I was not accusing you of not giving us a chance to speak. [Member: “Order.”]

**THE SPEAKER:** Honourable members, just leave – I would like to tell you to stop attacking the presiding officer. This must stop. Are you getting me? If I have a debate on something, I know who to pick to add value.

**DR BARYOMUNSI:** Thank you, Madam Speaker. Regarding the issue of the letter laid by Hon. Ssewungu, I have also just read it and it is an old letter.

I just wanted to clarify that as the Attorney-General comes to the House, it is not correct to say that the President said that soldiers should not declare their wealth. What he is saying is that the IGG should study the way security officers should declare their wealth so that the declaration does not undermine national security. I have read the letter and it is saying: “*Work with the army so that the manner in which soldiers declare does not undermine national security.*” He did not say, “Do not declare.” Therefore, it is important not to mislead the public.

**THE SPEAKER:** No, let us wait for the Attorney-General to come and respond.

**DR BARYOMUNSI:** The public should not be misled that soldiers cannot declare their wealth to the IGG. Read the letter and understand the English.

**THE SPEAKER:** Let us wait for the Attorney-General. Next item?

#### LAYING OF PAPERS

#### ADDENDUM NO.3 TO SUPPLEMENTARY SCHEDULE NO.1 FOR THE FINANCIAL YEAR 2022/2023

**THE SPEAKER:** Honourable members, as you may be aware, Article 156 (2) and (3) of the Constitution and Section 25 of the Public

Finance Management Act, 2015 provide for supplementary budgets and require legislative approval on the same.

On 23 December 2022, the Minister of Finance, Planning and Economic Development tabled the Supplementary Expenditure Budget No.1 for the Financial Year 2022/2023. Since then, the minister has tabled two addenda to the supplementary expenditure schedule and, today, is bringing addendum No. 3.

I want to put the minister on notice that we have a problem in Mulago Hospital. How I wish you could bring another addendum for Mulago Hospital – the Uganda Heart Institute, the Uganda Cancer Institute. *(Applause)* We are waiting for you to bring an addendum in regard to the hospital. I want you to take time off and visit Mulago Hospital.

Whatever we are approving should be for the good of our people. Now, we are going to have that addendum and you will pass the supplementary, but you will have done nothing for health. Hon. Minister, before we bring the supplementary, we shall be waiting for the issue of health.

**MR MATIA KASAIJA:** Thank you very much –

**THE SPEAKER:** There is a procedural matter.

**MR OGUZU:** Thank you, Madam Speaker. Last year, using the powers entrusted to the finance minister, the honourable minister who is going to lay addendum No. 3 to Schedule No. 1 of the supplementary budget, paid tobacco farmers in Bunyoro within the three per cent supplementary expenditure limit.

Following that payment, issues were raised to the Government and the Prime Minister came on the Floor of this House and communicated to the country that the President had directed her to work with the trade and finance ministries to pay monies owed to West Nile tobacco farmers.

Before the minister lays that addendum, wouldn't it be procedurally right that he clarifies

if he has exercised the power he exercised to deal with farmers in Bunyoro in the case of West Nile tobacco farmers? I thank you.

**THE SPEAKER:** Honourable members, the issue of the payment of farmers of Bunyoro, as you have said, was handled under the three per cent and the report is going to come to the House. However, honourable minister, the issue of the farmers of West Nile must be provided for. We need those farmers to also be paid. Let us have it in the Financial Year 2023/2024 budget. Let us not discriminate.

Honourable minister?

**THE MINISTER OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Mr Matia Kasaija):** Madam Speaker, let me begin with the issue of our tobacco farmers in West Nile. *(Interjections)* Let me say something, please –

**THE SPEAKER:** Minister, speak.

**MR MATIA KASAIJA:** It is work in progress. *(Laughter)* Yes.

**THE SPEAKER:** Honourable members, there is a verification team that has been put in place under the Attorney-General's chambers. I have got a communication to that effect.

**MR MATIA KASAIJA:** Thank you. I do not need to add more.

**THE SPEAKER:** You lay your supplementary. However, we need to know how far you have gone with the verification and when the payments are beginning. Hon. Minister, is that understood?

**MR OGUZU:** You are aware that the verification –

**THE SPEAKER:** I did not give you permission to speak. Honourable minister, furnish my office with information on how far you have gone with the verification and when these people will be paid.

**MR MATIA KASAIJA:** Most Obligated.

**THE SPEAKER:** Okay.

**MR MATIA KASAIJA:** (*Members rose*)  
Am I holding the Floor, Madam Speaker -

**THE SPEAKER:** I have never seen  
indisciplined people like you are – Hon. Silas.  
(*Laughter*)

**MR MATIA KASAIJA:** Madam Speaker, I  
wish to lay addendum No. 3 to Supplementary  
Schedule No. 1 for Financial Year 2022/2023.

**THE SPEAKER:** Thank you. When shall we  
have the one for health? I am also aware that  
health returned Shs 80 billion and you never  
gave them the money back.

**MR MATIA KASAIJA:** I beg, Madam  
Speaker, that you give me two days and I come  
back here and give you the full story on how  
we are progressing.

**THE SPEAKER:** Honourable members,  
Addendum No.3 to Supplementary Expenditure  
Schedule No.1 of Financial Year 2022/2023 is  
referred to the Budget Committee.

**MR OSHABE:** Thank you very much, Madam  
Speaker. The Minister of Finance, Planning  
and Economic Development has committed  
to coming back here to give us information  
regarding health. However, some time back,  
the minister –

**THE SPEAKER:** Just a minute. Honourable  
minister, you had gone out to, one, find out  
whether our Vote is a statutory one and, two,  
to give us information about the cuts that you  
have done on the Parliament budget.

**MR MATIA KASAIJA:** Madam Speaker, the  
issue of budgeting, as Parliament desires, is  
being handled by the three arms of Government:  
Parliament will be involved, the Executive is  
involved and the Judiciary is also involved.

The decision is outside my hands, Madam  
Speaker.

**MS ABER:** Madam Speaker, I hope I heard the  
minister right. I heard the minister state clearly  
that Parliament budgets as it desires. I thought  
that our budget is done as it is required.

I, therefore, want the minister to clarify whether  
our budget is based on our individual desires,  
as Members of Parliament, or as an arm of  
Government.

Kindly, I seek that clarification. Thank you.

**MR MATIA KASAIJA:** Madam Speaker,  
sorry, if I was not very clear. We are one nation,  
you are one people. There are institutions that  
govern this country. The budget is a national  
issue; it cannot be decided by a single sector.

