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WEDNESDAY, 12 APRIL 2023



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SECOND SESSION - 25TH SITTING - THIRD MEETING

Wednesday, 12 April 2023

Parliament met at 2.11 p.m., at Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Honourable colleagues, I welcome you back from the Easter holidays. I hope you had a good one - I am sure at least you had the time to relax because yesterday, I gave you a day off. So, if there was no rain, you survived floods; they could have – the little rain will be used for other planting programmes, not the floods of Easter.

Honourable colleagues, as you saw, we registered many fatalities as a country. There is a family, which perished on Kinoni-Masaka Road at Lwengo; and we lost many other people. I watched the Police Spokesperson talk about the fatalities during Easter. It was so painful for those families that had been destined for their homes to celebrate with their community, only to end up in such tragedies. So, before we proceed, I request that we stand and observe a minute of silence.

(Members rose and observed a moment of silence.)

THE DEPUTY SPEAKER: I also used Easter to touch base with my community. I

started by touring the beauty of our country; I was in Queen Elizabeth National Park and I want to implore each one of us to put more focus on discovering the beauty of our country. Hon. Alex Ruhunda has been preaching this gospel. Our country is so beautiful. When you travel abroad and you compare what is in our parks and the heritage sites, you realise that no country is more beautiful than Uganda. So, I want to encourage you, honourable colleagues, to tour and discover our country.

Sometimes, you meet a *muzungu* somewhere and you may find he knows Uganda better than you, honestly, because they come for that inner detail. So, I request you, honourable colleagues, to take off time, and whenever you do, publicise it; encourage others to do the same. This will help to make people know that you believe in your country and love its beauty.

Related to that, I invited the Uganda Wildlife Authority (UWA) team and the Minister of Tourism, Wildlife and Antiquities to my community, whose crops have been destroyed by elephants over time; an issue which affects very many of us who live in the neighbourhood of the national parks. The only way we can do successful conservation is to ensure that the communities are protected. We do not want the communities to feel that animals are being protected more than them.

The UWA team was very responsive and we discussed in a wider picture. I have shared some information with some members on the Committee on Tourism, Trade and Industry. They will be looking at the mitigation measures

that we can put in place, including doing electric fencing.

In my area, we did trenching but these elephants are very clever. They come in a group and they push the soil, fill up the trench and they cross over. And when they cross over, they destroy whatever they come across. And they keep dodging the areas with an electric fence by moving towards areas, which are not protected. So, it is like chasing them away from this side - they migrate to very many kilometres. So, we really need to see a way of supporting our people.

Then there is the issue of the compensation fund. The law provides for only 2 per cent of UWA fees yet the destruction is so huge. I think this is something I would implore the minister to look into in the future, for us to find a way of improving that fund, so that people can be adequately compensated.

Finally, I saw many church leaders preaching about fighting corruption over the Easter holidays, which I want to commend you, colleagues, for the good job you are doing in your committees. From sectoral committees to oversight committees, you are playing your part.

There is a point of concern, which the Frontbench will help us to understand. I heard the Permanent Secretary/Secretary to the Treasury disqualifying some people or dropping them as accounting officers yet these people maintain very serious positions in Government.

You can drop a Chief Administrative Officer (CAO) as an accounting officer of a district and appoint a Chief Finance Officer (CFO) who reports to the CAO and who is appraised by the CAO. You get a permanent secretary, he is dropped – the position of Accounting Officer is no longer taken seriously. Some permanent secretaries are saying, “I do not want to be an accounting officer.” So, is it a problem of the law? If someone does not qualify to be an accounting officer, it means that person cannot keep finances of the country safe. So, why keep

them in positions of responsibility? Where is the gap? Is it in the law? If it is in the law, then we should amend it.

If you are dropped as an accounting officer, we know it is a disciplinary measure, and the harsher sentence is given, but not recycling. You know ministries where permanent secretaries have refused to be accounting officers. They appoint undersecretaries to be accounting officers because it does not add any value to them to be an accounting officer. It is not part of the CV; the CV says: “I am a permanent secretary.” So, I implore the committee responsible to follow up on this issue. Okay, I notice that two or three colleagues want to ask something related to this.

I will pick honourable colleagues who I know have a serious background in financial management, and I will start with Hon. Silas Aogon; but speak specifically to this issue.

2.17

MR SILAS AOGON (Independent, Kumi Municipality, Kumi): Thank you, Mr Speaker. Your comment is very serious. Indeed, we need to question what is happening. For instance, I would have expected the Permanent Secretary/Secretary to Treasury (PS/ST) to attach comments against the name of each officer who has been dropped, stating the reason(s) that person has been dropped. That would make it very easy for us to understand this and make follow-ups.

It is not good for us to maintain somebody who has been, for instance, a CAO and accounting officer of the district at the same time. They fear, first of all, to appear before committees of Parliament. They know that while they are going to be there, they have dropped them, and so, they feel relieved, they feel good.

Therefore, I want to agree with you that as Parliament, we need to have a committee to check critically what we should be doing. That committee will recommend the right action to be taken. Is it okay for us to drop somebody and just leave him there? Remember, being dropped as an accounting officer is a vote of

no confidence in you because that is what it means; it is a very serious issue, Mr Speaker. That observation is critical. I support your position. Thank you.

THE DEPUTY SPEAKER: Thank you. I am looking for specialists in finance. Colleagues, you gave me your curriculum vitae; so, I read them. If you told me you are a doctor, then this is not a medical matter. Let me first pick finance people. *(Laughter)*

2.21

MR MOSES ALEPER (NRM, Chekwii County (Kadam), Nakapiripirit): Thank you, Mr Speaker, for giving me this opportunity. I would like to give some very critical information. It is based on the experience we have had in the public finance management of this country.

If you have looked through all these financial years, around this time - between now and June - these names appear to have been dropped. I bet these people will be cleared between now and 30 June. That is the practice. So, we have to look at the underlying issues. Why do they raise it before the end of the financial year? These are things that should have happened earlier. You will find categorically that all these people are cleared. In fact, in the next one month or at the end of the financial year, some of them will be cleared, yet these people have problems.

Mr Speaker, once a problem has been identified, normally, it is very explicit, imperial and not subjective to anything. If someone has been penalised, that person should fall flat and not be cleared at all. I think that is what we should look at squarely. Thank you.

2.22

MR ISAAC MODOI (NRM, Lutseshe County, Bududa): Thank you, Mr Speaker. The question of appointing accounting officers is a constitutional matter and any deviation must have a thorough explanation of the legal regime.

An accounting officer does not necessarily look at financial management. He or she deals with

all management issues of human resources, including projects and programmes. In other words, he or she has a hand in the supervision of the management of resources.

If you have any staff or a manager who does not control resources, programmes and planning of institutions - finance strictly looks at money. Imagine a CAO or permanent secretary does not control resources but a junior staff does. This means he or she controls the head of the department, which is not tenable at all. It does not work.

Imagine a permanent secretary going to the undersecretary or a principal Assistant Secretary to present his or her programme; that as an accounting officer, I am not satisfied with. This, Mr Speaker, conflicts with supervision, control and nurturing of the process.

Therefore, the issue of an accounting officer should not be taken very lightly. They must be given reasons as to why they are being dropped and another appointed. Preferably, maybe, we should have an accounting officer from another organisation or a higher rank.

Look at the security - sorry to look in that direction, but there is what is called "ranks and files". You cannot have a colonel being commanded by a captain. It cannot work. To some of us who have worked in the local governments, it is more pronounced there. Moreover, more errors are at the centre. I think we should request for the PS/ST to come here and present the respective reasons they are changing.

THE DEPUTY SPEAKER: Colleagues, I am just going to give you a quick round.

2.25

MR BASIL BATARINGAYA (NRM, Kashari North County, Mbarara): Thank you, Mr Speaker, for the opportunity. I am a member of the Committee on Finance, Planning and Economic Development.

Recently or over the years, Parliament has been passing very strong laws that eventually affect accounting officers. Accounting officers seem

to want to run from their responsibilities and some may be celebrating when dropped and their juniors appointed. Yet, eventually, they remain the actual accounting officers because those appointed report to them.

There are two major sections of finance. One is the local Government and the other is the Ministries, Departments and Agencies (MDAs), that is, the Central Government.

From the Central Government's point of view, money is voted from the central government to local governments. For example, we may put CAOs to task, yet we have town councils, who have not received money collected as revenue from those town councils for the last nine months – and I think it is part of the supplementary budget we are dealing with.

Mr Speaker, there is no service delivery in those town councils. At the end of the year, a CAO may be put to task, but there are junior officers under him or her, yet there is an accounting officer responsible in the central government that is supposed to ensure the money reaches those town councils for service delivery.

I would like to concur with my colleague, Hon. Aogon Silas – (*Interjections*) - that a committee is constituted to analyse and ensure that whoever has been dropped as an accounting officer, action is taken against him or her. Thank you.

THE DEPUTY SPEAKER: Thank you. Article 164 of the Constitution is very clear on accountability. Section 45(3) of the Public Finance Management Act clearly states that they will enter into performance contracts with the Secretary to the Treasury.

However, under Section 8(8) of the Public Finance Management Act, it is very clear that they shall be held personally liable. So, does dropping someone amount to punishment?

The concern is that if an accounting officer is dropped, it means they have issues to do with accountability. They might be financial or with the systems. Hon. Nathan Byanyima, you

participated in the formation of this law. What was the intention?

2.27

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Thank you, Mr Speaker. The environment has changed. For one to be an accounting officer, he or she must go through the ladders; from assistant secretary, senior, and principal to undersecretary. You go through a rigorous interview before you become a permanent secretary.

You cannot be a Member of Parliament today and then tomorrow, you are a permanent secretary. You cannot. Even the CAOs you currently have - somebody is a subcounty chief - and is appointed because he or she is known to the district service commission. We must go back to the issue of merit. (*Applause*)

A permanent secretary must have standing orders, like have the Rules of Procedure. I am saying this at the risk of being condemned somewhere but we must go back to the merits.

Remember, in 1972 – (*Interruption*)

MR MACHO: Mr Speaker, with due respect to my senior, Hon. Nathan - he must know that every regime has languages. We have a language called “cadres” that I want you to know. I do not know whether you are in order to say people should climb ladders when we have a regime language called “cadres”

THE DEPUTY SPEAKER: Now the record has captured that Hon. Macho is in the House, proceed.

MR BYANYIMA: Mr Speaker, we must go back to 1972 when Amin took over. He picked on the cream of Permanent Secretaries in Uganda and they became ministers – they were fantastic and most of them used to come from Teso and Lango subregions. I remember they were very brilliant people. Currently, this business of lobbying to be a PS or CAO should stop; let us go according to merit and we shall have good service. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Mapenduzi, as the chairperson of PAC (Local Government) –

2.35

MR MAPENDUZI OJARA (Independent, Bardege-Layibi Division, Gulu City): Thank you, Mr Speaker, for bringing up this matter. There are two issues we have to look at:

1. There seems to be a silent struggle between the Ministry of Local Government and the Ministry of Finance. The Ministry of Local Government deploys the accounting officers and the Ministry of Finance gives them the mandate to be vote controllers. I remember in the previous financial year, Parliament resolved that accounting officers who had been reported to have either mismanaged or caused financial loss to the Government be disciplined. The Ministry of Finance took a step but the Ministry of Local Government continued to deploy them as accounting officers. Now, that kind of contradiction needs to be harmonised. When an officer is found or causes financial loss to the Government, I think there should be uniformity in treating them.
2. Secondly, Mr Speaker, just from what you said, we have a bit of a problem where accounting officers are sent to a particular district - and in this case, I am talking about the CAOs. A Chief Administrative Officer is found to have abused his powers or caused financial loss to the Government, and Parliament recommends that this officer be dropped, then you find the officer is moved from one district to another; it is like recycling.

An accounting officer is sent to District A – there is a problem pushed from District A to District B - another problem. And they keep on causing problems all around. I think Parliament needs to take a bold decision to make sure that those who cause financial loss to the Government or those who are corrupt are dropped and replaced with those competent enough. Thank you.

THE DEPUTY SPEAKER: Thank you. Point of procedure?

MS OPENDI: Thank you, Mr Speaker. The subject that is being discussed directly touches on the Minister of Finance. However, what I want to state before I go to the procedural point is that no accounting officer can be dropped without a reason; there is always a reason as to why that person has been dropped - and most of them are related to financial loss.

Is it procedurally right to continue with this subject when the Minister of Finance is here? He should explain and maybe shed more light on this subject.

THE DEPUTY SPEAKER: Thank you. Hon. Sarah, when the Minister of Finance comes in, we close; we will not reopen debate. I was just giving colleagues a chance. Nevertheless, Section 11(2)(g) of the Public Finance Management Act, states that the Secretary to the Treasury shall “(g) appoint or designate accounting officers in accordance with this Act, except that the Secretary to the Treasury shall not appoint or designate a person an accounting officer where, according to the report of an internal auditor-general or auditor-general, that person has not accounted for the public resources or assets of the vote for a financial year.” Now where does it stop?

There are people who, even when they do not qualify in the next financial year, still maintain their original positions - and which are very critical - what would an Undersecretary do to a Permanent Secretary who supervises -?

Hon. Omara, then Hon. Judith; we are going to conclude on this before we go to other matters.

2.37

MR PAUL OMARA (Independent, Otuke County, Otuke): Thank you, Mr Speaker. I will tackle it from two points; we have severally had a conversation with the Secretary to the Treasury regarding the behaviour of the accounting officers - not only in the districts but also in various ministries.

One key item, which we have noted as the finance committee, is the escalation of domestic arrears. The Government had provided a clear-cut policy that no accounting officer will commit the Government to any payment unless the money is available. However, we see that the public debt in domestic arrears continues to swell, meaning that there is no discipline among the accounting officers.

We guided the ministry that they should actually take action. And if someone is removed for indiscipline, there is no way they should continue holding public office; there must be commensurate accountability and disciplinary action taken.

I think that when the Minister of Finance finally comes here, he should explain the crimes those people have committed and the disciplinary actions taken to ensure that they are punished.

The second one is around qualification – and I agree with my elder there; you cannot be an accounting officer when you are not qualified. It, therefore, means that you must have some level of expertise in terms of financial, project management and human resources management. Therefore, you cannot just jump into the job and the law empowers the Secretary to the Treasury to appoint those accounting officers, but there must be a guiding principle and law that whoever is supposed to be an accounting officer must be well qualified so they understand the enabling laws available, which they are going to use to perform their duties. I submit, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Judith Achan?

2.39

MS JUDITH ACHAN (NRM, Woman Representative, Nwoya): Thank you, Mr Speaker. On your communication on the accounting officers, my concern - as my other colleagues have talked about - is recycling of these accounting officers. For instance, in my district, the PDM money that has been mismanaged; without the intervention of the RDC and the State House Anti-Corruption

Unit, we would not have recovered part of this money. We had to follow - because after the money had been mismanaged, he was transferred to another district. We followed him there, as a team, and he paid back the money. Just few days ago, I saw him being dropped – and it is because of that. This should be extended to other accounting officers who mismanage public funds.

Secondly, regarding your communication on the human-wildlife conflict; I am glad that today –

THE DEPUTY SPEAKER: No, no, Hon. Judith. We have an issue we are concluding. Let us conclude one issue at a time.

MS ACHAN: Okay, thank you.

THE DEPUTY SPEAKER: Point of procedure, Hon. Ssewungu?

MR SSEWUNGU: Mr Speaker, the procedural matter I am raising is about the Minister for the Presidency. Most of the issues we are raising relate to the appointing authority; yes, there is corruption but there are some who have confessed in public. The Prime Minister has said that she cannot manage some of the ministers because they are more educated than her - and more experienced. These are issues of administration.

Mr Speaker, the Minister for the Presidency should be appearing here to note down these issues and report to appointing authority. I raised the matter here about the substantive Governor of Bank of Uganda; and today, we vetted the board without a substantive governor. However, money is being printed day by day, under the name of the late Emmanuel Mutebile.

Mr Speaker, would it not be procedurally right for the minister for the presidency, who is an ex-officio in this Parliament, to always attend or note these matters? If we are talking about corrupt officers – others are confessing to not being able to manage those who are more educated than them – who reports back to these people to solve these matters?

THE DEPUTY SPEAKER: Thank you. Hon. Ssewungu, I do not have the power to change anything because the Leader of Government Business in Parliament is the Prime Minister. So, I would be overstepping my mandate – even the House would be. However, these are serious issues, which should be taken note of.

Honourable minister –(*Member rose*)– under what rule? (*Laughter*) Honourable colleagues, under rule 78(4), when you stand up on procedure, you state the rule -

MS NALUYIMA: Mr Speaker, it is the same rule that I -

THE DEPUTY SPEAKER: Honourable colleague, please, do not access the microphone without the permission of the Speaker.

MS NALIYIMA: Apologies, Mr Speaker.

THE DEPUTY SPEAKER: It seems the shadow minister has a serious issue she would want to raise. Honourable colleagues, I am going to give you chance on the other issues. Please!

2.41

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you, Mr Speaker. I appreciate you for taking me on. I was in local government for 15 years. Local governments are going through issues. As the Committee on Public Accounts (PAC) (Local Government), we have made several recommendations. There are issues of third party entities like the finance ministry not giving funds in time – they send money towards the end of the financial year. The systems run by the Ministry of Public Service are not enabling human resource officers to manage funds and human resource well.

The Ministry of Education and Sports – the Education Service Commission – does not send teachers in advance and at times, they fail to do so. At the end of it all, you find that a lot of money is, again, taken back.

I do not agree that any incompetent officer should stay in office. However, if it is a third party matter, I request that as Parliament, we also look critically into those matters that are failing officers in local governments so that their time in office is not in vain.

I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable minister for finance?

2.43

THE MINISTER OF STATE FOR FINANCE PLANNING AND ECONOMIC DEVELOPMENT (GENERAL Duties) (Mr Henry Musasizi): Thank you, Mr Speaker. The issue at hand is central in the fight against corruption -

THE DEPUTY SPEAKER: Go on, honourable minister. You are protected.

MR MUSASIZI: I wish to state that every financial year, we are required by law to appoint accounting officers for respective Votes, both in the central government and local governments. We get the mandate from Article 164 of the Constitution – as stated earlier. We also derive the mandate from Section 11(2)(g) of the Public Finance Management Act, 2015.

What does the law require us to do? The law requires us to look at accountability issues. It says that where the accounting officer has unaccounted for funds, as clearly stipulated in the Auditor-General's report or the Internal Auditor-General's report, he or she should not be reappointed – and I wish to inform the House that our mandate is limited to the function of accounting for public funds only.

Mr Speaker, this law is not extended to address the concerns Parliament has – of disciplining the accounting officer beyond unaccounted for funds. If there are cases of financial loss or impropriety, what happens? All that is not envisaged in the law we apply.

Mr Speaker, I think this is how far I can take it. The rest is for - I take the clarification - *(Interruption)*

THE DEPUTY SPEAKER: Hon. Susan Amero?

MS AMERO: Thank you, Mr Speaker. I have listened to the minister talking about where the accounting officer has not accounted for the funds. The clarification I would like to seek is that last year, in this House, there were some accounting officers who were named for causing financial loss and were supposed to have been dropped or demoted. One of them is the accounting officer in Amuria. The next thing we saw was a transfer, which was also stopped, again, by the local government people who work with him.

Why should we bury our heads in the sand when we know that the whole problem is originating from the Ministry of Finance, Planning and Economic Development? You release the monies late when contracts have been given out – the money comes in on the 28th when you are closing the system on the 29th. What do you expect these local government accounting officers to do?

I think we need to come out clearly on this. You do not have to apportion blame and think that these accounting officers are the only ones on the wrong. The finance ministry has a problem, which needs to be addressed.

THE DEPUTY SPEAKER: Thank you. Honourable minister?

MR OCHAI: Mr Speaker, thank you. Possibly, the minister could also help clarify on the case of the ministry itself. Why is it that we have continued – if I am not mistaken – to have the Undersecretary of the Ministry of Finance, Planning and Economic Development continue serving as the accounting officer? That could help shed light to some of us? I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Martin, you will be the last.

MR MUZAALE: Thank you, Mr Speaker.

The catchword here is “accounting officer.”