This budget is going to be shared between  
Parliament, the Executive and the Judiciary,  
and we decide on how to cut our cake in  
order for each sector to move as necessary –  
(*Interruption*)

**MR BASALIRWA:** Madam Speaker, we  
must be very careful. The explanation by the  
Minister for Finance - I am aware that since the  
10<sup>th</sup> Parliament, there has been an attempt by  
the Executive to undermine the appropriation  
authority of this Parliament; it is deliberate.

And at one time, we were in one of the  
committees of Parliament and we asked the  
PS/ST where they get the authority to begin  
making budget cuts on Parliament. After we  
have made appropriation, allocations have been  
made, and what should go where, who then  
sits somewhere and begins making decisions  
outside of Parliament? And remember, these  
are made through appropriation, the budget  
process and through a Bill and an Act.

However, I am aware that the idea to  
undermine Parliament, by the Executive, using  
the Ministry of Finance is deliberate; and it has  
been going on.

Colleagues, we must fight for our space and  
territory because this has been going on and  
if we do not rise up, these guys are going to  
muzzle us. It is about our territory that we must  
defend.

**THE SPEAKER:** Honourable member, they are not “guys”. Hon. Kasaija, as the Chairperson of the Parliamentary Commission, I am summoning you for a meeting in regard to that, before you go and discuss the budget with the President.

**MR MATIA KASAIJA:** Most obliged.

**THE SPEAKER:** So, let us have a meeting tomorrow before you go to discuss the budget.

#### LAYING OF PAPERS

##### THE UGANDA COMMUNICATIONS FEES AND FINES AMENDMENT REGULATIONS, 2023

**THE SPEAKER:** Honourable members, section 93 of the Uganda Communications Commissions Act, 2013 mandates the minister in charge of Information and Communication Technologies (ICT) to make a regulation for implementation of the Act. The regulation requires parliamentary approval.

I, therefore, invite the Minister of Information, Communications Technology and National Guidance to lay on the Table the Uganda Communications Fees and Fines Amendment Regulations, 2023.

3.15

**THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi):** Thank you, Madam Speaker. Let me just make one comment about what the regulation is about. We have reviewed the spectrum and provided spectrum access bands.

Spectrum refers to the invisible radio frequencies on which their communication signals move. And this answers some of the questions which we have been raising on dropped calls and the quality of the telephone calls, but also upgrading from 4G to 5G. Therefore, it is aimed at improving communication through phones, radios, TVs and others.

In accordance with Section 93 of the Uganda Communications Act, I beg to lay on the Table, the Uganda Communications, Fees and Fines, (Amendment) Regulations, 2003.

**THE SPEAKER:** Thank you. The regulations stand referred to the Committee on Information and Communication Technology (ICT) for scrutiny and report back to the House. Before the procedure, I need an update from *Pastor Bahati David* on the programme for tomorrow.

3.17

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati):** Madam Speaker, as part of the activities to commemorate the work and the contribution of our brother, the late Rt Hon. Jacob Oulanyah, the Uganda Parliamentary Fellowship, which meets every Thursday from 7.30 a.m. to 8.30 a.m. is inviting you.

We have prepared prayers to remember him, to pray for his family and continue praying for his house, at the Members’ Lounge. Breakfast will be served; it is budget neutral. We want to invite each one of you to come and be part of these prayers. Thank you.

**THE SPEAKER:** Thank you. After that, from 2.00 p.m. to 4.00 p.m., we shall be paying tribute. Let us have the prayers in the morning.

**MR MPUUGA:** Much obliged, Madam Speaker. The honourable minister for information has just laid here the regulation for the issue we have raised severally in our alternatives here.

The question of the minister failing to appoint the UCC tribunal and as such, the minister is the tribunal, maybe with his permanent secretary. They are complainants, prosecutors and judges at the same time and as such, the ministry - not the minister - is holding many media houses at ransom and they have no recourse to this tribunal that is in the Act.

The Act is almost getting grey hair without a tribunal. Can the minister explain to this House,

why he should not lose his job for sleeping on duty?

**THE SPEAKER:** Honourable minister, we need a tribunal in the Uganda Communications Commission and it has been there; even when I was in COSASE, we raised it. It is still pending up to this day.

**DR BARYOMUNSI:** Thank you, Madam Speaker. I cannot lose my job because I am one of the very active ministers in this Government. *(Laughter)* The Uganda Communications Act passed by this Parliament makes provision for a tribunal, which is supposed to work like an appellate court so that if there are complaints about the decisions of the UCC or the Minister for Information, then appeals can be made.

Work was undertaken by my ministry but we are discussing it in the context of rationalisation and, therefore, it is not true that I slept on the job; work is on-going. Maybe when the debate -

**THE SPEAKER:** Rationalisation?

**DR BARYOMUNSI:** Yes, the Executive arm of Government is undertaking a rationalisation exercise where agencies and departments are being reviewed. Therefore, we could not proceed to establish a tribunal. We are fitting it into that debate. So, when the debate comes here, we shall update you because the Cabinet now cannot allow you to create a new institution or agency. It has to fit into that – *(Interruption)*

**MR MPUUGA:** Thank you, Madam Speaker. I also thank the honourable minister for yielding the Floor. Would you please clarify how complaints are resolved under this Act since the Act was enacted and passed?

Secondly, the issue of rationalisation was just a few months back. So, does the discussion of rationalisation put a halt on the laws of the land? Were the laws stopped from operating because of rationalisation?

**MR ODUR:** Thank you, Madam Speaker. The additional clarification I'm seeking from

the minister is that this regulation he has laid here requires that before the minister lays it, the approval of Parliament is prior to making the regulations.

I would like to request the minister to confirm that Parliament actually approved this regulation prior to laying. If Parliament did not, then the minister ought not to have brought it here.

**THE SPEAKER:** What has the regulation been brought for? Is it for scrutiny by our sectoral committee?

**MR ODUR:** Madam Speaker, by its very nature -

**THE SPEAKER:** Was there a consultation with Parliament on the regulation you made?

**MR ODUR:** Not consultation. Actually, section 93(1) says that, "The minister may, after consultation with the Commission and with the approval of Parliament -" and then later make the regulation. Meaning it is conditioned. The condition is that you must come to Parliament and seek approval. After the approval, you can then now make the regulation.

**THE SPEAKER:** Did you get the approval?

**DR BARYOMUNSI:** Since you have referred it to the committee, we shall work with the Committee on Information, Communication Technology and National Guidance - *(Laughter)* - and Parliament will be advised on what the law says.

**THE SPEAKER:** Honourable minister, you need to understand what the Member is saying. There should have been prior approval.

**DR BARYOMUNSI:** The Attorney-General will guide us on what the law expects of us.

**THE SPEAKER:** Attorney-General?

**DR BARYOMUNSI:** In any case, if it requires approval, what I would say is that since you have sent it to a committee, then the committee



can make a report and once it is adopted, we can then lay it and answer what the law requires.