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I do not know whether the minister is aware that most of these accounting officers lack the accounting background. What they are actually being penalised over, in most cases, is failure to submit accountabilities in time. However, we are penalising people who do not have accounting background. I do not know what the minister will say about it. I thank you.

THE DEPUTY SPEAKER: Thank you.

MR ODUR: Thank you, Mr Speaker. This is by way of information, first. When you look at the Public Finance Management Act, it gives this Parliament veto powers over the actions of the Minister of Finance, Planning and Economic Development. Section 13, which is about submission of budget estimates to Parliament, requires that those budget estimates are accompanied by the list of the accounting officers – from the Ministry of Finance, Planning and Economic Development.

When you go to section 14, which is now about the approval of the budget, it means that Parliament can actually reject, amend or approve that list as it is. So, in the event that we have as Parliament with the unfairness of the PS/ST in designating the accounting officers, it will come here. When processing the budget, we can deal with that issue. It is not like the PS/ST is the final person; it is actually Parliament.

Therefore, if we refuse or do not exercise our authority to ensure that the accounting officer with queries is not approved and the ones that deserve to be accounting officers are included, then the blame will be on Parliament. That is what I want to submit.

THE DEPUTY SPEAKER: Attorney-General, do you want to say something about that?

2.51

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you, Mr Speaker. It is a matter over which I would like to make a comment but I need to do some reading on it.

THE DEPUTY SPEAKER: Thank you. Yes, honourable minister.

MR MUSASIZI: Thank you, Mr Speaker. Hon. Susan Amero was concerned about causing financial loss *vis-à-vis* unaccounted for funds. These two are different in a way that one occurs after thorough investigation has taken place.

Unaccounted for funds arise from the issues unattended to by management, and those issues are normally brought out in the Auditor-General's report - either internal or external. This is what the law requires us to do, and it is on this basis that we appoint or drop accounting officers.

I wish to inform the House, Mr Speaker, that we are not supervisors of these accounting officers. We only work with them in as far as management of money is concerned. The rest is done by the Ministry of Local Government and in the central government, their respective supervisors.

Secondly, Hon. Muzaale, who was with me in the B.Com class, is concerned that accounting officers lack accounting background. Mr Speaker, the requirement to have accounting expertise is only limited to the person who controls the money. The controller of the money is - in the case of say, the Ministry of Finance where I work, we have people in the Accountant-General's office. Those strictly must have accounting skills.

Otherwise, the accounting officers basically need administrative and management skills with some limited knowledge in financial management, which UMI can train them in.

Therefore, Hon. Muzaale, it is not a requirement that an accounting officer must be like myself – *(Interjections)* – they can be like you because you have not yet professionalised – *(Laughter)* – I am joking with him.

THE DEPUTY SPEAKER: Honourable colleagues, that is Musasizi 1: Muzaale: Nil.

(Laughter)

MR MUSASIZI: Hon. Muzaale is a brother. Sometimes, we make the debate lively. Mr Speaker, Hon. Ochai asked why at the Ministry of Finance, we have the undersecretary as an accounting officer.

I want to say that the law is not restrictive. It does not state that the permanent secretary shall be the accounting officer. It is the permanent secretary or any other officer designated by the permanent secretary.

In our case, we have two votes. Vote 008, which is the operational one and another for Treasury Management, which is Vote 130. To that, the accounting officer is the Accountant-General. The other operational vote is managed by the undersecretary. The PS/Secretary to the Treasury advises us largely, on macroeconomic management. That is how we are structured. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable Minister for Public Service, you have heard our concern; he is recycling these people - the issue of late releases that are making it difficult for accounting officers to do their work?

MR MUSASIZI: Mr Speaker, on late releases, under normal circumstances – here, I mean, when we have all the cash available - we are required and normally comply by releasing money in the first 10 days of the first month of the quarter and in any case, not later than the 10th - *(Interjections)* - Mr Speaker, I beg for your protection.

THE DEPUTY SPEAKER: Honourable colleagues, let us allow the minister to do his work.

MR MUSASIZI: Mr Speaker, on what Hon. Susan said, we have situations where we do not release money directly to the spending votes. For instance, under local governments, there is money, which passes through the central local government vote. When this happens, sometimes there are delays. After we have

released this money, the local government ministry will have to do some operations. As a result, some of the money reaches the actual votes late but not on the 28th or on the 29th when the financial year is closing; that was in those days. As of now, this financial year will close on 30 June. We cannot release money because the system will go off by the 23rd.

MS AMERO: Mr Speaker, I am not contented with –

THE DEPUTY SPEAKER: Honourable member, you are accessing the microphone without the Speaker's permission. I think for some of the issues, we shall continue -

MS AMERO: My apologies, Mr Speaker, but just something to be clarified –

THE DEPUTY SPEAKER: Hon. Susan Amero, I request you do not access the microphone without the Speaker's permission. Yes, Minister of Public Service.

2.58

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Thank you, Mr Speaker. On the issue of permanent secretaries or accounting officers, I think a good explanation has been given by the Minister of Finance. And whether to designate somebody as an accounting officer or not, that has been explained too.

However, if there is some impropriety, then that definitely becomes a criminal matter. The person who should take responsibility is one who heads all the permanent secretaries - the Office of the President and the Head of the Civil Service, and on the other hand, the Auditor-General, who points out this impropriety; it is not so much the Ministry of Finance.

Therefore, if there is something – money has got lost, for instance, when the pension funds got lost, the Office of the President took action. The officers who were involved in that were committed to court and are serving their sentences

Anything criminal with regard to financial matters, the Head of Civil Service (Office of the President) and the Auditor-General must act immediately together with the police so that that particular person is arraigned in court.

As I said, the function of accounting for money will depend on a case-by-case basis and the dynamics in that particular department. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, let us put our heads together. Our concern is that someone dropped as an accounting officer is either a CAO or a permanent secretary. That person is still in that same entity and we are sending money there. He or she has maintained a substantive position of either being a CAO, the executive director or a permanent secretary and will be in charge; whether you want it or not, he or she supervises the junior you have now made the accounting officer.

The question is: should we send money to such an entity when that vulture is still in there? This is because you said that person was not able to account.

Honourable colleagues, maybe, we can ask either the minister or we assign one of our committees, which we already have, to look into this matter. Attorney-General, would you like to say something?

MR KAFUZI: The advantage of Parliament is that we put our heads together – (*Interjection*) - she really wants to hear my voice –

THE DEPUTY SPEAKER: This is the first time I see Hon. Namugga interested in your – (*Laughter*) – so better speak up.

MR KAFUZI: Mr Speaker, allow me to face her directly. The advantage of sitting here and putting our heads together is that we bring to light several other things including those we previously did not know.

Now, a matter has arisen, to which I believe we need to do the necessary research. Ideally, when

the list of people that should be suspended is created, the law would require that there should be a process for them to be heard. This means that at some point, either they are put off the list or they are maintained.

While that process is on-going, Parliament is doing its appropriation work. It would be weird for Parliament to say that it will not be appropriate for Amuria, for example, because the accounting officer is on the list.

I request, considering those circumstances –
(*Interruption*)

MR SSEWUNGU: Mr Speaker, it is known by the Attorney-General and Members that every financial year, we must get a list of all accounting officers here before the budget is passed. The purpose of that is to look at those people who have mismanaged finances.

Attorney-General, isn't it your role to be sure and advise all the entities? As they drop them off, they should not be appointed in other key offices until the investigations are cleared. They should remain pending. That was the purpose and we have followed that up to now.

MR KAFUZI: Thank you, Hon. Ssewungu. Actually, that is where I was heading. I was saying the Rt Hon. Speaker should give us time so that we look at it thoroughly and make proper advice on the matter. What happens along the way is: assuming one is on that list and is thrown out, then he or she does not agree with the list and goes to court, the remedy is that we pay back.

THE DEPUTY SPEAKER: Honourable member, what we are saying is simple. Parliament has not said you should throw away anyone. It is the Executive who assessed the person from an investigation. Even through an audit, you have an exit meeting and assess that this person has not been able to address the issues raised by the Auditor-General. As the Executive, you judge and say that the person does not qualify to be an accounting officer.

Therefore, our concern is: you are leaving them in a very important position like a permanent

secretary or CAO, where they are making very important decisions – colleagues, let him answer. That is our concern, Hon. Kafuuzi.

MR KAFUZI: Honourable colleagues, soon you will learn that in this Parliament, we respect each other. Let me leave it at that.

Mr Speaker, while this list is created and this person is presumably judged unfit to hold that position, my concern is whether Parliament should stop appropriating for that entity simply because that person holds that position. Maybe, if I did not understand the question –

THE DEPUTY SPEAKER: What we are saying is very simple. Why don't you remove that person completely; whether it is a suspension or not? Nonetheless, let us get a solution.

MR KAFUZI: Allow me to answer that at the next sitting.

THE DEPUTY SPEAKER: Let us get a quick solution, colleagues. We can agree on which minister, or if necessary, our committee to give us the status of accounting officers who were suspended for the last three financial years. This is because reasons were given for their suspension. We want to know whether their issues were sorted or not. Some were transferred - one of them found his way into my district, Mitooma. All of sudden, I saw that they came and picked him and I said, "But you are the ones who sent him here. We never requested for him."

Hon. Bahati, do you think we should go with a minister or should we use our committee to do the work?

3.07

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Speaker, before we probably take this matter to the committee, the three ministers, that is, the Minister of Public Service, the Minister of Finance, Planning and Economic Development and the Minister of Local Government can be tasked to look into this matter and report to the

House in the next two weeks. After that, the House can take a decision. Thank you.

THE DEPUTY SPEAKER: Colleagues, I want us to get this information before we handle the budget because it is going to have a very big impact. The Attorney-General should also be included in this.

MR KAFUZI: My concern is that there is a right to be heard and it is a constitutional right. While we look at this list that has been presented to us, we do not get to see another list after the hearing. Our presumption is that the person who appeared on this list ought to have been cut off. For example, when he or she appears in Mitooma, we do not know whether this person had his or her matter presented and cleared.

Therefore, I request, as the Speaker has guided, that we bring information relating to the past three years. Let us go, look at it and harmonise amongst ourselves and see how best to address this matter.

THE DEPUTY SPEAKER: The Minister of Public Service will be the lead minister on this because the Minister of Finance, Planning and Economic Development is very busy with the budget. I do not want to give him a lot of work. Minister of Public Service, we want to know the information for the last three financial years; the accounting officers you suspended, the reasons and what action has been taken.

If they stole money, did they return it? Where are they now? What positions are they occupying? Honourable minister, one week is enough because we do not have much time to do with the budget.

Then, depending on what you give us, we can escalate it to our committee. However, for now, let us give the Executive chance to first give us feedback.

Honourable colleagues – yes, on my communication? Honourable colleagues, I am sorry, this matter has taken long but because we are in the budgeting process, it is a matter which has been giving me headache; that is

why I raised it. So, let us be quick and go to substantive items.

3.10

MR FRANCIS MWIJUKYE (FDC, Buhweju County, Buhweju): Thank you, Mr Speaker. In your communication, you talked about what was said in many churches and other places of worship during Easter, about corruption and you congratulated the committees for doing good work in the fight against corruption.

As I entered this House, I found a letter from the President about the procurement of iron sheets, and it is written to the Rt Hon. Prime Minister, and deliberately copied to all Members of Parliament.

Mr Speaker, in this letter, the President has judged and said “This one was conscious... the other was unconscious, so-and-so will be punished politically. This one should return the money... this one should return the iron sheets.”

My concern is the mandate of the committees – because there is a committee that has been investigating and before it comes up with recommendations, the President is already punishing politically. Now what becomes of the recommendations of the committee?

Mr Speaker, I have also seen somewhere the President saying he is going to have anti-corruption units for villages, subcounties and parishes. Then you ask yourself, “If you are going to have State House anti-corruption units for every village and parish, then what about the role of the IGG, Courts and the Police?”

My concern is –

THE DEPUTY SPEAKER: Please allow the Member to – conclude, honourable member.

MR MWIJUKYE: Mr Speaker, my appeal is that you guide on this matter on the mandate of our committees and these institutions. Otherwise, I see interference from the President

in Parliament, but also in other institutions like the Police, the DPP, the IGG, the Auditor-General; all these institutions are being taken to State House. Thank you.

THE DEPUTY SPEAKER: Thank you. Colleagues, on the item, which we have just concluded, on top of what we have assigned to the Minister, the rest were referred to the accountability committees – I have been reminded by the Clerk – and you have to report back very soon. Therefore, I hope next week, on Tuesday or Wednesday, you should be able to report.

However, colleagues – please, honourable member, when a Member has raised a point, allow the Speaker to first do his job, then you raise a point of procedure.

Now, honourable colleagues, this House – we will not be the ones to start discussing a communication between the Head of the Executive and his ministers because he was writing to the Prime Minister. If he wanted it to be a matter for Parliament to discuss, it is a matter he would have written to the Speaker of the House – that is number one.

Number two, honourable colleagues, you cannot stop the Executive from doing its work. The President supervises ministers; now, can you tell the President that please, do not do any investigation because Parliament is investigating? You cannot because the President is supervising his people.

When we did our work, we never wrote to him to stop supervising his people. If he says, “I am going to take political action.” Now here, we cannot take that political action. The President knows how he does it – you never know some Members here may want to be on the Frontbench, and vacancies are indirectly being created. *(Laughter)*

However, colleagues, as far as the work of the committee, which we assigned is concerned, I am going to consult with my fellow leaders in the institution and we shall give guidance, especially in light of the fact that prosecution

has even started. We shall be giving guidance and I think next week, we shall be able to do that.

3.14

MR ALEX RUHUNDA (NRM, Fort Portal Central Division, Fort Portal City): Thank you, Mr Speaker. You touched my heart when you mentioned - *(Laughter)*

THE DEPUTY SPEAKER: Honourable member, we are fighting homosexuality; do not involve me - *(Laughter)* – So, be clear.

MR RUHUNDA: Mr Speaker, you brought up a very emotional matter that is extremely sensitive to our nation when you referred to the accidents that have claimed the lives of Ugandans.

I am the chairperson of the Parliamentary Forum for Road Safety. I have found out that quite a number of our people in high positions have a limited understanding of the magnitude this problem of accidents has on the nation.

When you check the statistics - when you talk to the economists - they look at the loss the country incurs, it totals close to Shs 5 trillion every year. You can imagine there is no country that can develop when it is losing Shs 5 trillion every year; look at our budget.

Now the lives that we lose, these are economically active Ugandans who have families and are running businesses, and all of a sudden, everything is brought to a standstill; this is human capital we cannot easily replace.

Unfortunately, these subtle matters are not taken very seriously in our national planning framework and yet they affect the budget.

Mr Speaker, I kindly request that you allow some of us to visit Mulago Hospital so that you see the real problem of these accidents. You just need one day and see how many dead bodies are being brought, how many casualties with broken limbs are being brought; imagine disabling 18,000 Ugandans every year - 18,000 is a huge number.

When it comes to the budgeting process, some of these issues, which should be given attention - the road safety matters - are not given attention in the budget.

I implore you kindly, Mr Speaker, we are organising an international conference for the road safety in Africa and Sub-Saharan Africa is hard hit- I want to conclude with this point. Sub-Saharan Africa in the entire world has very few cars compared to other parts of the world, but we lose the highest number of lives compared to other parts of the world.

This is something we can control. I beg that Parliament gives visibility to this matter, such that we can really mainstream issues of safety across the board.

THE DEPUTY SPEAKER: Thank you. Before I give my guidance on that, Hon. Kangwagye had approached me over the same issue.

3.17

MR STEPHEN KANGWAGYE (Independent, Bukanga County, Isingiro): Thank you, Mr Speaker.

In your communication, you talked about accidents on the Kampala-Masaka-Mbarara Road. Indeed, that stretch, as of now, has claimed many lives of Ugandans.

Yesterday, on my way back from the village, I was driving behind a taxi. When I reached the Lukaya stretch, there were about four potholes. They were big, deep and deadly. The taxi hit the pothole – it was just in the air. Good enough, it landed safely. Immediately after it landed, everyone went out of the taxi to ease themselves. *(Laughter)*

To be sincere, that stretch is very deadly. We are in the budget process and I want to know from the minister whether they have plans of working on that stretch.

Secondly, Mr Speaker, you have been to Isingiro many times. The issue of Isingiro-Rakai Road is also a problem. Six months back,

the Rt Hon. Prime Minister, together with the Minister of Finance, Planning and Economic Development, committed themselves here on the Floor of Parliament that, indeed, the Government had managed to put money aside to do a feasibility study on that road. I want to know from them if that road is going to be worked on this quarter. Thank you.

THE DEPUTY SPEAKER: Minister of Finance, Planning and Economic Development, do you want to comment on the same? Honourable colleagues, next week, we shall be handling ministerial policy statements.

Since the Minister of Works and Transport is not here – and he asked for permission – let us tackle it at that time. However, Hon. Ruhunda, the Chairperson Committee on Physical Infrastructure should give your forum an opportunity to present before them. Also, the forum can scrutinise the budget and trace whether we are addressing your concerns.

Hon. Byanyima has been very instrumental in these issues. It is very important that you link up with him.

MR BYANYIMA: Thank you, Mr Speaker. The policy statement that the minister laid here was a dummy. *(Laughter)* He brought a different one, which I think he should even present. There is no money for road safety and there is no money for the road to Isingiro. This road to Isingiro was designed in Financial Year 2010/2011.

Members of Parliament will be shocked when they look at the ministerial policy statement for the Ministry of Works and Transport: there is virtually no money for any road at all.

THE DEPUTY SPEAKER: We shall scrutinise it here. Next item. Honourable colleagues, I will handle matters of national importance tomorrow because we have taken a lot of time. I will allow only one matter of national importance because I have postponed the honourable colleague's matter for long.

3.24

MR RONALD BALIMWEZO (NUP, Nakawa Division East, Kampala): Thank you, Mr Speaker. There is a growing tendency of schools extending learning hours – all over the country. You find a nursery school child waking up at 3.00 a.m. and preparing to go to school. They always sleep in the school vans.

Recently, I witnessed an incident where three kids were on a boda boda, around the Clock Tower. The one at the back slipped off and a speeding car crushed him. That kind of behaviour is unacceptable.

Therefore, I would like to call upon us to make sure that we work within the normal learning hours, which is basically between 8.30 a.m. and 4.00 p.m. However, these days children come back home at night. What are we studying?

I got a petition –

THE DEPUTY SPEAKER: Prayers?

MR BALIMWEZO: I ask the minister in charge of education to tell us why children learn beyond the normal learning hours.

Thirdly, I would like the Police to take charge and arrest all those parents and school vans that are taking children to school at night. *(Applause)*

3.26

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Mr Speaker, the Minister of Education and Sports has stepped out, but will come back to answer that question.

THE DEPUTY SPEAKER: Thank you. The minister will give a response to this issue. It is a very serious issue.

Honourable colleagues, in the public gallery this afternoon, we have pupils and teachers of Bunga Primary School in Makindye Division East, Kampala. They are represented in Parliament by Hon. Derrick Nyeko and Hon.

Shamim Malende. They have come to observe the proceedings. Please, join me in welcoming them. *(Applause)* Thank you.

Again, in the public gallery, we have students from various universities in the central region, under their umbrella body, “Teso Student Development Association”. They have come to observe the proceedings of this House. Please, join me in welcoming them. *(Applause)* Thank you.

Furthermore, we have former employees of the defunct East African Community. They have come to observe the proceedings of the House – and remember, we have their item on the Order Paper. Please, join me in welcoming them. *(Applause)* Thank you.

Is the minister for education, Hon. Peter Ogwang, here? Item No.4?

**MOTION FOR ADOPTION OF THE
REPORT OF THE SELECT COMMITTEE
ON THE INQUIRY INTO THE
OPERATIONS OF THE NATIONAL
COUNCIL OF SPORTS**

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, you remember we said this is for tomorrow. However, we wanted you to receive the statement from the minister so that you can also sleep over it and then we conclude the debate tomorrow.

Honourable minister, you have 10 minutes to present your statement. If the Chairperson, Committee on Education and Sports is here, he will also present the one for stadiums.