**THE SPEAKER:** Regulation 93(1) says, “*The Minister may, after consultation with the Commission and with Parliament’s approval, make regulations for better carrying into effect the provisions of this Act by statutory instrument.*” Attorney-General?

3.24

**THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka):** Thank you very much, Madam Speaker. You have read the provision clearly. The law does not come into effect until it is approved by Parliament. If it is not approved by Parliament, it is not a law. So, it has to go through the processes and then brought before Parliament.

I think what happens here is that the committee scrutinises it to either approve or reject. If it approves, then it becomes a law. It cannot have effect under the Interpretation Act until it is approved by Parliament.

**THE SPEAKER:** Actually, this regulation should not come into effect before the report of the committee is tabled.

**MR BASALIRWA:** Learned Attorney-General, what the minister seeks to do now is what should have happened first. Under the UCC Act, you come to this Table to lay the regulations and once they are laid, that is all. There cannot be another referral to a committee. Laying is the end of the process and that is the essence of subsidiary legislation.

Therefore, once your ministry makes the regulations, at that stage, you go to the committee and the - *(Interjection)* - That is what regulation 93 is talking about. The approval comes from the committee. When you come here, you are laying and that is what regulation 93 talks about. You do not go to the committee again and come back here. The end game should be the laying here.

**THE SPEAKER:** Honourable members? Yes, point of procedure.

**MR SSEMUJJU:** Madam Speaker, there are not many times that I am going to agree with the Government. However, Parliament will need to understand how it operates. I remember when amending the UCC Act, we had a debate over the regulations. The only way a document can come to Parliament is by laying it.

If it requires scrutiny by a committee, it can be referred by the Speaker. If the minister laid the regulations and they require parliamentary approval, then you can only plead with the Speaker to refer the regulations to a relevant committee and then they come here for approval.

**THE SPEAKER:** Which I have done.

**MR SSEMUJJU:** I find a problem with us stopping the laying. How do we receive the regulations from the Government?

**THE SPEAKER:** I would like to request you to interest yourselves with the amendment we did in 2017 on section 93.

Honourable members, let us refer the document to the committee. It will not come to effect before we get a report from the committee.

**MR MPUUGA:** Much obliged. The honourable minister did not respond to the question of how disputes are resolved under the Act in absence of a tribunal.

Like I said, I know he is the complainant, the judge and the prosecutor; so, would he like to tell us how media disputes are handled?

**DR BARYOMUSI:** Thank you very much, Madam Speaker. At the moment when there are disputes, UCC and the minister can look at them but also, the Constitution provides for the High Court, which has unrestricted jurisdiction that if you are not satisfied -*(Interjection)*- just hold on. You need to learn how to listen. If you are not satisfied by a decision made by the UCC or the Minister of Information, Communications Technology and National Guidance, you can go to the High Court since the High Court, under the Constitution has

unlimited jurisdiction and it can entertain the complaints. Indeed, people have gone to court.

**THE SPEAKER:** Honourable minister, we need a tribunal. Please go and work on the tribunal.

**DR BARYOMUNSI:** I am working on it but I have guidance from Cabinet.

Madam Speaker, I am a Member of the Cabinet of Uganda. I cannot bring work here, if it is not cleared by the Cabinet. And the guidance I have from the Cabinet is that the discussion of creation of any agency – [Mr Ssewungu rose] – Which wrong information? You do not sit in the Cabinet. I am giving you information.

**THE SPEAKER:** Hon. Ssewungu, when I am chairing this House, I will not allow that. Do you think when you say a word once, I cannot hear? You do not even have respect for visitors yet we have visitors all over. What will these children think? No, no. Learn to respect.

**DR BARYOMUNSI:** Thank you very much, Madam Speaker. Let us have decorum for each other -

**THE SPEAKER:** I will apply rule 79 on a person.

**DR BARYOMUNSI:** Thank you. The point I was making is that there is a discussion –

**THE SPEAKER:** What you are saying, honourable minister, is not correct. We want the tribunal. This business of saying we are going into rationalisation; how sure are you that we are going to rationalise? Will it stop the operation? Honourable minister, sit down.

We want a tribunal in UCC. We cannot do an ad hoc kind of operation. When I was in COSASE, we raised that issue. It has been an issue for many years. When you say, “We are going into rationalisation,” can you rationalise as Cabinet? Doesn’t it have to come to the House? Assuming the House refuses?

**MR ODUR:** Madam Speaker, I beg your indulgence on this issue of the regulation. I want the Attorney-General to help the House and the country. These are regulations that are going to charge fees on the various telecommunication companies and broadcasting houses.

However, in paragraph 2 of the instrument, about commencement, it says that these regulations shall come into force on the date of publication in the Gazette, except for item number nine, paragraph (e), which shall come into force on the 1<sup>st</sup> of July.

The issue I am raising is on commencement of this statutory instrument. This is now the law. I have a gazette here published on 3 March 2023, which means this instrument is now in force as a law.

**THE SPEAKER:** That instrument should not come to effect before approval from the committee. The committee has to report to this House.

**MR KIRYOWA KIWANUKA:** Madam Speaker, section 93 was read and it was amended. It stated that Parliament can reject any of the provisions that are put here. The Rt Hon. Speaker has referred this document to the committee. If the committee feels that there is any provision that they do not want to have in here, it will report back to the House and the House will guide.

**THE SPEAKER:** That is what we are saying; we are making a correction of that by sending it to the committee. Our committee must now work and bring the report back. For now, it cannot take effect.

**MR ODUR:** Thank you, Madam Speaker. The Ugandans who are out there should now know that there is no law at the moment and UCC cannot collect these fees until Parliament has pronounced itself.

**THE SPEAKER:** Exactly.

**MR SSEMUJJU:** Madam Speaker, you earlier referred to the amendment. I was here when

Hon. Frank Tumwebaze - because the feeling in Parliament was that these regulations will require parliamentary approval. The decision we took, as Parliament, was that they would be laid. In fact, in effect, changing the requirement as it was before; so, the approval was removed.

The procedural issue I am raising is whether the Attorney-General must not address himself to the section as it was and to the section as amended. We seem to be returning something that we changed in this Parliament. I was here; that debate took more than three hours. The feeling in Parliament was, "Bring regulations, we approve them," but the decision we took was not to approve; it was just to lay here.

**MR OGUZU:** I would like to give him quick information. There is a requirement that we must either reject or -

**THE SPEAKER:** Can we hear from the Attorney-General?

**MR OGUZU:** Madam Speaker, the timelines are critical -

**MR KIRYOWA KIWANUKA:** Madam Speaker -

**THE SPEAKER:** Honourable members, do not think that you hold the monopoly of being stubborn and thinking that you can pick a microphone and just start talking like - I do not wish you to see the other part of Anita.