3.28

THE MINISTER OF STATE FOR EDUCATION AND SPORTS (SPORTS) (Mr Peter Ogwang): Mr Speaker, I beg your indulgence. I have two reports. One is on the stadiums and the other is specifically on the issue of the National Council of Sports. So, you could guide on the one I should submit first.

THE DEPUTY SPEAKER: The one on the probe is part of the debate tomorrow. Now, we need the one on the stadiums.

MR OGWANG: Thank you very much. First of all, I would like to thank you, honourable members, for the support you give us as the Ministry of Education and Sports.

I am here to specifically answer three issues: the issue of Buhinga Stadium, the issue of Akii-Bua Stadium, and the issue of Namboole Stadium. I would like to begin with the issue of Buhinga Stadium.

On 30 September 2020, the Ministry of Education and Sports signed a consultant contract with Infrastructure Cost & Management Consultants Limited for detailed feasibility studies, concept design and environmental/social impact assessment for Buhinga Stadium as one of the projects selected for funding by the People's Republic of China, following receipt of a letter dated 14 August 2019.

Mr Speaker, site handover was undertaken on 6 October 2020, presided over by the then Minister of State for Education and Sports, accompanied by the technical personnel from the ministry together with Kabarole District Local Government political and technical leadership, who provided land for the proposed project.

Mr Speaker, the proposed site of 45 acres is located in Kyembogo village, Gwengaju Subcounty, Kabarole District. The consultant commenced the work on 7 October 2020, and completed it on 19 April 2021.

The consultant's scope of assignment entailed:

- a) Preparation of the inspection report;
- b) Undertaking geotechnical soil investigations;
- c) Cadastral/ topographical surveys;
- d) Visibility/concept designs; and
- e) Environmental/social impact assessment report.

Mr Speaker, the proposed scope/amenities included the following:

- a) A 26,000-seater stadium;
- b) An athletic track;

- c) An artificial turf field;
- d) An outdoor field;
- e) Two courts for netball;
- f) Two courts for volleyball;
- g) Two courts for handball;
- h) Two courts for basketball;
- i) Three courts for tennis;
- j) A swimming pool;
- k) A fitness centre/gym;
- l) External works; and
- m) A hotel of 100 guests.

The consultant's estimate cost of constructing Buhinga Stadium then was at \$64 million.

Mr Speaker, from the feasibility studies, Buhinga was found viable to contain a hotel given the tourism potential in the proposed project area for sustainability purposes through revenue collection.

The detailed reports of visibility study, concept design and environmental/social impact assessment for Buhinga Stadium were then submitted to the Ministry of Finance, Planning and Economic Development, on 25 May 2021, waiting funding. As far as the Ministry of Education and Sports is concerned, that is what I can say about the first project.

The second project is the status on the proposed Akii-Bua Olympic Stadium in Lira City. On 30 September 2020, the Ministry of Education and Sports signed a consultancy contract with Habitat Consultants for a detailed design, visibility study, concept design and environmental/social impact assessment for Akii-Bua Olympic Stadium in Lira City, as one of the projects selected for funding by the People's Republic of China, following receipt of a letter from the Ministry of Finance, Planning and Economic Development, dated 14 August 2019.

Site handover was undertaken on 2 October 2019, presided over by my then colleague, Hon. Hamson Obua, accompanied by the technical people from the Ministry of Education and Sports, together with the Lira District Local Government political and technical leadership, who provided land for the proposed project.

The proposed site is located on Volume 123, Folio 17, Plot 5 to 21, along Okello Degree Road in Senior Quarters A, Central Division, Lira City. The land measures 18.4455 hectares with a land title issued on 23 July 2012.

The consultancy commenced works on 7 October 2020 and completed it on 9 May 2021. The consultant's scope of assignment entailed:

- a) Preparation of the inspection report;
- b) Undertaking geotechnical soil investigation;
- c) Cadastral/topographical surveys;
- d) Visibility/concept design; and
- e) Environmental/social impact assessment report.

Mr Speaker, the proposed scope/amenities:

- a) Akii-Bua Stadium was designed to have a 30,000-seater athletic track;
- b) An artificial turf;
- c) An outdoor field;
- d) Two netball courts;
- e) Two volleyball courts;
- f) Two handball courts;
- g) Two basketball courts;
- h) Three tennis courts;
- i) A swimming pool; and
- j) A fitness centre.

The consultant's cost estimate of constructing Akii-Bua Olympic Stadium was valued at \$48 million. The detailed report for visibility studies, concept design and environmental/social impact assessment for Akii-Bua Olympic Stadium was submitted to the Ministry of Finance, Planning and Economic Development on 25 May 2021, awaiting funding.

The last one, Mr Speaker, is on the status report on the renovation of upgrade of Mandela National Stadium. The Confederation of African Football (CAF) inspected Mandela National Stadium, in preparation for the World Cup qualifiers matches in February 2020, and issued a report thereafter.

The CAF Report, April, 2020, established that the stadium was not fit to host the national team

matches for FIFA World Cup and AFCON qualifiers or the competition. The report recommended that the stadium be renovated and upgraded to international standards to host the qualifiers.

The Cabinet and Parliament of Uganda appropriated funds for the construction of boundaries and the renovation and upgrade of Mandela National Stadium on the funding in Financial 2021/ 2022.

A Memorandum of Understanding (MoU) was signed between the Ministry of Education and Sports, Mandela National Stadium and the Ministry of Defence and Veterans Affairs, for the renovation and upgrade of Mandela National Stadium on 2 March 2022 by the UPDF Engineering Brigade.

In pursuance of the MoU, two committees were appointed, that is to say, the Project Implementation Committee and the Project Management Committee, for the execution of the project.

Funding

Mr Speaker, the Parliament of Uganda appropriated Shs 31 billion in the Financial Year 2021/2022 and an additional supplementary funding of Shs 67.20 billion for the renovation and upgrade of the stadium and the recurrent expenditure. The stadium received Shs 80.137 billion, that is 82 per cent, towards the close of the Financial Year 2021/2022, as on 13 June 2022.

Mr Speaker, after the MoU, Shs 28,214,000,000 was released to the Ministry of Defense and Veteran Affairs, on 20 June 2022.

The UPDF Engineering Brigade got the funds in July 2022 and commenced works in August 2023, following the liaison with the contractor and the supervisor and Ministry of Works and Transport.

Below is a brief status of the works and procurements.

The project performance for civil works, out of 40, as of now stands at 32 per cent. The procurements, which will conclude in two months' time stands at 68 per cent.

Mr Speaker, that is what I can say as far as the status report is concerned. I thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Komakech.

MR KOMAKECH: Thank you very much, Mr Speaker. It is within our knowledge that there is a committee report on Akii-Bua and Buhinga Stadia. The procedural matter I am raising is: is the minister presenting the committee report or a ministerial statement? Thank you very much.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, the minister was asked to present this statement on the Floor. Once we instruct a minister to bring a statement and they bring it, I give them space.

Also, that is why I was looking for the Chairperson of the Committee on Education and Sports. I have been looking for them; I want them to also present the report so we can do one debate at once and conclude these matters; not coming back and forth. Hon. Silas Aogon? Hon. Macho, are you on that committee?

3.39

MR SILAS AOGON (Independent, Kumi Municipality, Kumi): Mr Speaker, Hon. Macho and I sit on that committee. We have witnesses before us on the issue of ministerial policy statements. So, the two of us decided to come here to attend the House while matters in the committee continue there. Anyhow, our chairperson will come here to notify you of our preparedness because indeed, we are ready to deliver the report of the committee. What the minister has presented will just committee's work and people will consume the results. Thank you.

THE DEPUTY SPEAKER: Thank you. If the chairperson had given you permission to read it, then any member of the committee would have read the report.

MR AOGON: Can I be given a minute to go and consult him and then I come back?

THE DEPUTY SPEAKER: No. Parliament has no time.

3.40

MR GEOFFREY KAYEMBA-SSOLO (NUP, Bukomansimbi South County, Bukomansimbi): Thank you, Mr Speaker. I also thank the minister for -

THE DEPUTY SPEAKER: Honourable member, we are not discussing anything. Discussion is tomorrow.

MR KAYEMBA-SSOLO: Okay.

THE DEPUTY SPEAKER: Honourable colleagues, we go to the next item. If the chairperson comes, I will give him chance to present.

3.40.

MR MOSES KABUUSU (FDC, Kyamuswa County, Kalangala): Mr Speaker, whereas the statement of the minister concerned three stadia, the minister should have said something about Nakivubo Stadium, at least, a one-sentence statement.

THE DEPUTY SPEAKER: Those are issues you will raise tomorrow.

3.40

MR GEOFFREY MACHO (Independent, Busia Municipality, Busia): Thank you, Mr Speaker. I would like to guide my brother, Hon. Kabuusu that in our comprehensive report as the Committee on Education and Sports, we have all that.

3.40

MR JONATHAN ODUR (UPC, Erute County South, Lira): Mr Speaker, tomorrow, to avoid going back and forth, if I listened to the Minister of Education and Sports very well, the finance minister has an issue to clarify. I thought that as we come tomorrow, the finance ministry should come and update us on the proposals that were already submitted because

if I asked tomorrow, they will ask for another time to come.

Maybe, we can put the finance people on notice now so that as we discuss and since we are very passionate, the proposal for Akii-Bua Stadium is before the minister. The Ministry of Finance, Planning and Economic Development should come tomorrow ready to address that specific matter.

THE DEPUTY SPEAKER: Thank you. The minister is listening attentively and I have seen he has taken notes.

3.41

MR ISAIAS SSASAGA (FDC, Budadiri County East, Sironko): Thank you, Mr Speaker. As the minister comes tomorrow, we could also be privileged to hear his plan as far as equipping all districts in Uganda with sporting and gaming activities is concerned.

It would be good if each district in Uganda had a stadium or mini-stadium or a one-stop centre, which can have all the equipment schools can use in that area. It can be a sports academy or a stadium. Let him comprehensively talk about that.

THE DEPUTY SPEAKER: Colleagues, it seems you want to give the minister more assignments. Next item.

MOTION FOR ADOPTION OF THE
REPORT OF THE COMMITTEE ON
ENVIRONMENT AND NATURAL
RESOURCES ON THE EMERGENCY
TOTAL SHUTDOWN OF ISIMBA
HYDROPOWER PLANT

THE DEPUTY SPEAKER: Thank you. Honourable Chairman, I and the Members read through the report; so, go straight because most of the issues were overtaken by events. Let us use 15 minutes.

3.43

DR EMMANUEL OTAALA (NRM, West Budama County South, Tororo): Thank you, Mr Speaker, for the opportunity. I also thank

you for putting our report on the Order Paper.

Before I present my report, I beg to lay on the Table the minutes of the proceedings of the committee in respect of the matter, together with a contract document for the provision of consultancy services, as Owners Engineer for Isimba Hydropower Project between Uganda Electricity Generation Company Limited (UEGCL) and the Artelia and others. I beg to lay.

This assignment was committed to us way back in August last year, but the recommendations of this committee are very much alive although this matter has taken quite long.

During the Plenary Sitting on 18 August 2022, Hon. Ruth Nankabirwa Ssentamu, the Minister of Energy and Mineral Development made a statement to this Parliament on the total emergency shutdown of the 183 Megawatts Isimba Hydropower Plant located in Kayunga District. Following the debate that ensued on the matter, the presiding officer referred the matter to the Committee on Environment and Natural Resources for further investigation.

In response, the Committee on Environment and Natural Resources undertook an oversight field visit on 6 September 2022 to the power plant in Kayunga to investigate the circumstances surrounding the emergency shutdown.

This is the committee's report being presented in accordance with Rule 189(a) and (e) of our Rules of Procedure.

Background -

THE DEPUTY SPEAKER: No. Go to page 4, honourable member. We have elders here; so, we want to handle the issues of the East African Community.

DR OTAALA: Most obliged. On page 4, I will take Members through the committee observations and recommendations.

Regarding the flooding of the powerhouse, the committee was informed that on 8 August

2022, Isimba powerhouse flooded and some equipment was affected. One of the generating units, that is, Unit 3, had been put out of use to allow the contractor undertake routine maintenance.

Additionally, at the time of the incident, there were other scheduled works that were on-going at the powerhouse. This included installation and testing of the equipment for improving safety in the powerhouse as had been supplied by the contractor. As the operations and maintenance team at the Uganda Electricity Generation Company Limited attempted to install the equipment, the control gate at the inlet to Turbine No.3 malfunctioned, which caused a large volume of water to flow uncontrolled into the powerhouse, and flooded it instantly.

The committee was also informed that the power plant has an automated system with control and protection mechanisms as well as flood sensors, which were triggered to ensure staff safety, protection of equipment and prevention of potential dam failure. Whereas the signal to shut down came in just before the flooding, the crane at the gate failed to respond to the signal and so, the Uganda Electricity Generation Company Limited operations and management team had to shut it down manually.

The time lapse between the crane failure and manual shutdown caused the flooding within the powerhouse although the manual shutdown ensured that further flooding was prevented. The equipment that got wet was taken to Namanve Thermal Power plant for drying and was fully restored to good working condition. At the time of the committee's visit, the only restoration aspect that remained was the repainting the affected walls in the powerhouse.

The committee was also informed that a joint technical team was in place to investigate the cause of the submergence of the power plant equipment. This technical team included the engineering board, Owner's Engineer, the Uganda Electricity Generation Company Limited, the Uganda Electricity Transmission

Company Limited and the Electricity Regulatory Authority (ERA).

Furthermore, the committee was informed that the contractor is doing an independent investigation on the same matter.

The committee observed that by the time of our visit, there was no conclusion on the exact cause of the flooding at Isimba hydro power plant and the investigation on the matter was still on-going.

2. In our interaction with the stakeholders, we noted with concern the circumstances surrounding the shutdown. The committee noted that at the time of the incident, the contractor had caused the use of a new construction method to create a platform for accessing the draft tube, which procedure may have triggered the malfunctioning of the gate lifting crane, thus causing it to fail to close in the required time leading to the flooding of the powerhouse.
3. The committee further observed that the plant operations manual had not been fully handed over to the Uganda Electricity Generation Company Limited – that is the operator of the power plant - leading to concerns about the credibility of the UEGCL operations at the plant.
4. The committee further notes that there is no comprehensive national Policy on dam safety practices in the country, which in the long-run exposes power infrastructure to risks and limited responses to manage the risks.

The committee, therefore, recommends as follows:

1. That the joint technical team and the contractor should expedite the investigation process over the actual cause of the flooding at the powerhouse so as to find a lasting solution to dam failures and avoid similar incidents in the future.

2. The committee also recommends that the contractor fully hands over the plant operations manual to UEGCL so as to aid the smooth running of the power plant.
3. The committee further recommends that a comprehensive policy on dam safety practices be developed by the Ministry of Energy.

Regarding the duration of the power shutdown, the committee, Mr Speaker –

THE DEPUTY SPEAKER: Honourable chairperson, let us make it very simple; go to committee observations and recommendations. We have read what you were informed.

DR OTAALA: Thank you for your guidance, Mr Speaker.

Regarding the duration of the power shutdown, the committee noted that UEGCL restored normalcy of the supply of electricity within three weeks as per the minister's statement to Parliament.

The committee further noted that while Isimba was down, UEGCL and UETCL optimised the generation capacity of available power plants across the country as well as the implementation of a load-shedding schedule to balance power demand and supply, and to ensure grid stability was achieved and sustained.

The committee, therefore, recommends that all based low generation facilities should be efficiently designed to allow them to be easily started and dispersed to the grid within the shortest time possible.

In respect to electricity generation capacity in comparison to demand, the committee observed that Uganda has sufficient generation capacity to meet its current demand. However, there is a surplus demand, where potential end-users are not able to get connected to the national grid due to inadequate transmission infrastructure to evacuate electricity from hydropower plants and lack of distribution infrastructure for the last mile connections.

Failure to evacuate electricity implies that generation facilities will operate below their optimum levels to match the available demand.

2. The committee additionally observed that the Government of Uganda also incurs a cost of dimmed energy for capacity that is produced but not evacuated as per the signed power purchase agreement. For instance, Achwa 1 and Achwa 2 collectively have an installed capacity of 83 megawatts but only 8 megawatts are evacuated due to inadequate transmission capacity.

3. With the country having excess hydroelectricity capacity, the committee observed that the stoppage of power export to Kenya and employment of costly interventions such as the use of thermoelectricity from the Namanve thermal power plant during the emergency shutdown of Isimba is not a lasting solution to power blackouts.

4. The committee further observed that with Isimba having a plant factor of 65 per cent, it cannot fully generate its full installed capacity. This under-design is an inefficiency limiting the maximum power that can be generated from this facility yet the Uganda taxpayer has to repay a loan for a 183.2-megawatt facility that can only deliver 65 per cent of that capacity, that is, 118.95 megawatts.

The committee, therefore, recommends as follows:

1. That Government of Uganda should fund the existing grid development plan so as to improve the transmission network that will seamlessly evacuate all generated power onto the main grid.
2. The Ministry of Energy and Mineral Development and its agencies should prioritise funding of last-mile connections so as to off-take the excess available electricity.

3. That the design for power plants should rigorously be scrutinised before they are approved to ensure that the most efficient designs are selected so that the country gets the most value for money out of the construction of power projects.

Mr Speaker, I now move to the outstanding defects and defect liability period for Isimba.

The committee observed as follows:

The committee raised concerns over the many defects. Initially, over 700 defects were identified at the power plant yet it is still new and there are still some incomplete works at the dam, thus questioning the integrity of the dam structure. Of major concern are the spillway concrete damages and the required repairs.

1. The committee notes that the spillway is at the heart of the functionality of the dam. Without a fit-for-purpose spillway, the integrity of the dam is highly compromised. The committee further observed that the remedial works recommended for the spillway will overshoot the contract's defect liability period and will, therefore, necessitate special arrangements for their defect liability period.

2. The committee notes with concern the erosion of the concrete underneath the spillway and questions the competence of the contractor and the quality of materials and workmanship that had been used in its construction.

The hydropower plant was only commissioned in 2019 but the impact of the erosion is grave; the concrete materials are washed away and the spillway is standing on the metals - which indicates the compromise on quality of the materials used.

3. The committee noted that during its last visit in December 2021, Unit 3 of the dam was not operational when we undertook this assignment.

The committee notes that the minister's explanation that the commissioning of Unit 3 in July 2022 was affected by the emergency shutdown does not hold since the flooding occurred in August 2022, when the unit should have been operational.

Further, the explanation that the unit was under routine maintenance may not hold since the unit had not been switched on.

4. The committee was further concerned over the fact that Uganda Electricity Generation Company Ltd had borne the cost of the repairs at the dam following the flooding that had occurred at the powerhouse, yet the project was still under the defects liability period and, therefore, this cost should have been borne by the contractor.

The committee was further concerned about why the project insurance policy, under the defects liability period, was not being effected in managing the emergency, thus making UEGCL incur the cost of the repairs amounting to Shs 560 million.

The committee, therefore, recommends that:

- i) A detailed model development and design analysis should be undertaken to inform the root cause of the damage to the spillway and facilitate the implementation of a permanent solution in accordance with the employers' requirements in the contract.
- ii) All defects identified, including the spiral case and draft tube concrete treatment and defects on the embankment dam, should be expeditiously addressed within the defects liability period.
- iii) The contractor should mobilise and ship in required materials and equipment and mobilise technical staff to carry out remedial works expeditiously. Thereafter, the contractor should carry out dry pit concrete repairs to ensure a more robust spillway.

- iv) UEGCL expedites the process of recovering the Shs 560 million incurred in the repair of the plant, from the contractor.
- v) The contractor should be penalised for non-performance as per the contract agreement.
- vi) High-level bilateral engagements between the Government of Uganda and the People's Republic of China should continue to ensure that the project is successfully implemented.

Mr Speaker, I am informed that these engagements between the Government and the Republic of China have been going on.

Issues of competence:

- i) The committee noted with concern that there have been lapses in the supervision of the Isimba Dam Project. Whereas the contractor has continuously failed to meet project timelines and is still grappling with addressing defects, four years after the project should have been completed, there were also supervisory challenges. The Government of Uganda should have keenly considered the competence of Energy Infratech – the owner's engineer – to supervise Isimba before signing a contract with it.
- ii) The committee further observed that the time lapse between the termination of Energy Infratech and hiring a new owner's engineer had UEGCL supervising the project for a whole year. This further exposed the project to inadequate supervision as evidenced by the failure to follow up with the contractor. This has contributed to perpetual structural and mechanical problems that have continued to affect the smooth operations of the Isimba Hydropower Plant, starting even before the contractor finishes the construction works.

Recommendations:

- i) The committee recommends that the Government of Uganda should ensure that due diligence on such strategic projects is free of flaws and, where possible, internationally approved companies be selected for supervision in order to optimise value for money for the country.
- ii) The committee also recommends that staff of ministries, departments and agencies, if found to have tampered with the process of due diligence, should be punished.
- iii) The committee also recommends that the Ministry of Energy and Mineral Development should ensure that teams of competent staff are deployed for strategic projects and they fully participate at all stages of the project implementation.
- iv) The committee also recommends that the capacity of key project staff in the ministries, departments and agencies overseeing hydropower projects should be enhanced through training and attachments to projects of a similar nature.

Mr Speaker, I now move to the delays in the installation of a log boom. A log boom is a structural facility that traps any debris such as floating islands, logs and stones from entering the dam. Whereas it was part of the contract to construct a log boom, up to now, no log boom has been constructed.

The committee observed that the delay in constructing a log boom for the dam puts it at a higher risk of damage, considering that the country is already facing the effects of climate change, characterised by severe storms and the resultant floods. The floods, in turn, carry debris and waste into the water bodies, which can easily end up in the dam.

Recommendations:

- i) The committee recommends that the contractor expedites the process of constructing the log boom, according to

- the specifications agreed to in the contract.
- ii) The committee also recommends that the Attorney-General should guide the Government on the matter of constructing the log boom for the dam, considering that the defects liability period was to end in March this year - which means it has already ended, yet the construction of the log boom has not yet started.

Contractor's All-Risk-Insurance:

The committee observed that the contractor lacked an up-to-date Contractor's All-Risk-Insurance. The lack of this insurance exposes the project to financial risk.

The committee, therefore, recommends that China International Water and Electric Corporation – the contractor – should expeditiously have an up-to-date Contractor's All-Risk-Insurance.

The integrity of Isimba Hydro Power Plant

The committee observed that Isimba Hydropower Plant has been riddled with a number of challenges such as at least 300 defects that are yet to be resolved, including structural defects at the spillway, incomplete works like the log boom that I have just alluded to, lapses in supervision where the owner's engineer contract was terminated without a replacement, periodic extensions for the project completion date for over four years – which was actually the maximum that it could be extended to – and the recent flooding of the powerhouse.

These issues continue to cast doubt on the overall integrity of the dam structure and whether the project will be able to operate optimally and achieve its lifespan of at least 50 years.

Additionally, Mr Speaker, following the flooding of the powerhouse in August 2022, a joint technical team was put in place to investigate the incident. The committee, however, noted that the responsible managers and officers, at the time of the incident, were

under the Ministry of Energy and Mineral Development and UEGCL, yet they are the same people who are part and parcel of the committee put in place to investigate the matter. Therefore, there may be a conflict of interest. Best practices require an independent investigator to handle such a case.

The committee recommends that an independent technical evaluation team for Isimba Hydropower Plant be constituted by Government to ascertain the integrity of the project before the facility is handed over to the Government of Uganda.

In conclusion, the flooding of Isimba Hydropower Plant was an unfortunate occurrence that plunged the country into a period of load shedding. However, our own UEGCL and other local partners on the ground managed to bring the situation under control within two hours. This reflects the capacity we have locally developed over the years.

That notwithstanding, the incident exposed a number of challenges that the plant still faces, as I have already alluded to. To date, the exact cause of the flooding of the powerhouse has not been established although investigations are still on-going. However, it is generally believed that it was caused by the use of a new construction method that could have triggered the malfunctioning of the sluice gates.

The flooding incident unearthed the fact that although Uganda has a generation capacity of close to 1,400 megawatts of electricity, the firm capacity and available capacity is only close to 900 megawatts. Moreover, the country is not able to evacuate all its power to its end users. This explains why the country went into load shedding.

It is, therefore, important to note that although Isimba Hydropower Plant was commissioned in 2019, some works have not yet commenced and there are many defects to be rectified.

The credibility of this facility largely depends on the ability of the parties to rectify these defects and to successfully implement the

employer's specifications in the contract documents at the contract-set cost. This will consequently deliver a generating facility that will be reliable, robust and fit for purpose. I beg to submit.

THE DEPUTY SPEAKER: Thank you, Mr Chairperson and Members of the Committee on Environment and Natural Resources. Honourable minister, before I open up the debate, would you like to do a five-minute response?

4.12

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (MINERALS) (Mr Peter Lokeris): Thank you, Mr Speaker. I appreciate the submission made by the chairman of the committee, which was set up to investigate what happened when the plant closed down.

What happened at the time is that water entered the plant and caused damage. Since then, even as he read, we continue to discuss with the contractors and there was intervention by the Government, especially His Excellency the President. He convened a meeting on the 25th of October and invited the Ambassador of the Republic of China together with the constructors and said: "This is now disastrous to the country. What are you going to do?"

The contractor said they were doing everything possible to rectify the issues and that they would continue doing so in order to establish the integrity of the plant.

On that day - 25 October 2022, after calling this contractor, they agreed on the measures to ensure that all outstanding works are undertaken by the contractor.

Right now, the initial emergency repair works for the spillway have been undertaken. The owner's engineer, together with the contractor's desired teams, are undertaking design reviews to ensure that the permanent solution is in accordance with the employer's requirements to guarantee long-term fitness for the purpose of the spillway.

Currently, the plant is generating at its installed capacity of 183 megawatts. Anyhow, we shall continue to move around to look at all the defects as was agreed in that meeting. We think that once we establish the integrity and fitness of the facility, things will be okay. Thank you.

THE DEPUTY SPEAKER: Thank you. Shadow minister, you are a member of the committee, so, I cannot pick you. Hon. Muzaale, are you the MP of the area? Then, you should not speak –(Laughter) – well I will give you the opportunity. Two minutes each.

4.18

PROF. ELIJAH MUSHEMEZA (Independent, Sheema County South, Sheema): Thank you, Mr Speaker. I thank the committee for their presentation. As far as I know, this is the first time, since the construction of the Owen Falls Dam, that we have had this kind of flooding. I am very reluctant to trust the joint verification committee and the contractor on the investigation they are doing. I am inclined to suggest that we need an independent investigation team right now.

Even your recommendation that we should have an independent team before the handover will be very late. The Government needs to undertake it now. If we do not, even your recommendations will fall flat. You are talking of compensation and engagement with the Government of the Republic of China. On what basis are you going to demand that kind of compensation?

Therefore, we need an independent committee or whatever we will call it, by the Government, to carry out thorough investigations. This will reinforce whether in the future, we should not give such a contractor an opportunity to engage in the construction of other dams.

It will also give us a firm foundation on which we can say, "This is our demand," before the handover because that would be very late. Thank you.

4.18

MR MOSES OKOT (FDC, Kioga County, Amolatar): Thank you, Mr Speaker. First, I would like to thank the committee chairperson for doing a good job within his limitations. I am very happy that you admitted that as we talk, the real cause of the flooding has not been established.

However, I would like to put forth a couple of issues. Colleagues in the House, who have a background in the legal profession know that liability in acts of negligence, as it is or apparent as it is, which the Attorney-General will appreciate in the case of *Donoghue v. Stevenson* - if a matter is not a matter of forced merger, as it is - we appreciate that persons or corporations who have liability should be held accountable from the beginning.

I have seen our own engineers - at the time they were supervising the project, they did not perform such assignments. The committee, probably in their report, did not see any reason to have them account for the professional negligence they did. At that time, they had to supervise, but they did not - (*Member timed out.*)

If I must -

THE DEPUTY SPEAKER: Honourable member, do not add yourself time. Request for it. He is the Shadow Deputy Speaker, so, I am allowing him to conclude. (*Laughter*)

MR MOSES OKOT: Thank you very much. Mr Speaker, when I speak here, I do not only speak as a person in that field, but as a learned friend because I am capable of advising on many other matters.

What I want to say is that the committee did deal with the defects at the plant, most especially the flood gates, but did not deal with the auxiliary matters that were incident to the flooding. I sit in a low-lying area of Lake Kyoga. The flooding at Isimba has had an impact on my constituency. All our gardens along the Kyoga Belt are flooded and are now being termed as wetlands, yet these were former highlands that

persons were cultivating. The report in itself is lacking to that effect; the auxiliary effects of the flooding were not captured. I wish that the committee that must be established is given the technical capacity to do a comprehensive assessment to deal with the overall effect of this.

Lastly, I think that the Isimba Dam is a time bomb. It is a nonstarter; it will not work for the 50-year project. The Government should negotiate with the contractor and parties to break ties and recommend new contractors to make a new project. I submit. Thank you very much.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, when you look at the report, which was done in November - and I am sorry that we have taken long to have it on the Order Paper - I expected a different kind of response from the minister.

Honourable minister, by now, you should have done much more. It is over six months. You could have done much more and maybe given a substantive update, not just referring to a meeting with the minister that the President had with the contractors. You should give us real confidence that the dam is in good state. Honourable minister, I will give you a chance at the end.

4.23

MR CHARLES OKELLO (DP, Nwoya East County, Nwoya): Thank you, Mr Speaker. Let me also thank the committee for this work. Their report does not only highlight Isimba issues but the overall issues of electricity in this country. They have highlighted 700 defects in their report and some of these defects touch the core function of the dam.

When the minister came, and true to your words, Mr Speaker, he took it very casually. May I request that the minister lays on the Table any report from which he has drawn that conclusion? If the report comes from engineers, let him lay it on the Table so that we debate facts.

Let me just end by stating the fact that there was already a defect liability period, which has already ended. That has an effect on the overall contract between the Government of Uganda and that company. Can the Attorney-General advise us in view of this? What does it mean? What can Parliament do to rescue the loss we are about to face? Thank you very much.

4.24

MR RICHARD LUMU (DP, Mityana County South, Mityana): Thank you very much, Mr Speaker. I would like to thank the chairperson for the report presented. I want to note the most important thing; the 700 defects. I also noted the minister's response in regard to those defects. It is very difficult for 700 defects to be repaired and put in good condition for Isimba to function fully; that is actually difficult.

Secondly, on the loan, I would have expected the committee to recommend that for now, we stop wasting taxpayers' money by continuing to pay when we have already discovered the defects until the whole matter is sorted out. This is a big matter; it is a security threat. It is a problem for the taxpayers to continue paying when we are not getting value for money.

Lastly, Mr Speaker, on the integrity of the dam, I do not know whether if repaired, we will get what we are supposed to get and last for 50 years. In my mind, I think what should be done is to renegotiate the whole project and have a new dam constructed for the good of the taxpayers. Thank you.

4.25

MS HANIFA NABUKEERA (NUP, Woman Representative, Mukono): Thank you, Mr Speaker. I would like to thank the chairperson and the committee for the report. What the report missed is - I do not know whether the committee was privy to information about the contract between the engineers and Isimba Dam. This is because at some point in time, you said you terminated the engineer's contract. Later on, you made another contract with another engineer.

Therefore, how do you match the two contracts? What are the effects? Of course, there are effects. Did you go through the details? Legally, it is not binding. You cannot have the other contract and not even penalise the other engineer. Yet, later on, you are getting another engineer into another contract without finalising the first one. I beg to submit. Thank you.

4.27

MR MARTIN MUZAALE (NRM, Buzaaya County, Kamuli): Thank you, Mr Speaker and Chairperson of the committee for the report. In every contract, there are agreed positions. On contracts of this nature, we always have a consultant and the purpose of the consultant is to always guide the employer.

We have bills of quantities and a performance guarantee. We also have a contract period and we have a defects liability period. If we are saying that the Government has already paid out money when the expected performance is not achieved, I think we are just being lenient with our civil servants. Even to the contractor, the performance guarantee can be cashed out. That is one way of guaranteeing the employer.

Mr Speaker, because of time, the chairman talked about the failure to evacuate power from one station to another. However, even in areas where the gridline is, we are still experiencing blackouts yet we are producing a lot of power and paying for it. Can the chairperson or the minister explain why *-(Member timed out.)*

4.29

MS JANE AWICH (NRM, Woman Representative, Kaberamaido): Thank you, Mr Speaker. I want to add my voice to what my honourable colleague said. I have a small complaint; much as these are problems that we are experiencing, we from upcountry, are the worst affected. There are several blackouts -

In my district, out of seven days a week, we may have power for only one day. Small-scale millers are suffering for almost the whole week. We have a lot of pressure from our voters. We pray that people who handle the issue of electricity take it seriously. Thank you.

4.30

MR ENOSI ASHIMWE (NRM, Kabula County, Lyantonde): Thank you, Mr Speaker. I thank the team that made the report.

The committee makes very interesting observations that we had discussed in the previous sittings related to dimmed energy. Our capacity is at 1,300-something megawatts but the demand is at 830 megawatts, meaning that almost 500 megawatts are not put to use - because we lack evacuation lines and other factors.

What I expected from the minister was to tell us how far they have gone because last year, we budgeted Shs 113 billion towards deemed energy costs. How far have you gone with the evacuation lines for Achwa 1 and Achwa 2? On page 8 of the report, they are still telling us that up to now, nothing has been done and yet money was allocated for it.

How long are we going to lose money to unutilised energy? The honourable minister comes here but does not tell us the way forward or what he expects to achieve in the near future or even in the long run to deal with this problem.

Mr Speaker, there was an issue of Shs 560 million on the page after the flooding - on page 9 - I think. I do not understand why we are paying Shs 560 million in costs if we are still under the liability defect period. That is already affecting the budget of Uganda Electricity Generation Company Limited, and yet we are still in the liability period. Thank you, Mr Speaker.

4.32

MR DAVID KARUBANGA (NRM, Kigorobya County, Hoima): Thank you, Mr Speaker. I thank the committee for the work, especially in identifying the defects during the defects liability period.

But on the issue of flooding, first of all, I have realised that the committee did not interface with the contractor. Therefore, if you did not hear from the contractor and you say you want

him to pay for the costs of maintenance that UEDCL incurred - that is Shs 560 million - I think that would not be in order. If they had listened to the contractor, I think the story would have been different.

Mr Speaker, regarding the issue of further investigations; I also do not support it. First of all, dams flood and the main causes are human error and there is a window they call the "Draft tube", and that is during maintenance.

When you read the report, you realise that there is information, which was not given to the committee. I feel we would have saved a lot if we said there was human error and we call it a day because really, when you see the recommendation, you cannot pay when you have not listened to the other party.

I worked in dams and power stations; I have enough experience, this business of saying *-(Interjections)-* of course, Isimba had challenges, but this business of saying that because it has a lot of defects, therefore, he should be charged, I think should not work. If there was a human error, the volume of water is too much sometimes and it overwhelms the dewatering systems. Therefore, it happens and if it happened *-(Member timed out.)*

4.34

MR STEPHEN MUGOLE (NRM, Kabweri County, Kibuku): Thank you, Mr Speaker. Mine is majorly clarification because the chairperson says, "...by the time of signing this report, the investigation was not yet over; the investigations are still going on." Was it at that time or even now? There is no report about that. I want that clarification.

Secondly, this crane valve; there is a presupposition that the dam can flood - that is why there is that sensor. Now, has that crane gate valve been tested? Because, the last time it failed, they had to shut the valve manually. Technically, from the ministry, we would like to know whether they have now tested that it can automatically shut or we shall continue with a standby person to shut it down in the event that there is an overflow; that is the clarification I wanted.

4.36

MR HILLARY LOKWANG (NRM, Ik County, Kaabong): Thank you, Mr Speaker. I represent a dark constituency because the entire Ik County has no power at all.

I have been writing to the ministry since 2018 but they have never responded to me. I have gone there and they have promised to go and assess it, but have never gone for an assessment. I just want to know from my elder, the minister, whether we are also in the current plan to get power for the first time in history. Thank you.

4.37

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Thank you, Mr Speaker. I thank the committee for the good report. I agree with the committee that indeed, the flooding of our hydropower project was very unfortunate.

Now, I also appreciate the local capacity that has been built because of this project, as indicated in the report - that what happened was brought under control by UEDCL and the local partners.

Now, this is a magnificent project of a strategic nature, involving strategic investment decisions and financing decisions. Any slight disruption leads to a lot of losses. What they did was basically preventive -

THE DEPUTY SPEAKER: Procedure.

MR MOSES OKOT: Mr Speaker, I have attended debates in this House before and most often when a matter is as crucial as this - where a country is about to lose money - persons put in positions of responsibility must take action and must also be seen to be taking action. I have observed the minister - I had walked out, but the minister has sat ajar and redundant, not even taking any notes of what is being said. I wonder whether we shall get responses that are qualified when the minister is redundant. Are we proceeding well?

THE DEPUTY SPEAKER: Thank you. Now, honourable member, I have no way of judging whether the minister is grasping each

and every issue onto his medulla oblongata or not. *(Laughter)* But he seems alert. Honourable minister, keep alert - *(Laughter)* - as long as you deliver on the responses. I do not have the capacity to judge, but it is a reminder from the honourable colleague that we are handling very serious issues and we want very serious responses and attention.

MR BYANYIMA: Thank you, Mr Speaker. These floods can be a result of human error, but they can also be the intermittent nature of the river flows. Now, to the minister - maybe he is now alert: what was done by Uganda Electricity Generation Company Limited and our partners, were simply corrective measures. Can we hear from you about the detective as well as the preventive measures such that it should not happen again? I thank you.

4.39

MR SAMUEL OKWIR (NRM, Moroto County, Alebtong): Thank you, Mr Speaker. I thank the committee for this report. However, I have a few comments to make.

First, any contract must clearly put out the terms and conditions. If there are issues, what are the mitigation measures put in that contract so that the interests of all parties are taken care of?

Mr Speaker, I have questions about how the contracts in this nation are drafted. If you look at SGS Uganda Limited, Lubowa and the Uganda Vinci Coffee Company, do we, especially the people who draft contracts on behalf of this country, take care of the interests of this nation?

This is a question that must be answered because sometimes errors are made and our hands are tied in the agreements that are already signed. We should address the issues of how contracts are drafted and put the interests of this country first. I thank you.

4.41

MS PATIENCE NKUNDA (NRM, Woman Representative, Kanungu): Thank you, Mr Speaker. I thank the committee for the elaborate report they have produced. In Kanungu,

we have a major issue – and I do not know whether it is being caused by the Isimba Dam flooding. Whenever it threatens to rain, we get a power blackout. People who have small TVs and refrigerators have had their gadgets burnt. Our major problem in Kanungu is that we have electric poles which have wires, but they are not connected. Generally, we do not have electricity.

I want the minister to tell us why, in Kanungu, we have electric poles and wires without electricity. Thank you.

4.42

MR BENARD SEKYANZI (NRM, Budyabo County, Nakasongola): Thank you, Mr Speaker. As my colleague, Hon. Mugole, said, I would also like to get clarification because due to Isimba Dam flooding, in my constituency Budyabo, I still have two camps because people were displaced and are suffering up to now. So far, it is coming to two years.

What plan does the minister have for these people? Did the committee investigate this and see how to help them?

Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleagues, we are debating a report of the committee. *(Laughter)* Now, you have gone into AOB (Any Other Business). *(Laughter)* Let the Leader of the Opposition say something and then we have the honourable minister. I have seen we have started requesting for electricity in our areas.

4.43

MR FRANCIS MWIJUKYE (FDC, Buhweju County, Buhweju): Mr Speaker, the Isimba Project is a national disaster in waiting. This project was commissioned in March 2019 and in April 2023, four years later, we are still talking about defects and liability. This should have taken only two years.

The report of the committee is talking about defects and remedial work, meaning that the contractor did not do a good job.

The ministry has never come here to tell us what the problem is. Of course, I have other issues with the minister, which are not part of this – with respect to mining in Buhweju, where the daughter has displaced very many people in my constituency. However, that will be for another day.

The minister has not come here to deal with this issue before. This is no longer an issue of the Ministry of Energy and Mineral Development; it has become a security threat and, therefore, we should take it as that. The minister should tell us whether he is engaging the Government of China to do renegotiation. For now, you are not doing much and taxpayers are losing money.