**MR KIRYOWA KIWANUKA:** Thank you very much, Hon. Ssemujju. The provision, as amended, reads, "*Parliament may, by resolution, revoke regulations or a particular provision of the regulations within 30 days from the date the regulations are laid.*"

Madam Speaker, you have correctly sent it to the committee. If Parliament feels that there is any provision it does not wish to have, it can reject or amend it. I beg to submit.

**MOTION FOR RECONSIDERATION  
OF THE NATIONAL LOCAL CONTENT  
BILL, 2022 AS RETURNED BY HIS  
EXCELLENCY THE PRESIDENT IN  
ACCORDANCE WITH ARTICLE 91(3) (B)  
OF THE CONSTITUTION AND RULE 143  
OF THE RULES OF PROCEDURE**

**THE SPEAKER:** Honourable members, as recalled, the National Local Content Bill was passed by this House on 6 September 2022 and was transmitted to His Excellency the President for assent in furtherance to Article 91(1) of the Constitution of Republic of Uganda.

The President invoked Article 91(3)(b) of the Constitution and returned the Bill for reconsideration by the House through a letter dated 16 January 2023. The Bill was referred to the committee for reconsideration under Rule 143(2) of the Rules of Procedure of Parliament. The committee is now ready in furtherance of Rule 143(3) of the Rules of Procedure. I now invite the sponsor of the Bill to move a motion for reconsideration.

3.38

**MR PATRICK NSAMBA OSHABE (NUP, Kassanda County North, Kassanda):** Thank you, Madam Speaker. Before I move the motion, allow me bring Members to speed mainly about the Local Content Bill.

**THE SPEAKER:** First move the motion.

**MR NSAMBA OSHABE:** Thank you, Madam Speaker. Most obliged. In accordance with Rule 130 of the Rules of Procedure of Parliament, I beg to move that the Bill entitled, "The National Local Content Bill, 2022" as returned by the President for consideration of the clauses, be read a second time.

**THE SPEAKER:** Is the Bill seconded? It is seconded by Hon. Gilbert, Hon. Allan, Hon. Silwany, Hon. Aber and Fr Onen - by everybody. Would you like to speak very briefly to your Bill?

**MR NSAMBA OSHABE:** Thank you, Madam Speaker. The Local Content Bill was conceived sometime back when we looked around what is happening in other countries.

Honourable members, in other countries, there are institutionalised policy frameworks where the companies and people of those countries are given priority, especially where taxpayers' money is used. When you go to Ethiopia, Kenya, Rwanda and all the countries around us, there are efforts to ensure that their local companies, in the midst of this worldwide competition, are given chance to prosper.

When you come back here, all our companies are collapsing. Why? It is because of the stiff competition that comes with the open nature of our procurement rules and laws.

Honourable members, you have witnessed instances where our neighbours choose to say things like, "Please, do not bring your milk; we have enough milk", "Do not bring your maize; we have ours", "Do not bring your sugar; we have ours". Why? It is because they have mechanisms to ensure that when they have a product, there is no reason for them to import it.

Honourable members, the fact that we do not have institutionalised frameworks here to ensure that our companies and people are protected is why we thought of conceiving a legislation to cure this mischief.

I am calling upon you, honourable members, to use the same effort you used yesterday on homosexuality, to support our people in this country. *(Applause)* We should use the same effort to ensure that whatever is provided for in this law is for the benefit of the people of Uganda. I thank you very much.

**THE SPEAKER:** Thank you, Hon. Oshabe. In the public gallery this afternoon, we have Fr Oscar Ahimbisibwe from Kishariro Parish, represented by Hon. Michael Timuzigu of Kajara County and Hon. Francis Mwijukye. You are most welcome. *(Applause)* Thank you for sending us very good Members of Parliament.

Honourable members, the Bill was returned and it is self-explanatory. It has a letter explaining why it was returned. I am reliably informed that there is a minority report to that effect. So, we will ask the chairman, first, to give us a brief summary of his report. Then, we will hear from the minority Members. We will put more emphasis on the committee stage.

**MR MPUUGA:** Thank you, Madam Speaker. I am not in any way trying to impeach your guidance on the report. However, when enacting laws, those who will come after us will want to understand the spirit and letter of the law. The spirit is captured in the manner of the committee's report.

May I seek your kind indulgence to allow the chairperson to read the entire report? This is because it does help in terms of posterity. When the record is well captured, it does help for those who will try to understand or even challenge the law or the intentions of the legislators. Thank you.

**THE SPEAKER:** Go ahead and read it.

**MR MPUUGA:** Thank you.

**THE SPEAKER:** However, the *Hansard* will also capture everything in the report.

*(The report is hereby attached.)*

3.45

**THE CHAIRPERSON, COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Dr Keefa Kiwanuka):** Thank you, Madam Speaker, for this opportunity to present the committee's report on the National Local Content Bill, 2022, as returned.

The assent copy of the National Local Content Act, 2022 was returned to Parliament by His Excellency the President and referred to the Committee on Finance, Planning and Economic Development on 1 March 2023. The committee has considered the assent copy of the National Local Content Act, as returned by H.E the President, and hereby reports.

Object of the National Local Content Act, 2022  
(Assent copy)

The object of the Act is to impose local content obligations on a person using public money or utilising Uganda's natural resources or carrying on an activity requiring a licence; to prioritise Ugandan resident companies and citizens in public procurement; to ensure skills and technology transfer to Ugandans; to provide for the development of local content plans; to provide for the supervision, coordination, monitoring and implementation of local content in Uganda, and; for related matters.

Methodology

- a) The committee reviewed the letter received from His Excellency the President of the Republic of Uganda, returning the Act. The mover of the Bill was not available - I believe until yesterday – but we received a written submission from Hon. Oshabe
- b) The committee further carried out consultation with the Attorney-General's chambers and the Ministry of Finance, Planning and Economic Development on the sections under consideration – these were detailed consultations and in writing.
- c) The committee held an internal meeting to consider and deliberate on the amendments as proposed by His Excellency the President.

I also need to mention, Madam Speaker, that since producing this report, we have had a harmonisation meeting with the mover of the Bill and also with our honourable colleagues, who had written the minority report. However, I will read the report as it is and we will deal with that during amendments.

Committee findings, observations and recommendations

The committee scrutinised the clauses that form the basis for the return of the Act by His Excellency the President and made the following proposals:

Clause 1(c): Application of the Local Content Act, 2022 to the Mining, Electricity and Tourism sectors

The President notes that the Mining Act, the Electricity Act, the Uganda Tourism Act and the PPDA Act have provisions on local content. He further states that the National Local Content Act should apply to public sector procurement matters only.