Mind you, this was a contract awarded in State House – there was no advert, but they sat and agreed and, now we are paying money.

Mr Speaker, you heard from the chairperson that the log boom is not yet constructed, yet it is very important for the integrity of this dam; this is very dangerous.

Finally, since we are paying money even before we can deal with the liability that we are involved in now, I think – like somebody suggested – the payment should stop. We should, first, work on the defects, if we can, and then talk about payment. Otherwise, paying money now would really be tantamount to costing the taxpayers' money and I do not support such an irregularity.

Thank you very much.

MR LOKERIS: Mr Speaker, we came here to listen so that we could answer you in writing because this is a very important business of the House. Power is the economy itself. If it is not there, the economy is in shambles. That is why I said that for all those issues, which have been raised, we will bring a comprehensive response even showing you what we have so far done to make the dam achieve its capacity of 183 megawatts. *(Laughter)* Otherwise, it would not be there.

We shall also show you what we are doing about the integrity and everything else. Please, just give me a day when I should come and we mention all these things because people are really stressing the importance of this. Therefore, we need to answer this to your satisfaction. *(Laughter)*

THE DEPUTY SPEAKER: Thank you, honourable minister. Committee chairperson, do you want to clarify something?

DR OTAALA: Thank you very much, Mr Speaker. Most of the questions were for the honourable minister. One, to update us on what has been done because it is a long time since our committee undertook this investigation, and as far as we have heard from the ministry, quite a lot of interaction has been undertaken between the ministry and the contractor.

For example, we were told that the emergency repairs of the spillway have been undertaken, but the contractor is undertaking a new modelling to see how the spillway cannot again get corroded so that they can do a dry repair. This means they will have to block water, go down there again when there is no water and then undertake another construction altogether in order to ensure integrity. Secondly -

THE DEPUTY SPEAKER: No, please, Mr Chairperson, take your seat. These are issues your committee is going to follow up on. You see, your report is around six months, so, let the minister appear before your committee and clarify on these issues. You shall then incorporate them in your report before we discuss it here. Otherwise, we are going to keep doing this over and over. You are the supervising committee, so, ensure the minister appears before your committee and you conclude on these issues when doing the ministerial policy statement. We conclude, you answer all these issues.

Honourable colleagues, I now put the question that the report of the Committee on Environment and Natural Resources on the emergency total shutdown of Isimba Hydropower Plant be adopted.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Hon. Byanyima, you were not sure. Committee, now do the follow-up. Anytime you are ready, you can raise all these issues on the Floor because you are the supervising committee; we cannot handle all these details here.

Clerk, extract this report and pass it on to the committee chairperson and the minister to help them prepare comprehensive responses to these issues to be handled at the committee level.

DR OTAALA: Most obliged, Mr Speaker. We shall summon the minister and get an update to present to this House.

THE DEPUTY SPEAKER: Thank you. Next item?

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE ON EAST AFRICAN COMMUNITY AFFAIRS ON THE DELAYED PAYMENT OF PENSION, GRATUITY, INTEREST AND OTHER TERMINAL BENEFITS TO FORMER EMPLOYEES OF THE DEFUNCT EAST AFRICAN COMMUNITY (EAC)

THE DEPUTY SPEAKER: Honourable colleagues, I received a request from the Chairperson of the Committee on East African Community Affairs - you know, they lost their former bishop - Bishop Baharagate - and so, they are away for the burial; that is why he is not here. The vice chairperson is also not around yet we need to deal with this matter. It is a very crucial matter; these people have suffered enough. So, let us handle it for about 15 minutes because we have been with it; we want to go straight to the recommendations and all that. Since the minister is here, we can handle this matter.

4.52

MS SARAH KAYAGI (NRM, Woman Representative, Namisindwa): Thank you, Mr Speaker, I am a member of the Committee

on East African Community Affairs. I have been delegated by my chairperson to present the report on her behalf.

Mr Speaker, allow me to first lay on the Table, a copy of the Report on the Committee on East African Community Affairs (EAC) on the Delayed Payments of Pension, Gratuity, Interests and other Terminal Benefits to the former Employees of the Defunct EAC Community Employees. I beg to lay.

Mr Speaker, allow me to also lay copies of the minutes that we obtained during our meetings. I also request you to allow me to only read the executive summary since the main report has been uploaded, and the matter has been around for some time. I believe even in the last Parliament, it was an issue.

Mr Speaker, there were four areas that the committee looked into. One was to establish whether or not Crown Agents discharged their obligations under the EAC Mediation Agreement.

In our observations and recommendations on that matter, upon the collapse of the community, Victor H. Umbricht was appointed as the mediator of the Community to make proposals for the permanent and equitable division of the assets and liabilities of the corporation and the general fund services.

Following the Umbricht report, the Member States signed the mediation agreement on 14 May 1984, to among other things, settle the terminal benefits of the former employees of the defunct EAC under Article 10 titled, "Pension and Provident Funds."

The Community's Pension and Provident Fund assets that Crown Agents managed, as of 31 March 1984, included the Pension Fund assets, Provident Fund assets, sinking funds, and their cash balances.

All assets were divided into 42 per cent for Kenya, 32 per cent for Tanzania, and 26 per cent for Uganda according to the mediation agreement. The money for settling the terminal

benefits for former Ugandan workers of the defunct EAC was supposed to be drawn from these assets.

Crown Agents reported having paid to the Government of Uganda, all the outstanding funds connected to the defunct EAC and as per the correspondence attached as Appendix A. When you check the report, you will find the appendix; we referred to it.

Mr Speaker, the Ministry of Public Service has, however, maintained that Crown Agents failed to honour the retirement benefits of its members. This position is also corroborated by the response of the Governor Bank of Uganda. We have also attached this correspondence as Appendix B.

Recommendations from the committee:

1. Using diplomatic channels, the Bank of Uganda, in liaison with the Minister of Foreign Affairs, should engage Crown Agents to establish whether or not Crown Agents transferred assets due to Uganda at that division date;
2. A status report on the matter should be tabled before Parliament before the consideration of the ministerial policy statements for the Financial Year 2023/2024 of the two government institutions; and
3. Upon verification, the committee is recommending that the Ministry of East African Community Affairs, in the ministerial policy statement for Financial Year 2023/2024, provides the funds required to settle the full benefits of the claimants as per the laws governing their terms of employment under the EAC before the collapse in 1977.

Term of Reference No.2 was the status of payments of terminal benefits to the former Ugandan employees at the defunct EAC.

Upon the Community's collapse in 1977, the Government of Uganda, through Decree

(No.6) 1978, amended the Pension Act (Cap. 281), to protect the pensionable rights of the Ugandan nationals, who had served under the defunct EAC. Impliedly, the services of the Ugandan workers in the defunct EAC became pensionable under the Pensions Act, Cap. 281 and the rules governing pension management in Uganda applied. This was before the signing of the mediation agreement in 1984.

The Government constituted the “Uganda Ex-East African Community Employees Terminal Benefits Committee, which produced its report in 1998 detailing estimated claims to the Government at over \$27 million. However, not all claims were resolved. So, the committee recommended that any further claims be administratively verified and settled.

The Government further constituted an inter-ministerial technical committee to establish the outstanding compensation liabilities of the former employees of the defunct EAC. The Ministry of East African Community Affairs (MEACA) continues verifying former employees before payments through field verification exercises in selected districts, cities or municipal headquarters.

The committee recommends:

- i) A holistic approach and conclusive settlement of the benefits and claims of the former Ugandan employees of the defunct EAC;
- ii) The Minister of East African Community Affairs tables a Bill for an Act of Parliament providing for the settlement of the claims of the former Ugandan employees of the defunct EAC as per the EAC Mediation Agreement, and the defunct EAC Pension Act, Cap. 11 and the EAC Service Regulations.

The case of lost files during the investigations of the public service pension scam of 2012

The Criminal Investigation Department picked several individuals’ pensions files at the ministry to aid the Director of Public Prosecution (DPP);

in the process, files went missing. The Ministry of Public Service reported that the CID took the pension files as exhibits. There were no records of who and when the lost files were picked and as such, tracing liability regarding the missing components of the files was extraneous. The Minister of Public Service, in their letter dated 25 July 2022 and 29 July 2022, of reference 96/153/01 requested the release of the pension files from the CID and this was to no avail.

The money meant to pay former workers of the defunct EAC terminal benefits ended up in the accounts of fictitious beneficiaries, during the pension scam.

The Uganda Police released the list of ghost pensioners with mug shots, prompting the public to ascertain and verify whether the photographs matched the actual names of the beneficiaries. Several could identify their pictures with different names, and the bank accounts labelled could not be placed with them.

During our meeting, the names of the elders we met appeared on the list over those that were paid yet the pictures that were on those names were different. You would find a picture of a different person bearing the name of a former worker and these people had been paid.

The Ministry of Public Service maintains that upon verification by the Internal Auditor-General, many pensioners had received their benefits and some continued to get paid. However, the intended beneficiaries continue to reiterate that even when records in the Ministry of Public Service indicate that payments to the beneficiaries have been processed, according to details on the files, they have never received their payments.

Among the found files, some claimants were found to have been paid less than their entitlement. The Ministry of East African Community Affairs reported that they could only process payments when files were obtained from the Ministry of Public Service. The claimants’ verification process would be affected whenever files were not retrievable;

meaning the senior citizens are still struggling to obtain their entitlements and payments but the reason given to them is that their files were missing.

The committee, therefore, recommends that:

- i) The Ministry of Public Service, in liaison with the DPP, initiates investigations into the purported beneficiaries who, were paid unscrupulously and are currently getting paid as former employees of the defunct East African Community. *(Applause)*
- ii) The CID and the DPP should return the missing files taken during the investigations. Where the ministry cannot retrieve the lost files. The available records should suffice since the finance minister may have partially effected some payments.
- iii) The finance minister and the East African Community Affairs should come up with a comprehensive list of beneficiaries affected by the pensions scam for their details to be verified and subsequently paid.
- iv) The Ministry of East African Community Affairs should undertake a comprehensive verification exercise across the country using the available local government structures to generate a complete list of unpaid and partially paid claimants within three months to inform budgeting and onward settlement of the claims.

Term of Reference No.3, was to ascertain the eligible terminal benefits due to the former Ugandan employees of the defunct East African Community.

The former Ugandan employees of the defunct East African Community claimed that the Government did not pay some terminal benefits, which include:

- i) Pension gratuity;
- ii) Commuted pension gratuity;
- iii) Monthly pension and the arrears from

- 1 July 1977 plus the 7 per cent simple interest;
- iv) Six-month gross salary;
- v) Severance allowance;
- vi) Currency and exchange rates applicable for the payments;
- vii) Repatriation expense; and
- viii) Accumulated leave.

Mr Speaker, during our interaction, the defunct employees told us that their pay was in dollars yet some of them were paid in pounds. However, the exchange rate they are using has a lot of variation. The payer determines which exchange rate they give and it does not cut across; it is segregative.

The claimants' benefits were based on the defunct EAC Pension Act, Cap.11, the Provident Fund Act, Cap. 13, and the EAC Service Regulations (Section (K) - Pensions and Gratuity - Allowances and Transport within Territories) and the 1987 East African Community Mediation agreement.

The Internal Auditor-General produced the audit report on the verification of pension arrears of the former employees of the defunct EAC dated 16 December 2020, which heavily relied on the recommendations submitted by the Inter-Ministerial Technical Committee. The Inter-Ministerial Technical Committee report was the basis of the verification and the computation as directed in the consent judgment in High Court Civil Suit No. 1010 of 1996, in which the court declared that the former employees of the defunct EAC were entitled to their retirement benefits and the Government, through the Ministry of Public Service, should pay them.

The committee, therefore, recommends that their retirement benefits are paid to pensionable former employees' pension arrears effective 01 July 1977 to date of the payment and thereafter, monthly pension paid in accordance with the laws governing the former employees of the defunct EAC.

The scope of the claimants of the terminal benefits is expanded from the 720 mentioned

in the Internal Auditor-General's report to all defunct EAC employees, which can be verified by the Minister of Public Service and from the East African Community archives. This will resolve the question of how many Ugandans were formerly employed by the defunct EAC.

The formula applied by the Minister of Public Service in determining retirement and terminal benefits:

The committee found that the benefits of the former employees of the defunct EAC consist of pension for those eligible, gratuity or refund of Provident Fund and the interest under the defunct EAC Pension Act, Cap. 11, the regulations thereunder and the mediation agreement.

The Ministry of Public Service posits that the benefits of the former workers of the defunct EAC comprise:

- i) A monthly pension paid to the former employees of the defunct EAC who had served for 10 years. Under the Pensions Act, Cap. 281, (Amendment Cap. 286);
- ii) Gratuity/provident fund settlement plus interest for EAC General Fund Services;
- iii) Gratuity/provident fund settlement plus interest for East African Posts and Telecommunication;
- iv) Gratuity/provident fund settlement plus interest for East African Railways;
- v) Gratuity/provident fund settlement plus interest for East African Harbours and Cargo Cooperation and;
- vi) Gratuity/provident fund settlement plus interest for East African Airways.

The ministry computed pension based on rank, salary, and retirement and length of service in months and an actuarial factor of one six hundredths (1/600) from which it derived a Commuted Pension Gratuity. However, a lump sum refund was provided for former workers who served less than 10 years of the qualifying

period for pension, including an interest payment.

The former Ugandan employees of the defunct EAC contended that they were appointed on probation, and were confirmed after a statutory period on permanent and pensionable terms. By implication, they were eligible for pension if they served till retirement age, or if the employer abolished their office before reaching that age, a right provided for under the EAC Pension Act and the regulations thereunder.

The Act put the employer under a legal obligation to pay its workers. Therefore, the right to pension accrued to all the employees of the EAC at the moment when the community collapsed, and was not created by the mediation agreement of 1984 as propagated by the Minister of Public Service. Accordingly, the computation of the terminal benefits should have been based on the laws and regulations governing the pensions and gratuity of the community.

The contradictions in the computations of the Minister of Public Service, and those contended by the former employees of the defunct EAC automatically subjected the beneficiaries to contradicting benefits. This affected all former EAC employees across the board, the majority of whom were working under pensionable terms, but whose services got terminated before making the 10 years' requirement upon the collapse of the Community.

The committee, therefore, recommends that upon verification, the Minister of East Africa Community Affairs applies the formula provided in the EAC Pension Act and Service Regulations in computing the benefits and claims of the former employees of the defunct EAC per each claimant's terms of employment.

Mr Speaker, in the main report, we have provided the formula that is used.

Ascertain the nature of the complaint regarding the claims of the former Ugandan employees of the defunct EAC

The plight of the pensioners

Most of the surviving former employees of the defunct EAC were of advanced age and had severe disabilities. They lived in rural areas and, therefore, had to move longer distances to the district headquarters upon hearing the radio announcements in their localities.

The pensioners decried how the Government handled the payment of terminal benefits. And it is now 45 years since the collapse of the Community in 1977. And the question of payment of terminal benefits to the workers of the defunct EAC has never been settled. This has continued to render them poor and susceptible to dire living conditions owing to the absence of a comprehensive process to pay what is due to them.

Some pensioners have never been paid any benefits; and those who have received some partial payments, continue to grumble that what was paid is less than their entitlement. They argue that while working with the community, their monthly payments were in dollars and pounds. Unfortunately, what was being paid was less than what they should have gotten at the current exchange rate.

Many former workers have passed on and those still alive are very old, making the youngest in this category at around 75 years of age. With the passage of time, and the various challenges experienced such as insecurity in the northern parts of Teso and Rwenzori subregions, many of them lost their documents.

The committee, therefore, recommends that while low computing payments of terminal benefits of the former EAC workers, the Ministries of Public Service and East African Community Affairs, should settle their benefits in accordance with the EAC Mediation Agreement, the defunct EAC Pensions Act, Cap. 11, and the EAC Service Regulations.

The payments in the local currency should be maintained in a convertible currency in calculations of benefits. The two ministries should harmonise this position and update

Parliament before consideration of their ministerial policy statements for the Financial Year 2023/2024, failure of which the committee recommends that the House should not pass this respective budget. *(Applause)*

In conclusion, the committee set out to investigate the non/partial payment of terminal benefits to the former workers of the defunct EAC. The committee report is based on our findings from the interactions with the affected stakeholders. The investigation has revealed that under the EAC Act and its regulations, a person who retires is paid 25 per cent of his entitlement as computed pension, gratuity and pension. The balance is paid to them monthly until death.

Suppose the former workers of the defunct EAC have not been receiving that pension since it accrues to them on their respective division dates, in that case, those covered by the EAC Pensions Act and its regulations are entitled to arrears and interests at commercial rates.

The commercial rate is preferred because the pension funds of the EAC employees other than the EAC Airways were always held by Crown Agents and invested in the commercial money market. Therefore, the question should not arise, whether the Uganda Government has the money to pay the pension obligation because the amount due to the Ugandan pensioners, was ascertained and reportedly transferred by the Crown Agents to the Uganda Government under Article 10 of the Mediation Agreement.

Therefore, the committee strongly calls upon Parliament to compel the Government to settle the terminal benefits of the former EAC workers as per the report's recommendation. I beg to submit.

THE DEPUTY SPEAKER: Thank you, committee chairperson. Honourable colleagues, it is a detailed report – around 33 pages.

(The report is hereby attached.)

I will, first, let the Shadow Minister for East African Community Affairs say something and

then I will call on the minister, the Rt Hon. Rebecca Kadaga, to give a response and I open up.

5.18

THE SHADOW MINISTER FOR EAST AFRICAN COMMUNITY AFFAIRS (Mr Francis Katabaazi): Thank you, Mr Speaker. I also thank the committee for the report about the former employees of the East African Community.

Honourable chairperson, in your methodology, you indicate that you carried out a fact-finding mission in eastern and western regions. That left out central, northern and other regions. I am not comfortable with that because it means the sample is very small, yet you could have covered the entire country.

Secondly, Crown Agents, who are the arbitrators, confirmed that – the Bank of Uganda denies having received funds from Crown Agents to pay the former EAC employees. When Crown Agents is asked the same, it gives no response. It is clear that money was swindled and that means we are letting the people who swindled it to go scot-free.

I seek clarification from the committee and maybe the Ministry of East African Community Affairs or the Ministry of Public Service.

The Government amended the Pension Decree in 1978, giving the responsibility of paying the former Ugandan employees of the East African Community to the Government of Uganda. This is contradicting ourselves because it is supposed to be Crown Agents or the Bank of Uganda to pay. Why should we use taxpayers' money while hiding the people who took the money – which is supposed to be either Crown Agents or the Bank of Uganda? I need clarification on that.

Did the recommendation of the Minister for East African Community Affairs and the Minister of Local Government on generating a complete list of unpaid/partially paid claimants within three months take shape? This information was meant to inform the budget for the Financial

Year 2023/2024. We need clarification on that as well.

Lastly, some of the surviving employees are very old, poverty-stricken and sickly. Some have lost memory and cannot locate their appointment letters - I know it was talked about in the report - and other documents, 45 years later. Their only hope was in the files in the ministry, some of which were lost by the officials there. What is their fate?

Mr Speaker, I beg to seek clarification on those five areas from either the committee chairperson or the Minister for East African Community Affairs.

5.23

THE FIRST DEPUTY PRIME MINISTER AND MINISTER FOR EAST AFRICAN COMMUNITY AFFAIRS (Ms Rebecca Kadaga): Thank you, Mr Speaker. Let me thank the committee for the report. I want to say I associate myself with their sentiments. Indeed, the report is intended to solve a problem that has been in place for over 45 years.

Let me also state from the outset that there have been so many actors in this matter. My ministry adopted this problem in 2015. We have the Ministry of Public Service, Crown Agents and Bank of Uganda - so many actors. However, we are equally concerned about the fate of these people.

I will just speak to a few areas – the Minister of Public Service is also here to speak on some of them. I am concerned about the final conclusion, committee chairperson, where you say that if we do not produce certain evidence by the time the budget is passed, the Ministry for East African Community Affairs and the Ministry of Public Service will not have their budgets passed.

We are in the middle of April and the financial year is about to end. I do not think it is feasible to comply with this recommendation. For example, for the last year, I have been engaged in trying to locate these beneficiaries. I know some of these old men - because my father

worked in the community, I know some of them personally.