The mover notes that whereas the Mining Act, 2003 did not contain local content obligations, the Mining and Minerals Act, 2022 contains provisions imposing local content obligations such as sections 3(q), 28(2)(k), 194(1)(v) and 196(3).

In summary, we partially agree with the President. While the Mining and Minerals Act, 2002 consists of all the above empowering provision for local content, there were no regulations that gave a detailed breakdown of matters concerning local content, as stipulated in the National Local Content Act, 2022. So, there is a bit of local content in the Mining Act but there are no regulations, at the moment, as a way of enabling it.

The Electricity Act, Cap. 145, the Electricity (Amendment) Act, 2022 and its regulations, policies, codes, guidelines and standards have no reference to local content.

Further, the Uganda Tourism Act, 2008 does not have any provision for local content. Regarding the application of the Act to public sector procurement matters only, sections 50, 55, 59A and 59B of the PPDA Act provide for the preference and preservation of Ugandan goods and services and further require all Public Procurement and Assets Disposal Act to be carried out in accordance with the rules set out in Part V of the Act and any regulation and guidelines made thereunder.

Whereas the PPDA Act does not have elaborate provisions on local content, the Act allows for the issuance of guidelines under section 55. It is under this pretext that the guidelines on reservation schemes to enhance local content

were issued. The guidelines have elaborate provisions on local content.

The committee further observed that with the proposal by His Excellency the President that this Act applies only to public sector procurement matters, there would be two concurrent laws addressing local content matters in procurement.

The committee was of the considered view, therefore, that:

- a) Since there is a regulatory framework for local content in the current procurement regulatory framework, the same could be reviewed and where the guidelines on local content are perceived to be inadequate, they can be enriched to comprehensively cover all aspects of local content; or
- b) The provisions of the law on local content in the PPDA regulatory framework can be repealed and the proposed national content law applies to all matters of local content, including public procurement.

This is to allow for one law to cover aspects of local content instead of having two laws covering the same exact subject matter.

The committee was cognisant of the fact that when Parliament adopts the recommendation to repeal the provisions on local content in the PPDA Act, several contracts will be affected. This can, however, be cured by providing for a grace period of either six months or one year, whichever is practicable, for all public procurement to become compliant with the National Local Content Act, 2022.

The committee, therefore, recommends that:-

- i) The Mining Act should be deleted from the application of the Local Content Act, 2022 under clause 1(1)(c).
- ii) We maintain the application of the Local Content Act, 2022 to the Electricity and Tourism Acts.

iii) Passing of the regulation under the Mining and Minerals Act be expedited and the requirement on local content specifically provided for to cover all aspects elaborated in the National Local Content Act, 2022.

iv) The local content provision in the PPDA Act be repealed and incorporated in this Act, which shall take precedence over all other laws on local content in public procurement matters.

v) That all contracts existing under the current framework be granted a grace period to become compliant with the National Local Content Act.

1.2 Clause 1(g) and 23 regarding internal and external finance –

**THE SPEAKER:** Is it section or clause 1(g) and 23? I am looking at your report.

**DR KEEFA KIWANUKA:** According to the report, we are referring to the assent copy, which is referred to as an Act. Therefore, we are quoting it as section 1(g).

**THE SPEAKER:** You read what is in your report.

**DR KEEFA KIWANUKA:** Section 1(g) and 23 -

**THE SPEAKER:** Clause 1(g) and 23 regarding internally and externally financed –

**DR KEEFA KIWANUKA:** Public borrowing of any such similar arrangement. Clauses 1(g) and 23 regarding internally and externally financed public borrowing of any such similar arrangement.

Clause 1(g) states that this Act shall apply to a local content entity whose activities are financed through public borrowing or any such similar arrangement.

The President notes that this provision together with clause 23 requires the Government's internal and externally acquired resources

to comply with local content obligations. According to the President, this is not practical since each development partner has their own policies and guidelines negotiated before the start of any project. The President, therefore, proposes that the negotiation for local content, to the extent that is practicable, should be left to the minister responsible.

The mover notes that this clause is intended to draw as much value from transaction –

**THE SPEAKER:** This clause is intended to draw as much as – are we using the same report?

**DR KEEFA KIWANUKA:** Okay, this clause is intended to draw as much value from transactions arising internally and externally sourced resources since they are now numerous and are contracted using the procurement laws of the relevant body. The minimum obligations imposed under the clause are merely a guide to the minister, who will be negotiating the agreement to ensure that these matters are included in the agreement.

He referred to Clause 4A of the PPDA Act, which requires that where a bilateral loan or negotiated grant contains the condition that the provider shall originate from the country of the donor, procurement of the provider shall be in accordance with this Act and where there is conflict between the Act and the agreement, then the agreement would take precedence.

He concludes by stating that clause 1(g) and 23 should be left in the Act since it operationalises clause 4A(1) of the PPDA Act, which allows for the procurement laws of Uganda to take precedence and they are only set aside when they are in conflict with the agreement.

The committee observes that Section 4A(2) of the PPDA Act provides for the proposal made by the President for the exemption of development partners from compliance with the local content requirements, especially where there is a conflict between the agreement of the development partners and the law on local content for procurement matters.

The committee further observes that there is need to define who a donor is in the context of Section 4A(2) of the PPDA Act for purposes of determining which funds should be exempted from the application of the local content law in line with the President's proposal.

The committee was also emphatic on the funds advanced by development partners, which are recovered from public money (which includes taxpayers' money) in terms of principal, interest and commitment. Such projects ought to comply with the national local content laws since the repayment of their advanced monies is done out of taxpayers monies and this repayment has an interest element.

The committee was mindful of the fact that the National Local Content Act is an affirmative action law whose primary objectives include the development of the human capital and economic aspects of the country. Therefore, there was no need to critically examine any provision that appeared as an impediment to the attainment of these objectives.

In that regard, the committee proposed a redraft of Clause 4A of the PPD Act to ensure the primary objective of the local content law is achieved, especially with regard to monies paid to development partners that are recovered from taxpayers.

The committee observes that clause 4A(2) has the effect of allowing a private agreement to fetter the application of an Act of Parliament. This was found to be unconstitutional since an Act of Parliament cannot be amended or reversed by a private arrangement and the provision ordained by Parliament cannot be amended by private contract. This was the finding of court in the High Court of Uganda in Civil Appeal No. 14 of 2011: *Heritage Oil and Gas Limited v. Uganda Revenue Authority and K.M Enterprises and others v. Uganda Revenue Authority*, which all found that a private arrangement cannot waive a legal obligation imposed under the law.

The proposal by the President to grant procedure over an illegal provision by a

private agreement will be challenged as were the actions in: *Heritage Oil and Gas Limited v. Uganda Revenue Authority (Civil Appeal No.14 of 2011.)*

In that regard, the committee proposed a redraft of clause 4A of the PPD Act to ensure that the primary objective of the local content law is achieved, especially with regard to the monies paid to development partners that are recovered from taxpayers.

The committee, therefore, recommends that clause 4A of the PPD Act is reviewed to clearly define who a donor is, and apply accordingly to the local content provision.

#### Clause 2: Definition of a contracting authority

The committee made the following findings, observations and recommendations on clause 2 regarding the definition of a contracting authority.

The President proposes that the definition of a contracting authority should be excluded to cover authorities, local governments, local authorities, statutory bodies and agencies.

The committee agrees with the President's proposal. The committee notes that the proposal may be modified to exclude local authorities since they are covered under the local government.

The committee recommends, therefore, that clause 2 of the Act is amended in the definition of contracting authority to include authorities, local government, statutory bodies and Agencies.

#### Clause 3: Department under the Ministry of Finance, Planning and Economic Development to implement provisions of the Act

The President states that the functions of audit and compliance of local content should be left to the Auditor-General, Internal Auditor-General or PPDA.

The President further states that the monitoring function should be undertaken together with other stakeholders. The mover notes that the Auditor-General is empowered, under the National Audit Act, to provide for the auditing of accounts of the central government, local government councils, administrative units, public organisations, private organisations and bodies.

He further notes that the audit powers granted to the department are restricted to only auditing compliance with the Act while those of the Auditor-General are restricted to auditing accounts.

He concludes by noting that there is, therefore, no conflict between the function of the department and that of the Auditor-General since these entities will exercise jurisdiction over different matters. He, therefore, prays that clause 3(2) (k) be retained, as it is in the Act.

The committee observes as follows:

- i) The department should do the monitoring and supervision, but auditing of the local content be left to the Office of the Auditor-General and the Internal Auditor-General;
- ii) The Audit Act, 2008 under section 13(1) (b), clearly says that the Auditor-General shall conduct financial, value-for-money audits and other audits such as gender and environment in respect to any project or activity involving public funds;
- iii) The above provision is permissive and allows the Auditor-General to cut out specially-themed audits. The local content audit would qualify under such audits.

The committee, therefore, agrees with His Excellency, the President that the audit and compliance aspects of local content remain with the Office of the Auditor-General.

The committee recommends as follows:

- i) That audit and compliance be left with the Office of the Auditor-General and that of the Internal Auditor-General; and



- ii) That clause 3 is amended in subclause (2), by deleting paragraphs (f), (h) and the word “audit” in (k).

Clause 4: Preferential treatment of Ugandan goods, works and services

The President states that clause 4 gives preferential treatment to Ugandan goods, works and services contrary to the East African Community Protocol on Free Movement of Goods and Services and the East African Monetary Union.

The mover notes that the Act granted priority to goods manufactured and services provided from the EAC under clause 31, meaning that the Act conforms to the EAC protocols.

He adds that the Act, under clause 31, grants priority in tiered manner to goods and services, noting that the first priority is granted to Ugandan goods and services, and where those goods are not readily available in Uganda, then priority is extended to goods and services procured from the East African Community countries.

The mover mentions that local content obligations are also imposed under other laws, including the Petroleum (Exploration, Development and Production) Act, Mining and Minerals Act and PPDA Act, and they were all passed after the coming into force of the EAC Treaty.

They further noted that almost all the East African partner states have local content laws, such as Kenya, Tanzania, Rwanda and South Sudan.

These local content laws have specifically targeted particular sectors such as gas, oil and other mineral resources, telecommunications, public procurement and asset disposal in public institutions, participation in the private security sector, national construction authority and investment in the insurance sector. None of the laws in this jurisdiction gives similar or priority treatment to goods from Uganda.

The legislation, on further examination, provides framework to increase the local value capture along the value chains in the sectors highlighted above.

The committee is aware that currently, certain local content obligations are contained in a number of laws, including the minerals law and the oil and gas laws of Uganda, Kenya, Tanzania and South Sudan.

Furthermore, most of the countries in the East African Community have laws and regulations imposing local content obligations, including in Kenya, there are more than three local content Acts that provide a framework to increase local value capture along the value chain in the exploration of gas, oil and other mineral resources, telecommunication, public procurement and asset disposal in public institutions, participation in the private security sector, the National Construction Authority and investment in the insurance sector.

The National Construction Authority Act, 2011, for example, imposes local content restrictions on foreign contractors, defined as companies incorporated outside Kenya or with more than 50 per cent ownership by non-Kenyan citizens.

The Act requires foreign contractors to enter into subcontracts or joint ventures ensuring that at least 30 per cent of the contract work is done by the local firms. Regulations implementing these requirements are in the process.

The other Act is the Kenya Insurance Act, 2010, which restricts foreign capital investment to two thirds with no single person controlling more than 25 per cent of an insurance capital.

Kenya also introduced new regulations, which require holders of existing mineral rights to submit to the Cabinet Secretary for Mining, procurement plans which must:

- i) set targets level for local procurement based on procurement list to be developed and communicated by the director of mines;

- ii) indicate specific support to be provided by mineral rights holders to local providers or suppliers, as well as other measures being implemented to develop the supply of local goods and services, including broadening access to opportunities and technical support.

The regulations also require engineering services to be rendered by Kenyan engineering companies, registered with the relevant regulatory bodies or by foreign engineering consultants working in collaboration with the firms or companies licensed to provide such engineering services in Kenya.

In Tanzania, local content provisions are provided under the Mining Act, wherein the Minister responsible for Minerals in Tanzania recently published a Government Notice No.749 of 2022, introducing various amendments to the Local Content Regulation of 2018, which grants priority to Tanzanian entities to the exclusion of the other entities from the East African Community.

Under that Act, foreign companies seeking to provide goods or services must incorporate a company in Tanzania and enter into a joint venture with a local company.

Prior to the amendments, foreign companies could provide the goods or services in association with a local company.

The new regulations have, thus, specified the form of association acceptable under the law, in which case the provider of goods or services must be incorporated as a local entity, which must in turn be a joint venture with wholly-owned local companies.

Tanzania has local content obligations under the Mining, Oil and Gas Local content, the works, transportation, communication, agriculture, livestock, fisheries and other industries.

Trade and tourism sector

The Government of Rwanda recently drafted a “Made-in-Rwanda”, which is equivalent to

the “Buy Uganda, Build Uganda” policy here that seeks to improve the overall trade balance by improving perception of Rwandan products within the country.

Part of this proposal includes the establishment of a local content unit that connects new investors with potential local suppliers.

In 2012, the South Sudan National Legislative Assembly enacted the Petroleum Act, which was signed into law by the President in 2012. The Act paved way for the formulation of the National Content Policy in 2018.