I really took interest, for the last one year, to try and ensure that this financial year, many of them are paid. I am struggling to find 166 former staff of the EAC. They have not been found, but are on the list. We have gone on the radio and sent out notices to districts and they have not been found. I am not even sure whether all of them are ex-employees, but that is the information we got from the Ministry of Public Service.

To that extent, I think it is not feasible to comply with that recommendation. I ask the chairperson to make an adjustment. Perhaps, I would propose that we give ourselves one year *-(Interjections)-* honourable members, I am telling you that I have been looking for some of these people for over a year, but I cannot find them. I have their money.

I have got Shs 7 billion on the account in my ministry, but we cannot find the owners, yet I have a list saying these were workers. It is not as simple as you think -

THE DEPUTY SPEAKER: Maybe, honourable minister, I think what is important from our side is ensuring that one, money is available and, secondly, that efforts are being made to call these people. Those who turn up, pay them. Those who do not turn up, no one will blame you. You would have done your part.

MS KADAGA: The recommendation is that if we do not deal with this matter by the time of the budget, we will have no money. I am saying I do not think it is feasible.

THE DEPUTY SPEAKER: Honourable colleagues, I think the honourable minister is right. If she has tried her best to do all this but is not able to get these people, where do you want her to get the people? Maybe what we can ask for, for record purposes, is to get evidence that this has been done - that you have put this in the papers and money is available.

MS KADAGA: Mr Speaker, on 16 December 2022, we issued a notice in the press with a list of names of the people we were looking for. There was not much response.

On the 21st of February, there was another list of all the people we were looking for and we could not find them. In the middle of March, I addressed a press conference with, I think, all the media houses in Uganda, to tell them that I had got money and I wanted to give it to the owners but I could not find them. I said, "Please collect the money because next year, I will not be able to apply again to get back money from the Consolidated Fund." We have sent it back twice. I told them that I only had three months to pay them that money and so, they should have come -

THE DEPUTY SPEAKER: Clarification is for the Member holding the Floor. Give the Rt Hon. Member time to answer these issues.

MS KADAGA: I am saying that I have a serious problem with 166 of them. Then, it is true what the committee said that there is a dispute as to the quantum. Some of the staff believe that they were entitled to certain terminal benefits. The Government said, "No, you are not entitled" and so, I am caught up in that. All those things are there.

The fact that the Bank of Uganda - I do not know whether to say that they are not cooperative. Just last month, we asked the deputy governor to give us evidence of payments from 1992 to 2015, before we took over. He wrote to say that he could not give them to us and that he did not have them yet all the cheques paid in this country reside in the Bank of Uganda.

We have written to Crown Agents, but they have not replied to us. I have written to the British High Commission but they have not replied. Therefore, it is not for want of trying. I am anxious to pay these people their money. I have Shs 7 billion, but I need help to find the people; to get their data. *(Applause)*

You have been told about the scam in public service. My ministry is not responsible for

that; it creates a gap. I would like to ask the chairperson and the House to make some adjustments to this. Otherwise, I welcome the recommendations. They are meant to solve this problem, which I also inherited. I did not start the problem. I am just carrying a legacy, which is not mine.

The Minister of Public Service can say other things and if there are specific questions, I will answer them. Thank you. *(Applause)*

THE DEPUTY SPEAKER: Thank you, Rt Hon. Kadaga. Minister for Public Service, did you want to say something about this? The colleague has requested you.

5.30

THE MINISTER OF PUBLIC SERVICE (Mr Wilson Muruli Mukasa): Mr Speaker, the colleague has requested, but I am also still around and I am not yet tired and so, I will come in when I am required.

Anyhow, I really quite agree with the plight, in which the Minister of East African Community Affairs has found herself. She has inherited the problem and she has indeed tried very hard to ensure that it is sorted out once and for all.

I would like to thank the committee for the work they have done so far and the many good recommendations that they made. However, this particular recommendation saying that there is no budget for East African affairs for that ministry has been overtaken by events. In any case, even if complete validation has not happened and they are still grappling to see which people are eligible and which are not, and where they are so they can be paid - I do not think it will be reasonable for the ministry not to have any budget. It will just be a self-inflicting pain, even for those who are cleared and are getting their pension.

I would like to agree with the minister in praying to the committee and Members of Parliament that that particular recommendation be varied; we go ahead and examine the budget and pass it, but also set a timeline, just like the minister said, that at least within one year,

all these issues of validation and verification should have come to an end. Indeed, we fulfil everybody's desire that the question of paying the former employees of the East African Community is settled once and for all. Those who are eligible for pension are getting and enjoying it, as per the Pension Act.

I would also like to say that there are some areas where we need further harmonisation, especially on the formula and the number of people eligible for pension. The fact that some of the records actually got lost - I think during the pension scam, the records got lost. We have asked for them but they cannot be traced. The people who took them do not tell us where they are, but we should find a way of reconstructing them, given the fact that this has happened. If we strictly go by evidence when the pages are out, then probably, we may not get what we want. Some people, who should be eligible for pension, may end up suffering.

Nonetheless, we can find a way of reconstructing evidence, verifying and validating these officers' data so that at least they are paid. After all, the pension is a legal requirement and we cannot derogate from it. Once this is done, the matter will be settled once and for all. Forty-five years or even 46, 70 or 50 years is too long for somebody to wait to get a benefit. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, now, let me open up the debate. I will start with the elderly because they have suffered a lot. I am going to pick all of you because this is a very critical issue. Take two minutes each.

5.35

MR JORAM RURANGA (NRM, Older Persons Representative, Western): Thank you, Mr Speaker. As an elderly person, who represents people who have actually retired, I sympathise with the members of the defunct East African Community that are surviving up to now.

In the first instance, I would like to thank the chairperson for presenting a very good report,

and I also thank the respective ministers, who have agreed that these pensioners should be paid. Remember, many of these pensioners have grown so old that it may be their only source of livelihood.. The Minister of Public Service has said that it is an obligation to pay them and I definitely agree with him. I agree with the report that these pensioners should be paid.

Now, to those who have not been identified, we should agree - I do not agree with the period of one year; one year is too long. I would like to suggest that between six and nine months, let the thing be sorted out.

I also agree that an investigative committee should be set up to thoroughly study, and investigate these problems and come to the right conclusion. Thank you.

THE DEPUTY SPEAKER: Thank you. Now, honourable colleagues, the minister has said that she has money but the beneficiaries are nowhere to be seen. Listen, colleagues. I think what we need to ask is whether the minister has a fixed list of the people they are looking for. Otherwise, there are other claimants outside the list they are advertising. The minister should find a way of looking at the other list because some of the people seated up here are saying, "they are available, they are claimants" but they have never heard any requests for names. Therefore, they need to be helped.

Honourable minister, the moment you tag it to just a timeline - my fear is that you are concluding the matter yet there are people who might be discovered later. What is important is expediting the process and putting in more effort. Otherwise, when you say we are appropriate for only one year or six months, then what about the people who will come later? Will you have closed the window?

5.39

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Mr Speaker. It is a pity that this matter has dragged on for all these years despite efforts by the Government way back in 1998, to establish a

benefits committee. I do not know whether a copy of the Sibbo Report can be obtained. I am very sure that report could have had some of the beneficiaries.

There was also an inter-ministerial technical committee but can you imagine that pages 281 to 331 are missing? If it is missing in public service, is it missing even in the finance ministry and other sectors? *(Applause)* Can we look for that report and why those pages are missing?

The other concern is about the CID picking files and taking them for investigations and claiming that the files are missing. Mr Speaker, these files must be somewhere. Someone is either an accomplice, working with the thugs in the Ministry of Public Service to swindle the pension of these people or something must be wrong somewhere. I still believe these files can be found.

Mr Speaker, we say we cannot find the pensioners, but I see old people here. Why have these people come here, if they cannot be found? They are here and available. Those alive should be paid. I know we have followed up with some of them and some of them have reached out to me.

The other issue is the computation. Imagine since 1977 and what you receive now is Shs 3 million. I have a case where someone was paid Shs 3 million and the person has disputed that amount. Can we also look at these computations being given to these people? You cannot wait for over 45 years at 7 per cent interest, as mentioned by the *-(Member timed out.)*

THE DEPUTY SPEAKER: Thank you, Hon. Sarah. Hon. Wakikona was part of that group. Let us first get information from him.

5.40

MR DAVID WAKIKONA (NRM, Bushigai County, Bududa): Mr Speaker, yes, I was one of the groups who worked in the first East African Community. I was appointed by the Secretary-General under his staff. I did the interview in Arusha, Tanzania.

I worked from 1973 *–(Interjections)–* and I started working in the aviation industry until we were all brought here like thieves to Serena Hotel to meet with Idi Amin.

Mr Speaker, the problems of pension - in fact, I dodged the committee because they would say I am saying this because I was there. I said, “I should not be on the committee”. I would like to say that when we came, even Crown Agents, which they say did not exist, was not anybody’s institution; it was a body of the British Government.

The release was made in percentages. We went to Kenya and they made a law to pay their people who worked in the first East African Community. Tanzania also did the same, but Uganda said that they would pay by the pension law of 10 years. I said, “No, but *–(Member timed out.)*”

THE DEPUTY SPEAKER: Conclude, honourable.

MR WAKIKONA: Thank you, Mr Speaker. There are many things I would have added, but because-

THE DEPUTY SPEAKER: Give us the information, honourable.

MR WAKIKONA: By the way, I am not reading this from a book; I am telling you what happened. When they put up a list, Wakikona’s name was not there; I did not see my name on any of the lists put in the Uganda Press. I went to the finance ministry and was told by one of the commissioners that they release money every year, but that money is returned back to the ministry.

I told them that the Ministry of Public Service and whoever is handling this should know that we built that Community and very many people are still going there to see whether they are on the list and if their money will be paid.

Mr Speaker, I carried the whole file from the Ministry of Public Service - it was a big one. It indicated my age, the institutions I have gone

through and the letters of appointment. I gave it to the Permanent Secretary in the community affairs office, but still, I did not hear my name and I was never invited. I cannot force myself because it is against the parliamentary regulations to go and attack civil servants in their offices.

I have passed this matter on to those concerned. One time, they were here being interviewed, so I asked them, “When will I hear from you?” Many moved in the east - even in Nairobi when they said I was hijacked, we were trying to compare how Kenya and Tanzania paid their people and why Uganda has not paid.

Kenya brought an article from Parliament, particularly for that payment only and Tanzania did the same. Here, they said we must have joined the public service for 10 years, yet when the Community died, we had only been there for seven years. In other words, we do not qualify.

This is a matter where we moved to the east - in Buganda, we told people to go to the Ministry of East African Community Affairs and I saw many people hipped there, but they have not been paid; we are unpaid until today. This is what I can briefly say, Mr Speaker. Thank you. *(Applause)*

THE DEPUTY SPEAKER: Honourable colleagues, from Hon. Wakikona’s presentation, you can see there are people who are there, but do not appear on the list.

5.47

MR ROBERT MIGADDE (NRM, Buvuma Islands County, Buvuma): Thank you, Mr Speaker. Many times, I have wondered why the President keeps certain figures of advanced age around not knowing that they are issues of advanced matters, which should be handled by those same individuals.

There are certain matters, which should be handled by those who know them better. Today, we may be talking about East African Community issues and we are privileged that we still have those who worked in the

East African Community here in Parliament. There will be a time when we shall no longer have such individuals and we may not get the chronology of what happened.

Mr Speaker, I once went back home and found an elderly man of 91 years old in Mukono named Kizito. He had waited for over four hours and he was following what was on the Order Paper. Since he knew that I am a Member of Parliament, he camped at my home just to mobilise me. He said, "There is our issue, which was brought to Parliament." It shows that these people are really in need but we must also accept what the Minister of East African – (Member timed out.)

THE DEPUTY SPEAKER: Conclude.

MR MIGADDE: Thank you, Mr Speaker. Since this is a group issue, we may not force its closure within the shortest time. The moment you close it within six months, that means that all those who will come after - probably, if the minister asked for a year - I think the year starts in July, which is a few months from now.

I pray that we give it time but we should not make the visible ones wait. Probably, they should be paid as the others come on board. We must also agree on when to close this. The minister has been very clear that she has made adverts and held meetings.

For example, I do not know if Hon. Wakikona has seen the minister on TV calling former workers. He is here but he has also not seen. Probably, we can benefit from him and say, "Please mobilise your other colleagues that you know, when those who know you better are still around." Thank you very much.

THE DEPUTY SPEAKER: Clerk, is it still two minutes?

5.49

MR SAMUEL OPIO (Independent, Kileleshwa Constituency, Kileleshwa Constituency): Thank you, Mr Speaker. I thank the committee for this report in which I raised a matter of national importance that they addressed. I just want to give three pieces of information.

First, on the verification exercise, it is done by invitation. With me, I have a copy of the advert in December last year and I will read the end of the quote. It says: "... if your name cannot –"

THE DEPUTY SPEAKER: Can I have the attention of the minister? The person who raised the issue is speaking. If you could repeat that, honourable colleague -

MR OPIO: I was saying that the first issue is on the invitation for verification - which is an invitation process; you do not present yourself. I have a copy of the advert that was released in December last year and I will read the last sentence. It says: "... if your name is not listed, please do not come." That is what is written here and that is what has been on all the different adverts. Persons have presented themselves but because their names are not on the list, they cannot be processed.

I, therefore, urge that we uphold the recommendation of the committee that away from just the regional verification, the verification be done district-wise and it should not be limited to invitations. Let them present themselves with their available documents. That is the first issue.

Second is on the issue of payment. The reason some people are not being paid is because their files are missing. I presented a list of 97 names to the committee to forward to the Ministry of Public Service. Out of 97 names, only 48 files were available; 49 files were missing. We have the missing files but –

THE DEPUTY SPEAKER: Do the people have their files?

MR OPIO: The issue is that there are people whose files are not available.

THE DEPUTY SPEAKER: No, I mean individuals; do they have some documents?

MR OPIO: The individuals have their employment documents: they have appointment letters, probation letters, confirmation letters and all the letters related to their terms of service.

What the committee has recommended is that where the files are missing, we should use the available employment documentation to process the payments. *(Applause)* This is what has caused people not to appear on the list.

Third is on the issue of benefits. The Attorney-General gave an opinion, which is part of this report and clearly stated that the other benefits are the benefits that have been stated in the East African Community regulations. Those are the benefits that are supposed to be paid.

The Government has refused to pay those other benefits to them. In relation to that is the formula. There is a fundamental difference between the formula that is in the report, which was provided by the Ministry of Public Service and the one that was presented by the Ministry of East African Community Affairs (MEACA). One formula says a third of the pension divided by 15. The formula for MEACA says a third of the pension multiplied by 15; they are totally different.

The formula that was used to pay them is, again, different. We have three different formulae and all these formulas are different from the formula that is within the Pension Act of the Community. I can give another example on the conversion. On page 30 of the report, one of the claimants was eligible for US\$ 13,559. At that time, the exchange rate was Shs 1,000; so, they should have got Shs 13 million as a minimum. Instead, they only got Shs 1.14 million - 10 times less. They were applying the conversion rates selectively at that time.

As I conclude, on the issue of the formula, as the committee –*(Member timed out.)*

THE DEPUTY SPEAKER: Please let him conclude because he is the one who raised the matter.

MR OPIO: As the committee has recommended, the formula that should be used should be that of the East African Community Service Regulations. What happened was that when Government amended the Pensions Act, Cap. 286, the objective was not to vary their

terms of service. Rather, it was to accommodate their terms of service within the laws of Uganda but in reference to the East African Community Service Regulations. That is the principle that must be maintained and harmonised. It is important that, that is maintained otherwise, they would be underpaid.

Lastly, on the underpayment, just to give an example, what was paid was what we called Commuted Pension Gratuity. When you are paid Commuted Pension Gratuity, that is a fraction of your pension. It means, therefore, that you should have another monthly pension. However, what happened is that they paid them Commuted Pension Gratuity and ended there.

Now, where is the difference? If you look at somebody who should have been paid short service gratuity, they would have got the pension multiplied by 10. The one who was paid Commuted Pension Gratuity has his pension multiplied by 5. So, they have only received half of their payment. That is why they continue to complain that they have been underpaid.

We have those who have never been paid, we have those who have been underpaid and those who were paid but the money went to “ghost pensioners”.

On the issue of Crown Agents Uganda Limited, I believe that if you look at this report, Crown Agents Uganda Limited was like the NSSF at the time, and they had fixed assets in Uganda Prime Properties, which exists to date. If they say that the money was never received, why don't they liquidate those assets? Why is it that they have never followed up to recover because Crown Agents Uganda Limited was actually a public corporation of the UK Government; it still exists to date. It can be followed to recover the money and they pay them.

Mr Speaker, as I told you last time when I raised this issue, justice was served when the persons who perpetrated the pension scam were convicted but justice was never served to the victims of the pensions scam. I pray that today, much as they are now blind, they will be

able to see justice on this Floor of Parliament. I beg to submit. *(Applause)*

THE DEPUTY SPEAKER: Thank you.

5.56

MR JOSEPH KOLUO (Independent, Toroma County, Katakwi): Thank you, Mr Speaker. It is too painful to work anywhere, whether in Government or not, without pay. We should adopt what my colleague here has just told us. For those people who worked and are not known, it is better we try to use the LC III chairpersons of every subcounty combined with the District Internal Security Officers (DISOs) to trace these people because they are there except that, for instance in my place, the majority of them lost their files during the time of instability.

Finally, this is the right time to put the Criminal Investigations Department (CID) of the police to task to produce the missing files of all these workers. I submit. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Amero?

5.58

MS SUSAN AMERO (Independent, Woman Representative, Amuria): Thank you, Mr Speaker. I join the rest of the Members in thanking the committee for this detailed report.

Mr Speaker, one of the areas that was visited was Soroti – for the case of Teso. The group in Teso subregion has an association for the former employees of the defunct East African Community.

Mr Speaker, if this money is in the Ministry of East African Community Affairs, let those who are alive benefit from what they ought to benefit from. If we are going to keep this money to look for those whose location has not yet been established - We do not give life and we do not know when these people will leave this earth. Let those who have done work benefit from their sweat.

I urge the minister that all those who are still alive should get their money. We cannot wait

for those ones; we shall look for them after the ones who are available have benefited. Otherwise, even the ones available will die and will not benefit and we shall, again, begin looking for them when they are not there.

Mr Speaker, I beg to submit.

THE DEPUTY SPEAKER: Thank you. Hon. Esenu?

5.59

MR ANTHONY ESENU (NRM, Kapelebyong County, Kapelebyong): Thank you, Mr Speaker. With a very heavy heart, I would like to associate myself with the recommendations of the committee and the submissions of my honourable colleagues who spoke before me.

Mr Speaker -

THE DEPUTY SPEAKER: Hon. Esenu, are you a member of the committee?

MR ESENU: Yes, I am.

THE DEPUTY SPEAKER: Please, members of the committee - Hon. Linda Irene?

6.00

MS LINDA IRENE (NRM, Woman Representative, Fort Portal City): Thank you, Mr Speaker. I join my colleagues in support of the committee's report and the submission of my colleague, Hon. Samuel Opio.

Mr Speaker, I have diagnosed the problem. The main problem of these ex-EAC workers is in the Ministry of Public Service. If we want to address these challenges, Public Service has to be put to task: where are these missing files? When did they disappear? Who took them? Which case was there?

We are talking of the CID but CID cannot receive this information without letters of consent or documentation. So, we have to follow up on that.

Two, we cannot wait until the rest are found and then we start paying. I feel that as the

process goes on, those who are present should be paid. Thank you.

THE DEPUTY SPEAKER: Thank you. Let us have Hon. Gorreth Namugga and then Hon. Macho.

6.02

MS GORRETH NAMUGGA (NUP, Mawogola County South, Ssembabule): Thank you, Mr Speaker. I thank the committee for the tremendous work.

Mr Speaker, I observed the honourable ministers - the Rt Hon. Kadaga and the Minister of Public Service - when they mentioned the failure to access their budgets. They got very concerned. I do not know whether you feel the same for those who have spent all those years without getting their pension.

Mr Speaker, it is very unfair to sit here and start debating about people's statutory obligations. Pension is a statutory obligation to all those that are supposed to get it. We cannot continue with such a debate. I urge the minister that let us pay all those that are verified with immediate effect since you said you have the money.