The policy includes clauses that require: (i) procurement of goods and services produced in South Sudan; (ii) employment and training of South Sudanese; and (iii) transfer of skills, knowledge and competences.

All the above local content laws do not grant priority to Uganda. Having such laws is essential for national development. And since all the EAC countries have them, it is prudent that Uganda makes them as well to ensure that when these laws are harmonised, Uganda does not lose out; and that is what really persuaded us.

Committee observations

While the cited jurisdictions have aspects of local content laws to specific sectors, and while Uganda is desirous of taking the lead in complying with the treaty, it is necessary to appreciate the likely impact of considering the East African goods without priority being given to Ugandan producers and manufacturers.

The committee further observed that whereas the partner states have no specific legislation called the “National Local Content Act”, they have sector-specific laws addressing issues of local content. This covered the oil and gas sector, mining, telecommunication, insurance, and procurement, among others. The countries further had policies that strongly required promotion of local content requirement.

Secondly, when the local content laws are being harmonised, only the existing laws can be harmonised. If Uganda has no existing laws on local content at the time when we do that harmonisation, it will have to recognise the local content laws for the other jurisdictions. But it cannot, at that point in time, introduce local content for itself in the harmonised law.

Therefore, Uganda should have a law on local content for purposes of uniformity and ease of harmonisation with other East African countries.

Thirdly, the law is not, in any way, prohibiting the free movement of goods. And at no point does it exclude the movement of goods from the other East African Community partner states; it only seeks to give preference to Ugandan goods when it comes to public procurements. Giving Ugandan goods priority for public procurement is not, in any way, a barrier to trade for goods from other East African countries entering the Ugandan market.

The law has not stopped any jurisdiction from having their goods brought into Uganda. The committee took note that while non-tariff barriers include import quotas, subsidies, custom delays, technical barriers or other systems preventing or impeding trade, none of this is being introduced by this law.

Lastly, clause 31 of the Act gives East African goods and services priority over any other goods and services.

We have harmonised – as I mentioned – but the recommendation was that clause 4, regarding the preferential treatment to Ugandan goods and services, be maintained.

At this juncture, I would like to request my colleague, the vice-chairperson, to read the rest.

4.21

**THE VICE-CHAIRPERSON, COMMITTEE ON FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (Ms Jane Avur):** Thank you, Madam Speaker. In clause 5(2), regarding the rejection of Ugandan goods

and services during procurement the President states that the requirement for written permission of -

**THE SPEAKER:** Hon. Jane Pacuto, are you on clauses now?

**MS PACUTO:** Issue 4.6 -

**THE SPEAKER:** What shall we be doing when looking at clauses at committee stage?

**MS PACUTO:** Madam Speaker, I am on paragraph 4.6, which relates to the rejection of Ugandan goods and services during procurement.

**THE SPEAKER:** Which clause is that?

**MS PACUTO:** Clause 5(2).

**THE SPEAKER:** What I am asking is: what shall we be discussing when looking at the Bill clause by clause, as returned?

**MS PACUTO:** Madam Speaker, I beg your indulgence. Please, guide on how I should proceed.

**THE SPEAKER:** Government Chief Whip?

4.22

**THE GOVERNMENT CHIEF WHIP (Mr Denis Obua):** Madam Speaker, first and foremost, I thank the honourable colleague for this Bill. In the circumstances, the learned Attorney-General was present and, as the principal legal adviser to the Government, we thought he would lead us when we move to committee stage. However, he has been summoned, by a higher authority, for an important meeting.

We have made some consultations, Madam Speaker, and if it pleases you, we could receive the report and defer the committee stage to give us the opportunity to consult and harmonise, especially the drafting, and we come back next week for the committee stage.

I humbly request, Madam Speaker.

**THE SPEAKER:** Thank you.

**MR AOGON:** Madam Speaker, I appreciate the submission by Hon. Obua. Now that this Bill was returned by the President, it is very clear that he has areas of departure from the position of Parliament. I thought it is only proper that Members take time to understand the points of departure clearly, clause by clause – and this comes through the report.

Therefore, I would like to find out whether it is not procedurally proper that we remain patient and allow the committee to go through their entire report.

**THE SPEAKER:** The committee has read the report. What Hon. Avur is now going through are the clauses. However, there are issues of departure, clause by clause. And what we are saying is that we need the Attorney-General to be around.

**MR AOGON:** Thank you, Madam Speaker. On the issue of the Attorney-General being present or not, the positions are already written and that is what we have always been doing. The report clearly states the departure points of the President and the committee's positions are now clear.

Therefore, where we need a particular matter to be referred to the Attorney-General, that can be stayed, but I do not think it is necessary. We need to proceed with the Bill, exhaust and pass it. Thank you.

**THE SPEAKER:** Yes, LOP.

**MR MPUUGA:** Thank you, Madam Speaker. I have had consultations with the Government Chief Whip and the learned Attorney-General. My problem is about frustrating the Member and mover of the Bill. I would grudgingly settle for an adjournment of the debate, just to make sure the private Member is not frustrated but to bring to the centre, the areas over which the learned Attorney-General probably had issues and to allow the Member to have the Bill moved.

I would like to suggest to the chairperson that it would be very useful if he gets to understand that one of the issues the Attorney-General raised is that the drafting is not compliant with the basic standards of drafting.

**THE SPEAKER:** And he said that he was not consulted.

**MR MPUUGA:** Yes, and that he was not consulted. So, we do not want the Attorney-General to come here and raise dust and then frustrate the Member. We are amenable to an adjournment of the matter and then be able to make sure the Member's issue is promoted because that is why we are here.

Madam Speaker, I am ready to wait and my job is to protect the private Member. I have spoken to him and we are willing to wait for the learned Attorney-General to be around so that we can move to the centre.

**THE SPEAKER:** So, can we have this Bill - yes, Hon. Jonathan Odur?

**MR ODUR:** Madam Speaker, I am in agreement with the proposal being made. However, the chairman of the committee has done us a disservice without seeking your attention to invite the vice to come and continue reading the report. He had just read up to page 13 of the report yet the report goes up to page 29 – appearing as if we are now moving to the next stage.

Therefore, I beg your indulgence that the report be concluded and then the other processes can go on.

**THE SPEAKER:** Maybe the chairman got tired and wanted the help of the vice. Yeah! What the vice-chairperson is reading are the amendments, clause by clause. That is why we need the Attorney-General to be in when we are looking at those clauses.

Hon. Ababiku *-(Member rose)* - no, you are the owner. We are legislating for you.

**MS JESCA ABABIKU:** Thank you, Madam Speaker. At this point, I agree with the Leader of the Opposition, not because of the interest of the mover, but for the interest of this country. All of us have been striving hard to ensure that the local content law comes into effect so that our country grows with its people.