Two, we are the representatives of the people. Give us the list and we will look for these people in our constituencies. If you have the list, kindly give it to us; we shall bring them because we represent them. *(Applause)*

Mr Speaker, I take you back to the Opposition budget. We told you it must be a budget that looks at human rights. You are infringing on those people's human rights. They are going to die; who are you going to pay?

Lastly, Mr Speaker, I still urge you to pick the Opposition budget and give it to our colleagues such that they can see what to prioritise. Thank you. *(Applause)*

THE DEPUTY SPEAKER: Honourable colleague, I would like to emphasise two things: one, the Rt Hon. Rebecca Kadaga has told you that, that money is in the budget. So, the issue is on the list.

Two, I emphasised that this business of saying, "Pick the alternative budget from the Opposition and what not" is for us. The budget is with us; the Ministry of Finance, Planning and Economic Development brought their budget proposal. It is now with us and we do not need to take it back to the ministers. As colleagues, let us read through and pick out what we can accommodate within the budget. I do not want it to be used on ministers all the time. *(Applause)*

You wanted to make very quick information?

MS KADAGA: Mr Speaker, I just want to clarify that there are people who are being paid. Those who did the 10 years are on pension and there is no problem with those.

The people who are not being paid are those with no records; the ones we cannot find. For the gentlemen who were sitting here, I said I know them; I have met them. Theirs is a question of computation – "What was due to us? You have not paid us enough." So, do not assume that we have not paid anybody.

I am looking for people who have not come because I have their money. Yes -

THE DEPUTY SPEAKER: If I may ask: for people who have information, as Hon. Opio has said, if they presented their documents, would you be able to reconstruct their files using those documents so that they can be paid? This is because we do not want it to be on record here that as Parliament, we said you should pay people who have no files. We want to see a way of helping these people by reconstructing their files using the information they have so that they get paid.

MS KADAGA: Mr Speaker, I would be very happy if Members could assist me to locate some of these people. I want to lay the list of the 166 for the East African Airways, who I said I had looked for, for one year, so that it can be circulated. If there are Members who can identify them or their beneficiaries, they can send them to the ministry.

I also want to lay the list of those who we tried to pay and their money bounced. They are 35 and the list is here. For the 460 of the East African Airways who we paid, the list is here. For the 166 who have not come, the list is also here.

I also want to lay the list for the others we have paid in the last one year. As I said, for the last one year, I have been very engaged with this issue. So, I do not want anyone to think that we are waiting, no. If you can help me find them, I will be really happy.

THE DEPUTY SPEAKER: Your friend, Hon. Wakikona -

MS KADAGA: Hon. Wakikona is my friend – (*Interjections*)- four years; he does not qualify for the pension.

THE DEPUTY SPEAKER: Rt Hon. Kadaga, are we doing it the way it was done in Kenya and Tanzania or Uganda has its unique way whereby the ones who worked for other countries are okay and it is only the ones from Uganda being disadvantaged?

MS KADAGA: Mr Speaker, it is difficult for me to say what the Kenyans did, but you heard the report; it was different. That is why I said, at the beginning, that I inherited this problem; it has gone through many hands. The committee said that the mistake was that at the time of the mediation agreement, there was no law made to domesticate the agreement. So, all those gaps are something we have to fill. Thank you.

THE DEPUTY SPEAKER: Okay.

6.08

MR RONALD BALIMWEZO (NUP, Nakawa Division East, Kampala City): Thank you. Honourable minister, last month around 11th, the media quoted you saying that you were stuck with Shs 8 billion but now you are telling us that you have Shs 7 billion.

MS KADAGA: You should be thanking me because after that, some people came. That is why it is now Shs 7 billion. (*Applause*)

6.09

MR GEOFFREY MACHO (Independent, Busia Municipality, Busia): Thank you, Mr Speaker. I would like to thank the minister because her involvement has led to some elders getting some money. However, Mr Speaker, you asked a good question: if elders have their documents, can you reconstruct their files and pay them?

When the Minister of Public Service rose to speak, his outcry was, “Please, committee recommendations do not hold our money.” This shows that the Minister of Public Service has no political goodwill towards paying those old people at all because he has been in that ministry for a long time. That is why he is (*text expunged*) while I speak. (*Laughter*) I want the minister to give me attention.

THE DEPUTY SPEAKER: Hon. Macho, please be mindful of the language you use.

MR MACHO: I am in pain because my grandfather, who worked with the East African Community, died without getting his money at all.

THE DEPUTY SPEAKER: Honourable minister, you do not access the microphone without my permission. Hon. Macho, continue.

MR MACHO: Mr Speaker, thank you for your protection. With all due respect, I would like to withdraw that statement; I only wanted to get the minister’s attention because it is not parliamentary behaviour to be on *WhatsApp* when a colleague is submitting on an issue concerning your ministry.

Anyhow, what I am saying is that the Ministry of Public Service seems to have no political goodwill to pay our seniors in this country. I am saying this because ever since you went to that ministry – and it is a long time now - the issue of saying that files are missing - Files in Public Service are not missing. There are only some people in that ministry who are hiding these files because they have conflict of interest. That is why even when some were arrested and are in Luzira Prison, things are still the same.

In fact, the President of this country has a problem because these are senior citizens who worked and should have their benefits. If the committee or the honourable colleague hadn't raised this matter on the Floor of Parliament, the Minister of Public Service was not even bothered at all because there is bread and butter on his plate. Honourable Minister of Public Service, I request you to have a human heart because as we work for this country, think about our grandfathers who set a foundation for it.

Truly, you have been there for a long time but you have not bothered to see how these people can be paid. When you go to Kenya, the people who worked in the defunct East African Community are smiling. In Tanzania and Zanzibar, they are smiling yet here, they are dying in misery.

We have a minister who is not concerned because his plate is full. My grandfather died demanding - *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, whether you have pain or not, let us be mindful of the language we use here. I am very happy you have withdrawn it and Clerk, please expunge the statement where he said that *(text expunged)* because notes can also be taken on a phone. Someone can say, I was taking notes on my phone or iPad but also, let us treat each other with respect.

I have never seen Hon. Muruli-Mukasa – He is usually very patient but this time, he was very anxious. *(Laughter)* It seems someone touched a “nani”.

Hon. Muruli Mukasa, you wanted to quickly - or can we wait since you said you are still here? Can we wait since we have expunged that record?

6.13

MR GEOFFREY KAYEMBA-SSOLO (NUP, Bukomansimbi South County, Bukomansimbi): Thank you, Mr Speaker. Before my grandfather, the late Ssesolo Damiano Mubi-azalwa died, every time he used

to promise me: “If I get paid, I will give you some money, my grandson.” Unfortunately, he died with my money.

Let the Directorate of Public Prosecution and the Criminal Investigations Directorate teams that were in possession of these files at the time they got lost be held accountable for this because the mafias who took some money - and I think even my grandfather's money was taken - might have taken those files and used them to the benefit of other old people.

Lastly, let the people who are available - our grandfathers and fathers - be paid as we look for other people who are missing. Thank you.

6.14

MR JOSEPH SSEWUNGU (NUP, Kalungu West County, Kalungu): Thank you, Mr Speaker. Loss of data is confirmation that we keep all records badly even when we have all this modern technology around us.

Secondly, the only answer to this problem is for Parliament to commit that they are not passing the budget until this money is fully reflected and that they are paying those old people once and for all. *(Interjections)*

Honourable members, you can say whatever you want but at the end of the day, it becomes political. We have seen these things happen here; people fill in their names but at the end of the day, they do not get the money. As we get closer to elections, you see them fidgeting. These people have been moving throughout and the honourable minister has told you that she knows these people. If that is the case, why aren't they getting paid?

We must commit ourselves - because we are going to get other people claiming and we might set a precedent that whenever we get such complaints, we pass a budget with that money. The effect is that the problem remains with the people claiming. Otherwise, we shall continue lamenting with people coming into the gallery every time, but with no fundamental solution to this problem being found.

You are giving yourself six months - The honourable member here said that they have their records and identity cards but the government says they lost theirs. Who should solve the problem? It is Parliament to make a final commitment as we pass the budget that they should get their money? Haven't you heard of ghost workers getting paid and they are enjoying this money? Haven't you seen science and arts teachers being paid and they are now enjoying the fruits? That is the only answer we have to this problem.

Otherwise, we shall continue having matters of national importance, meeting the committee and making recommendations, but with no tangible results. Parliament must commit itself – and the Speaker can rule on this - so that the next budget has nothing to do with money to pay former employees of the defunct East African Community. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I think there is a problem because when you say that Parliament should not appropriate money to the Ministry of East African Community Affairs, we would have crippled that ministry. They have told you that they are making progress. Like I have said repeatedly, Parliament cannot say, go and pay people whose files are not available. The Ministry of Internal Affairs is saying that the Criminal Investigations Directorate took the files and never returned them. So, where are the files? Did you take the original copies? Didn't you leave any copy? The Ministry of Justice and Constitutional Affairs, while doing your work, you took files. Why and where are these files?

Honourable members, should we say the people who took the files were intentionally destroying evidence? Even if we do all this, the most important issue is giving justice to a pensioner. What the pensioner will understand as justice is payment and not how many times we talk here, not who we fire, not who we arrest, but pension in his or her pocket. This is why the issue of reconstructing files is very critical.

Honourable colleagues, we can take it upon ourselves; we are Members of Parliament; so, let us help our people who are supposed to be beneficiaries and have files. Even if it means opening a desk here at Parliament to receive the files, we can do it.

Honourable Attorney-General, would you like to say something about this?

6.18

THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi): Thank you, Mr Speaker. I appreciate the passion with which my colleagues are debating this matter. I would like us to borrow experience from the Ministry of Defence when they were trying to rebuild their pension process for the veterans. They sent out messages to the districts and the minister travelled to each and every district within a given period and whoever was concerned would meet the minister there, and they constructed these files. *(Interjection)* - No, it is an on-going process.

My worry is, if we start reconstructing from here yet we know CID took the files for purposes of investigation and did not return them -

THE DEPUTY SPEAKER: Let us listen to the Attorney-General.

MR KAFUUZI: Ideally, the better thing to do would be to give time within which the CID should return the files after which -

THE DEPUTY SPEAKER: Colleagues, please.

MR KAFUUZI: After which, we would take a position and say, "Okay, let us reconstruct them". Otherwise, my biggest fear is that we could create a loophole that will be exploited by some elderly people to create ghost lists.

THE DEPUTY SPEAKER: Attorney-General, let me make a clarification here. Parliament does not reconstruct files; it is the Executive. We cannot create, verify or do anything with files. Our role is oversight.

What we are saying is, if the Executive does not have the files - There are people saying, "We are supposed to be receiving our pension, we are pensioners" but the records are not there. If these people volunteer to bring information or files to you - their records of employment - can't you use it to reconstruct the files and pay them? It is not Parliament because Parliament cannot do that. We do not have that power.

MR KAFUZI: I concede.

THE DEPUTY SPEAKER: Hon. Tom Isingoma and then Dr Lulume Bayiga. *[Member rose]* Don't mind, honourable member, I am going to give you a chance. You are our Auditor-General; so, if you talk, we conclude. *(Laughter)*

6.20

MR PATRICK ISINGOMA (Independent, Hoima East Division, Hoima City): Thank you very much, Mr Speaker. Let me also join colleagues to thank the chairperson of the committee and members for a job well done. I also want to thank the Minister of East African Community Affairs for the good job she is doing regarding the payment of our East African Community pensioners.

A few hours ago, I spoke with *Mzee Santos Labeja John*, the Chairperson of the Greater Teso East African Community Pensioners Association. He told me that besides the gratuity or the pension they wish to be paid, Ugandans who worked in Kenya lost a lot of property at the time of their repatriation back to Uganda.

These people packed a lot of property at the railway stations but people ransacked them and took the properties. My question is: is it possible, honourable minister, to find a way of compensating these people for the property they lost? If it is, it will go a long way in alleviating the miseries incurred by these people. *(Interjection)* It is just a suggestion. If it is possible, why not consider it?

6.23

DR MICHAEL LULUME BAYIGGA (DP, Buikwe County South, Buikwe): Thank you very much, Mr Speaker. I thank the committee because their report is good but it lacks the details that Hon. Acuti has brought to this Parliament. I believe the information he has given us should be married with the recommendations of the committee in order to come up with something tangible.

It will be in vain if all the ministries concerned do not come out with the A, B, C, D, on how to proceed after here. One, we want to understand the formula they are going to use; certain people are complaining about how much they are being paid. We are talking about the formula, which has been used elsewhere in the East African Community, which formula we have not harmonised.

We are talking about people who can bring their records. The ministry needs to accept that so we take it up as a resolution of Parliament that while we do not have their records, they can bring them. Otherwise, speaking about it and ending in Parliament will not work unless there is a commitment from the Government that once people come with their documents, we are going to recognise them so that they get paid.

The other issue is to give timelines within which they can finish this business. Mr Speaker, while you have said that Members will not tag it to passing this Budget - and I want to agree with you because there is money in -

THE DEPUTY SPEAKER: Conclude, honourable.

DR BAYIGGA: There is also need for a commitment by the Government so people do not sleep on the job. We thank God that our senior citizens are still alive. What will happen tomorrow? We want that commitment so that as they go back home or those listening at large know that Parliament discussed their matter, Government gave such a commitment and Parliament resolved it. That way, we shall be doing something good. Thank you very much.

THE DEPUTY SPEAKER: Thank you. Please do not clap or make any sound. Silence must be observed, strictly no applause. I am just reminding you.

6.25

MS LUCY AKELLO (FDC, Woman Representative, Amuru): Thank you, Mr Speaker, for giving me this opportunity. Allow me to thank the committee for doing a great job. I also thank the honourable minister for the response.

As a Member of the 11th Parliament, I am definitely proud that I am part of this Parliament that is people-centred. These are the kinds of things that define us as a people-centred Parliament and these are the things that matter to the common Ugandan.

My late father-in-law may not have gotten his money but discussing this gives me happiness and joy because I know he will rest in peace.

We have had issues around pension; I got a lot of complaints from people who worked for the former Uganda Airlines. Very many of them have not been paid. Can we use this opportunity - I know this may be outside but it is much related to issues of pension - to streamline all these things so that our people stop suffering? Another day, we are going to get another entity coming to say, "We have not been paid."

Can we, as a country, save our people from the pain of suffering, waiting and dying without getting what they are supposed to get? Their children are suffering a lot yet we cannot help. Ministry of Public Service, can we –(*Member timed out.*)

6.27

MR FRED KAYONDO (DP, Mukono County South, Mukono): Thank you, Mr Speaker. I feel touched when I see my elders on the other side. There was a time when they were also energetic as we are now and were serving this country.

I would like to remind Members here that time will come when we are also on the other side

and there will be people deliberating here. Therefore, I request that we deliberate the way we would like to be deliberated for when we are on the other side.

Mr Speaker, I request my fellow Members: let the energy we are showing here, in this discussion, be the same energy we invest in locating these people because they are there. Let us go back to our villages, our constituencies and look for these elders, bring them here and reconcile the files.

My grandfather was working with the East African Community. He died and my father inherited. My father died and I inherited – (*Laughter*)– so you are talking with the “*inheritant*” of the East African Community. When talking about these matters, we are serious -

THE DEPUTY SPEAKER: Are you declaring a conflict of interest, honourable colleague?

MR KAYONDO: When you bring a list here and my grandfather is not here, my father is not here and I am not there, I feel concerned. Therefore, we cannot stand here while somebody deliberates that people are suffering because somebody misplaced files. How do you know that, that of my grandfather was also –(*Member timed out.*)

6.29

MR SILAS AOGON (Independent, Kumi Municipality, Kumi): Mr Speaker, I also inherited from my neighbours who passed on some time back; so, we all inherited. One, the CIID needs to be investigated, although they are the investigators. You cannot disappear with our files and we let you go scot-free. It is high time this House constituted a select committee to deal with the CIID. (*Laughter*)

Two, I am well aware that in Teso, our elders were badly affected by the insurgency. Some people’s houses were burnt and everything disappeared but I am aware that in government systems, you cannot issue an appointment letter to a citizen of this country without copying it. There are always copies to the IGG or Auditor-General. Where did they go?

Forty-five years down the road and we are not able to pay these people is such a huge shame for this country. I cannot be part of that shame; so, we must pay these people.

I want to bring it to the attention of this House that the only surviving institutions that we see around are the EAC and Soroti Flying School. However, I have seen people running to sell old houses and big land, which used to belong to that institution. What a shame!

Mr Speaker, there are issues involving payments to these people. People are disputing the figures but accountants know it very well. We know what they call the future values. There is what they call discounted rate - discounting figures. What is supposed to be paid in the future is brought forward and the figures given. What went wrong with the accountants of our ministries? They are meant to support and help us with the figures so that people –(*Member timed out.*)

THE DEPUTY SPEAKER: No, honourable member, you have not asked for permission. Conclude.

MR AOGON: Mr Speaker, it is very painful that we have a colleague who is not about to benefit yet he is in the House. I know what the law says. Even when somebody's appointment was for four years, there is something they are supposed to walk away with. Pension is for those who offered long service. He lost the job because there was a circumstance that occurred. Therefore, severance packages are supposed to accrue. They deserve to get terminal benefits.

Finally, whenever we make laws, there is what they call "transitional provision" – transiting from the old law to the new. What happened to the provisions?

6.32

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Thank you, Mr Speaker, for the opportunity. Actually, part of the pressure we are receiving from our constituencies is from the orphans of these pensioners who always come to our homes

requesting us to follow up with the payment. I have not heard a pronouncement on third parties and how they can be welcomed with these papers.

Mr Speaker, the issue of losing documents is a serious one, especially in districts like mine where people lost all their documentation in the war. It is very important that we retrieve this information from the system. Look at us now; I cannot lose all my appointment letters and other documents and you say you cannot retrieve the information from the system. We can still get this information.

It is very important that people are brought to book. We were informed of the people who participated in the pension scam. I think this is what has made people fail to respond to such issues because they are demotivated. People must respond personally to mistakes that they actually made.

Mr Speaker, as Members of Parliament, we request that we are given those lists and the mandate to mobilise all our people who have relations with the pensioners. We should be informed of the office to approach at the ministry – (*Member timed out.*)

THE DEPUTY SPEAKER: Rt Hon. Rebecca, I request that you write attaching the lists and any other details so that we circulate to Members. We shall help you to do that so that people know where they can report. Members will be able to reach out to their people.

MR SSEWUNGU: Mr Speaker, we see the Minister of Public Service using the CIID as a defence for not getting the files. From the report, the committee never had the time to invite the CIID to explain where these files were taken.

Therefore, wouldn't it be procedurally okay to direct that the CIID avails the Ministry of East African Community Affairs with the files they took because they must be keeping records? If they do not have them, it is criminal on them. They should be arrested because the pensioners did their part of submitting their documents.

How does the CIID lose them? It cannot be used as a defence to fail to pay people. Thank you.

THE DEPUTY SPEAKER: I will rule on that towards the end.

6.36

MR FELIX OKOT-OGONG (NRM, Dokolo South County, Dokolo): Mr Speaker, I have been privy to this discussion. Actually, I started it together with the pensioners' representatives. We had several meetings in the office of the then Deputy Speaker, together with the minister, Hon. Muruli Mukasa, and we came out with clear positions. The first position was that all files be transferred to the Ministry of East African Affairs because the Ministry of Public Service was not committed.

We also agreed that all those who served in the East African Community be given their rightful payment. I do not know why this thing is happening up to now.

We also agreed that payments should be done expeditiously because most of them are of advanced age and are suffering – they are sickly and do not have money to meet their medical bills. We agreed that payment should be done by the government expeditiously.

We also resolved the legal matters. The then Attorney-General, Hon. Ruhindi, gave a clear legal opinion on the matter and it was resolved that these people deserve to be paid. There were no legal qualms in that matter.

We also agreed that the formula and guidelines must be developed by the government so that these people get their pay.

We agreed that –(Member timed out.)

THE DEPUTY SPEAKER: Please, conclude.

MR OKOT-OGONG: We also agreed that for those who did not serve for many years, we should give them the benefits because it was beyond their means – Therefore, severance allowance or benefits should be given to those people.