Madam Speaker, therefore, the presence of the Attorney-General will help all of us because returning this law all the time derails the country.

Therefore, I support what the Leader of the Opposition has proposed.

**THE SPEAKER:** Yes, Hon. Santa.

**MS SANTA ALUM:** Thank you, Madam Speaker. I, too, stand to add my voice that, indeed, we need to wait for the Attorney-General.

This is a very important Bill. When you look at our partner states, you notice that all of them have the local content laws. According to the report, when it comes to the point of harmonisation, we shall be having nothing. Therefore, I also join in to say that we do not need the Attorney-General to come and say the Bill was debated when he was not around to give a legal opinion.

However, Madam Speaker, I do not know whether it would not be right - I heard that there is a minority response - to also receive that minority response after, so that Members have enough time to look through both reports. Thank you.

**MR SSEWUNGU:** Madam Speaker, if there is anybody who is happy with the new Attorney-General and his deputy, it is Ssewungu Joseph Gonzaga. In the previous Parliament, we used to have a big challenge of processing Bills here without the Attorney-General. If you open the *Hansard*, you will find that I used to raise those issues. One time the Attorney-General came and the Bill delayed.

Whenever we have an Attorney-General seeking the indulgence of the Speaker that he should be around as we process the Bill, it is very important.

This Bill has a lot of legislation. They have mentioned a number of Acts from Tanzania, Kenya, Rwanda, the PPDA and others. It will give us room, as Members of Parliament, to go and read deeper so that the Attorney-General, the committee chairperson and the mover of the Bill move in tandem, to process the Bill for the betterment of this country.

Otherwise, rushing without the Attorney-General, which might give him the latitude to go to court and distance himself from what Parliament decided is not good. My prayer is to thank the Speaker and the Leader of the Opposition.

**MS JOY KATALI:** Thank you, Madam Speaker, for giving me this opportunity. I agree with the Members on the issue of the presence of the Attorney-General.

My concern, however, is that the report was not completed. As Hon. Odur said, we are on page - I think 13 - but the report continues. It seems like the chairperson had a problem and called on the vice-chairperson to complete reading the report. So, I do not know what we are going to do. She was not reading clauses; she was continuing with the report presentation. Thank you.

**THE SPEAKER:** She was reading the clauses that were returned by the President for reconsideration. However, since we are here for reconsideration, we are going to allow her to present, but what we are saying is: do we present them in the absence of the Attorney-General or not?

**MS ESTHER AFOYOCHAN:** Thank you, Madam Speaker. I want to take the same stand as my colleagues. I think we shall be going back and forth in the absence of the Attorney-General. It costs us nothing to wait a bit so that we move homogeneously and uniformly to the end of this Bill. I suggest that we wait until a

time when the Attorney-General is around. Thank you.

**MR SILWANY:** Thank you, Madam Speaker. One of the Bills that is very important for this country, just like the one we passed yesterday, is the Local Content Bill because it benefits our investors, our businessmen and it will prosper Uganda and move us to the middle-income economy.

There is no reason for us to continue when the Attorney-General has requested - because he appealed, Madam Speaker, to your office. For the benefit of all Ugandans and this House, I implore honourable members to agree to wait for the Attorney-General to come so that we move forward at the same pace.

I want to support the Government Chief Whip that we kindly wait and this Bill is very important - Hon. Oshabe, I seek your indulgence. Let us move as a team.

**MR FRED KAYONDO:** Thank you, Madam Speaker. When you follow all the communication media all over the world, you are the one trending over the courageous step you took yesterday –(Applause)- and I would not like us to spoil what you created yesterday.

Therefore, I request that we wait for the Attorney-General and we leave no stone unturned over this important Bill for this country.

**THE SPEAKER:** Honourable members, I have heard from all of you. I want to thank you very much. This is a very important Bill for this country.

I have also got a complaint from tourism that they were not heard by the committee. However, we are all in agreement that we need the Attorney-General to participate in this Bill; we need harmonisation between the private Member, the Attorney-General and the committee.

We are going to have debate on this report on Tuesday. We are giving you tomorrow, Friday

and the weekend to harmonise. On Tuesday, we will have to pass this Bill without fail.

**MR OSHABE:** Much obliged, Madam Speaker. If I heard the Government Chief Whip and the Leader of the Opposition well, they indicated that we can receive the report. We were halfway in receiving it. The report has the other part of the minority. The request was that we receive the report and the minority part of it then we come back when we have done as requested by the Attorney-General.

Honourable members, thank you very much for your agreement with the Attorney-General. The Attorney-General, by the way, advises the President before these things are returned. Probably, we have a point in waiting for him so that we do not suffer the same fate we suffered.

**THE SPEAKER:** Are you saying that we continue receiving the report?

**MR OSHABE:** Madam Speaker, I move that we receive the report to its end, Madam Speaker.

**THE SPEAKER:** What she is looking at is what was returned and we need the Attorney-General to be here to hear what it is.

**MR OSHABE:** Madam Speaker, we shall need the Attorney-General at committee stage.

**THE SPEAKER:** What Hon. Avur is reading is what is going to be at the committee stage. I am telling you - I have looked at the Bill. We are looking at what was returned by the President.

**DR KEEFA KIWANUKA:** Madam Speaker, let me just make clarification on what we are trying to do. First of all, I had an itchy throat and wanted to take some water while the deputy chairperson continued reading. But we considered clause by clause of what was returned.

**THE SPEAKER:** That is what Hon. Avur was reading.

**DR KEEFA KIWANUKA:** That is what I was also reading. So, we are continuing with the committee report, but we have not gone into the amendments yet. When I had a word with the Attorney-General, he said he had just got the report and had not got the opportunity to consider it. However, he had no objection with us continuing to read the report—*(Interjections)*—of course, we will be meeting to harmonise. Thank you very much.

Tuesday gives us time to do that harmonisation. However, I would like to request that we complete what we have started because we shall be stopping halfway through.

**MR WANDA:** Thank you, Madam Speaker. Listening to all the Members on the concerns of the Attorney-General, we just know that even on Tuesday, it will be necessary to read this report again because he will want to know and follow through, clause by clause. Isn't it procedurally right, Madam Speaker, that we stay this process to avoid repetition on Tuesday?

**THE SPEAKER:** Honourable members, you have heard. On that note, therefore, I would like to wish the Muslim community - our brothers and sisters in the entire country - a happy fasting season of the Holy month of Ramadan, which begins tomorrow, 23 March 2023. Let us use this fasting period to pray for ourselves, Parliament and this country. I wish you a happy fasting season.

We will resume this debate on Tuesday and pass the Bill. I now adjourn the House to tomorrow at 2 o'clock.

*(The House rose at 4.40 p.m. and adjourned until Thursday, 23 March 2023 at 2.00 p.m.)*