Mr Speaker, I wonder why some members have not yet been paid up to now. We even advised the ministry that public announcements must be made in the entire country so that their files are captured. I wonder why, even up to today, some of them have not yet been captured - but I want to thank Government that now, some of them have been paid and the money has been provided. However, it is not enough.

Therefore, this Parliament - it should not even be tomorrow because we have not passed the budget – should provide that money immediately. We should not wait to provide for it next year. We must resolve today that money must be found in our budget.

6.39

MR TONNY AYOO (NRM, Kwania County, Kwania): Thank you, Mr Speaker. Four years ago, I was the Chairperson of the Committee on East African Community Affairs. By 2016, when the Ministry of East African Community Affairs took over, we had a presentation of the list of the beneficiaries – the former workers - who were supposed to be paid. I am surprised that up to today, this issue has not been resolved.

I would like to inform the Minister of East African Community Affairs, the Rt Hon. Kadaga, that the notices that the ministry has been advertising in newspapers present a list and ask only those listed to report for validation. That is why you have not been getting these people. Therefore, I would like to know from you the reason this has been the case. Are these people dead or alive? Are they ghosts? If you understand these details, it will help us determine the next course of action because the worst thing now is that some files are lost.

Our appeal to you is, for those whose documents are there, invite them publicly. Let them present these files, verify and include them on the list.

Mr Speaker, we should use the available government structures. Involving Members of Parliament will cause a lot of uncoordinated movement. We can only help in mobilisation –

THE DEPUTY SPEAKER: No, we have not put any; they are only mobilising people. That is all.

MR TONNY AYO: Let the ministry work with the district local governments – office of the CAOs – so that these things are presented there and they have appropriate time to put them together.

However, there are also those who have lost their documents. Are we going to let their case go? If they can still be verified, they could be brought in.

There are also those whose relatives have the documents. Are we leaving them out or are we allowing them to bring those documents of employment so that they are included and they benefit?

The question of Crown Agents does not arise. Crown Agents submitted money to Kenya and Tanzania and they paid their people. Uganda was part of the East African Community, as one of the partner states. Is it so unique that Uganda is not being very clear on the money received from Crown Agents? I think there is something being played. However, the main point is that we have got a duty and responsibility to pay these people what is due to them.

Parliament has made it clear that the money is there but the process is not clear. Can the ministry speed up this process within one year so that payment continues? For those that you can pay now, pay them. However, within one year, we should be able to conclude this and move forward. Thank you, Mr Speaker.

6.42

MR PAUL OMARA (Independent, Otuke County, Otuke): Thank you, Mr Speaker. I thank the committee for the great report. I commend the input from my brother, Hon. Opio Acuti. There are three points that I would like to raise to complement what has already been mentioned.

One, the minister has already established a list and she has it. She has confessed that she

has been putting the list out there but there has been limited response. Hon. Dr Opio Acuti actually said that there are many people who have been coming but their files do not exist in the Ministry of Public Service or the Ministry of East African Community Affairs. However, they are there with their documents; appointment letters and others.

Mr Speaker, I would like us to quickly get this list out. We can use our district administrations to get the people who have documents but whose files have been lost so that we can put them together.

The second thing that we must do is have the correct formula. The formula seems to be a very big issue. That is why some people are being underpaid and others not paid at all. We are not even certain about the formula that will be used. Let us have a clear recommendation on the formula that will be used.

I want to agree with everybody who has said that justice delayed is justice denied. It is important for us to have the number so that during the process of appropriation - we know that the ministerial policy statements have already been received. We can work together to make sure that we capture the appropriate money for everybody – not only those who are on the list now but also those who have documents. We can quickly accelerate and put them together in order for us to calculate and know how much they are entitled to. I submit.

6.44

MS LILLIAN ABER (NRM, Woman Representative, Kitgum): Thank you, Mr Speaker. There is a lot of hopscotch around this issue of pension.

First of all, it is not true that the list was not submitted to the Ministry of Public Service. I want to state it very clearly that the Criminal Intelligence and Investigations Directorate (CIID) received a copy of the list, which was submitted to the Ministry of Public Service in the office of the permanent secretary. This has to be very clear. If the committee had given an opportunity to CIID to come, they would

have clarified that. We need to be honest when discussing issues of people's money.

The Attorney-General just talked about the issue of pensions for the veterans. We cannot even brag about that because there are a lot of issues with that payment. There are people who have never seen their money but they keep filling in the forms at the districts and are being conned.

There is need to have a thorough audit of all the pension schemes that we have in this country. Probably, there is need to revise them and we let our people rest. It is painful to see old men move with their sticks to these offices and they keep on tossing them.

Mr Speaker, you gave guidance that we can even have a desk here at Parliament but I still insist that we have a desk at every district because these people do not have transport to bring them to Parliament.

It is my appeal that we get directives from the line ministry; we roll on and start getting the people they are saying cannot be found. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, Parliament cannot do verification; we can only do mobilisation. I am very sure the Rt Hon. Kadaga is ready to pay any person who qualifies and whose file is available. What she is saying is that she is only dealing with the list she has but we are also saying, no, that list is incomplete because we have other members who are complaining.

Therefore, what we can do is mobilisation; get this information and hand it over to the Executive to process because the Executive is responsible. That is what we can do; we can only play our role of mobilising on behalf of the Executive.

6.47

MR REMIGIO ACHIA (NRM, Pian County, Nabilatuk): Thank you, Mr Speaker. Every society is judged by how well it treats the weakest in their society. I feel embarrassed that

45 years later, our country has not executed its obligation.

However, what makes me happy at this point is to see two very able persons - the Rt Hon. Rebecca Kadaga in that seat and making movements - Thank you, Madam, for what you are doing. *(Applause)* I want to also thank Hon. Muruli Mukasa for supporting the Rt Hon. Kadaga to get things moving. Let us get this right.

However, there is something, which has not come out clearly: what are we doing about those that have died but have relatives and grandchildren who may not have complete documents? Mr Speaker, I want to go with your idea of exploring the possibility of reconstructing the files because these people know each other - "Oh, you are the son of so and so who was in that office. He was there for so many years" - This information is available in many areas.

I have one in my constituency; Joshua Akol. Probably some of you may have heard of him; he was the father to the former Executive Director of URA. His children only have an ID because of the problems in Karamoja although many of his colleagues knew him. We can start from there to reconstruct people's files and histories and have them paid off.

Lastly, Mr Speaker, I think there is something, which is silent here. We needed a Transitional Bill that would provide for the payment of all people, including those who worked four years or less, like Hon. David Wakikona, because they did not run away from duty; they did not abscond from duty. The Community was only disbanded.

In that Bill, we can actually provide for how we can pay those who do not qualify, according to the previous law. When you do not qualify to be paid pension or other benefits - We can do it the way Kenya and Tanzania did, as mentioned in the report, and have a Bill providing for the payment of former staff of the East African Community.

In conclusion, Mr Speaker, we should not lose sight of the issue of investigating people; those that are accessing money and continue to access money using the names of people who have not been paid but using different pictures. This should not stop. They are still receiving pensions and this must be handled through the relevant ministry and the CIID. Thank you.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, we have had a very long debate on this matter. The issues are many but there is need for reconciliation on the formula because if they are using a different formula, each one can choose a formula that favours them because as we were told, there are around three formulae. I think the Executive will respond on that.

Two, we must all agree - and the committee put it clearly - that we need to reopen the verification exercise because we have a very clear case here of Hon. David Wakikona. That exercise will help us to find out who served and for what period.

In other countries, they qualified for pension. If they all served under one umbrella body, why are we saying people of four years in Kenya qualified for pension and benefits but the ones in Uganda cannot qualify yet they were working in the same office? *(Applause)* Yes, we must look for a cure. You cannot disenfranchise - Uganda could not have chosen to disenfranchise her people.

If he meets his colleagues in Kenya - I am trying to be as open as possible, and we shall look at the possibilities. Where it is not possible, we cannot tell the minister or Government to do what is impossible. If it can be cured - I want us to have open hearts. It is bad for Hon. Wakikona to meet his colleagues in Kenya or Tanzania who will tell him that they benefited yet he has not benefitted because his country made a law that disenfranchised him.

Is it possible for this to be cured? If it is not, then let it go on record that Government cannot amend this law or that if they amend the law, it cannot be applied retrospectively

and that Government cannot do anything about it. When this goes on record, Hon. Wakikona will stop moving around. The man was nearly kidnapped in Kenya the other time while trying to see how best he can get his money. He has said it here. Do you want him to continue on that journey or should we put it to a close and it goes on record so that they can know it is no longer possible?

About the files that were lost - we have known from the committee and colleagues that there are files, which are still with the CIID. If we can borrow what Hon. Felix Okot-Ogong told us - Hon. Muruli Mukasa, can we agree that if there is any file anywhere regarding claimants of the defunct East African Community, that file be transferred to the Ministry of East African Community Affairs immediately? Whether it is at Public Service -

Hon. Muruli Mukasa, you will confirm whether you agreed to that or not but if some files are with the CIID, is the CIID still investigating this matter? They completed the investigations. Can the files be taken back to the Ministry of East African Community Affairs? Maybe when the Rt Hon. Kadaga receives these files, she will say, "Oh, what Parliament was saying is true. I now need to reopen the verification exercise."

Lastly, colleagues, can we agree that for those files that the ministry says are not available but people are claiming and those people are able to bring any documentary evidence - because we do not want the minister to go on a wild goose chase. We want some documentary evidence. For example, Hon. Remigio Achia has said one person has an ID, which is a good lead, to begin with. There are very many ways of verifying and reconstructing files.

I was reading a murder case of 1984 in the UK and noticed that it has just been resolved because of just a piece of hair, which they had. Technology has now been able to identify and align the DNA - now we have technology; if you have an ID, you are able to reconstruct a file.

Most importantly, can we be open to helping these people? With that and of course recommendations of the committee, can we hear from the Executive? Honourable minister, would you like to add something? The Attorney-General, Minister of Public Service and the committee chairperson also seem to want to add something.

MR KAFUZI: Thank you very much, Mr Speaker. Once again, I want to appreciate the House for the passion shown on this matter.

Specifically, in respect to your guidance, it is quite sad when you hear the story of Hon. Wakikona and others. However, the law works in a straight line. What comes to light is that these people ought to be paid but the decision that was made then was for us to rely on the Pension Act while Kenya and Tanzania made a specific law to cater for this.

I request you to keep in mind the fact that we were in some bit of turmoil at the time because that was Amin's regime and thereafter, we went into war and the successive governments. So, we may not have had an organised leadership to look into these things. This is why some of these things cannot even be traced in the archives.

Therefore, I want to propose that while we may not make a law to act retrospectively, allow the Office of the Attorney-General to see the kind of guidance they can give in respect to this vis-à-vis the law. Thank you.

THE DEPUTY SPEAKER: The quickest one I can give you is that once you identify these people and compare with their colleagues in the region, you may find that they were paid while others were not. Therefore, if you feel they were disenfranchised because of the law that was made at the time, you can use honorarium to clear them. What they need is the money. They do not know how you construct that money in the law; they just need money.

MR KAFUZI: Mr Speaker, if it is a task that you would like us to attend to as the Office of the Attorney-General, a question could be

coined and the Clerk writes to us and then we make the necessary research and respond with advice. Thank you.

THE DEPUTY SPEAKER: I think the Government works as an integrated unit. You have a minister and we deal with the Minister of the East African Community. If she prefers to deal with you – We cannot get into issues of the East African Community Affairs and start allocating them to you.

The issue of the Ministry of Internal Affairs regarding the CIID was specific. Let us listen to the Minister of Public Service in relation to what Hon. Felix Okot-Ogong said when you met in the Office of the former Deputy Speaker.

MR MURUULI MUKASA: Mr Speaker, I quite agree with what Hon. Okot-Ogong said here on the Floor. We actually had several meetings with him and the beneficiaries in the Office of the Deputy Speaker and we agreed. Indeed, some of the files were transferred to the Ministry of East African Community Affairs because the job of paying the beneficiaries was now the mandate of the Ministry of East African Community Affairs. The files that remained were pending verification and whenever they were verified, they were transferred to the Ministry of East African Community Affairs.

I would like to say that we are committed to clearing this problem once and for all. We have said this here on the Floor of Parliament, in the committee, in the Ministry of East African Community Affairs and even before that. Nobody wants to keep this problem lingering on for over 45 years. Moreover, we know it is painful for somebody to have worked and then he or she is not remunerated and keeps waiting for so long. So, the commitment is there.

I would like to agree with you, Mr Speaker, together with the committee, on the validation. I think that exercise should be reopened including files which are not there because somehow, the documents which were there were tampered with. They should be reconstructed so that we have a fair idea of the people to be paid; those who are still alive and for those who have

gone, at least their beneficiaries should be paid so that the problem is solved once and for all.

I quite agree with the Attorney-General on giving guidelines within the law. What happened here is quite different from what happened in the sister states; Kenya, Tanzania and Zanzibar. Back here, we had a decree then there was an amendment in the Pension Act and a judgment was passed which made the foundation of the guidelines that have been followed since then. I quite agree that the guidelines should be given so that we get this problem out of the way once and for all.

Again, I think the formula comes within the law and I think the Attorney-General will give guidance on what to follow. All these differences came because of the legal trend which we took after the collapse of the Community and of course, the kind of payments to be made; those who qualify for pension, those who qualify for the provident fund and so on. I think this will come clear.

All in all, I would like to thank the committee for the report. I would also like to thank the House for the passionate concern they have shown for our senior citizens and the commitment that they have shown that indeed, this problem should be solved once and for all. Indeed, if we are given a chance to reiterate the commitment which was made by the minister, all that is required for paying these people should be tied up properly and neatly and within one year so the payments are made and the problem of pension for the senior citizens is laid to rest once and for all. Thank you very much.

MS KADAGA: Thank you very much, Mr Speaker. Let me thank the House for the commitment, support and the desire to alleviate the suffering of our senior citizens. We welcome the recommendations in general other than those which I indicated at the beginning.

Mr Speaker, I would like to make three clarifications. One is the advert that the honourable member talked about that said that those who are not on the list should not come.

This is because by the time we put you on the list, we have your files from the Ministry of Public Service. Otherwise, if you come and I say: "Oh, you have travelled from Bungokho but your file is not here", it is also not good. That is why we said those on the list should come. That is why the list is designed in that way.

There is bureaucracy of the government; internal auditors must clear this first before it comes to us. It is a long process but we shall work out how this can be done.

Concerning the letters of administration for those who have died, we encourage the relatives and assist them to get letters of administration. Sometimes people have given up then when they hear an announcement, they come and say, "Oh, but my father died; I am the one there." But who are you? Under the law, who are you? I need the letters of administration. Those processes take time but we inform the people and assist them.

There are people who come and we reconstruct their files but as Members have said, many people do not have a complete set of documents. Maybe they have an identity card but when they say, we got one payment, how much was it? They say, "I do not remember." Can we check with Public Service? Do you have any record of that payment? They say, "No, I do not have it; I only have an ID." Therefore, it becomes difficult for us to trace how much you were paid. Was it in full? Was it partial?

All these are the things I was talking about which we are undergoing but we are very committed because I really want this money out of our pockets and I want these old men to go home and enjoy whatever is left of their money.

Mr Speaker, we are going to convene as sectors - all of us - and review the areas we have discussed here; our action plan, because the law is there, the finances are there, the politics is there and so on. What I want to say is that we are committed and shall ensure that as much as possible, we alleviate the suffering of these people.

What I can ask is that Members assist us to amplify the message to the population and I will be sending the lists to you, Mr Speaker, so you can help us with mobilisation. We also work with the local governments. I am telling you that I had made it my mission to have this matter cleared in one year. That is what I have been doing and I am committed. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable chairperson, the minister was requesting -

MS KAYAGI: Thank you very much, Mr Speaker. If we had interacted with Rt Hon. Kadaga, as a minister, we would not have made that recommendation. The state minister you sent did you a disservice. We asked for all the documents that you have presented today; the list - Our question was, you have this money; why are you not paying it? What is the problem?" He said, "We do not have the list." We asked, "Do you have those that you have paid?" He said, "No." "Those who have received the partial payment?" "No." Everything we asked for, the minister was not able to provide.

THE DEPUTY SPEAKER: Didn't he come with the technical staff?

MS KAYAGI: Yes, he came with a technical team who also did not help him at all and as a committee, Mr Speaker, we were disappointed and we were left with no choice.

Today, the Minister of East African Community Affairs has given us confidence and as a committee, and on behalf of my colleagues and the Members, I request that we expunge that particular recommendation.

THE DEPUTY SPEAKER: No, because hers is an amendment to your report and you agree to it.

MS KAYAGI: Mr Speaker, as a committee and as the chairperson now, I want to concede to the amendment made by the minister that this Parliament does not hold their budget; that if

the money comes, it is given to them to enable them continue with the work.

Secondly, Mr Speaker, I thank Hon. Opio who raised this matter as a matter of national importance. I also thank the House for being a people-centred Parliament and moving together with us. The committee and I want to inform the Members that most of your issues have been addressed in the main report; all the recommendations and observations are in the main report, but because of time, we had to summarise it.

Lastly, Mr Speaker, we thank you also for according us the opportunity, as a committee, to present our report. I thank you. *(Applause)*

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I now put the question that the report of the Committee on East African Community Affairs on the Delayed Payment of Pension, Gratuity Interest and Other Terminal Benefits to Former Employees of the Defunct East African Community (EAC) be adopted with amendments.

(Question put and agreed to.)

Report adopted.

THE DEPUTY SPEAKER: Clerk, please extract the full report, the record of the *Hansard* and all the recommended amendments and pass them on to the minister. We shall need an update in a month's time. Is it tenable? You can give the update to the committee then the House can receive an update in two months' time because you need to first meet. Thank you.

Honourable colleagues, I need your guidance and I want to really seek your opinion on the matter which is item No.8; the supplementary budget issue. Please, we are here to do business and I am seeking your opinion which will help us - I am consulting you so you better stand up when I say I am consulting you and give me your opinion, which will help us move forward. When you start murmuring, you cannot go on record.

I need to get your views on this matter; on how we can proceed with it because it is one of the issues we need to handle. Hon. Martin Muzaale? One minute each; it is an opinion. Let us do it quickly.

7.13

MR MARTIN MUZAALE (NRM, Buzaaya County, Kamuli): Thank you, Mr Speaker. The matter that we have to handle needs a sober mind and as we speak, we are a little tired. I propose that we begin with this issue tomorrow. I thank you. *(Applause)*

THE DEPUTY SPEAKER: Yes, but what I need more – it is not a matter of saying, “When do we do it?” It is a matter of “How do we approach it?” That is what I need the most. Okay. Hon. Amero?

7.14

MS SUSAN AMERO (Independent, Woman Representative, Amuria): Mr Speaker, thank you. I would like to concur with my colleague, Hon. Martin Muzaale, that we have looked at this supplementary and before we pass it, to avoid issues of quorum and others, let us start with this tomorrow, being a very important item. Let us consider it first then the rest of the things will come.

THE DEPUTY SPEAKER: My issue is: how do we approach it tomorrow?

MS AMERO: We start with a debate, Mr Speaker, because we have issues to address.

THE DEPUTY SPEAKER: No, we already passed that stage, honourable member. We cannot go back to debate. Hon. Santa Okot?

7.14

MS SANTA ALUM (UPC, Woman Representative, Oyam): Thank you, Mr Speaker, for giving me this opportunity. I want to join my two colleagues in saying that time has gone and this is a very important issue that we cannot run away from as Parliament.

Mr Speaker, there are some issues which are very important in that supplementary and since

we are reaching that stage, I propose that we handle it issue by issue tomorrow. Thank you.

THE DEPUTY SPEAKER: Okay. Hon. Macho?

7.15

MR GEOFREY MACHO (Independent, Busia Municipality, Busia): Mr Speaker, in your opening statement, you asked how our Easter was. It was very bad for secondary school teachers in Busia Municipality. The fact of the matter is a one Onyango came to my home at 7 a.m.; he had nothing to eat. If we have a component of teachers’ salaries, let us handle this matter now and finish it because -

THE DEPUTY SPEAKER: That is his opinion, honourable colleagues, and you must respect it.

MR MACHO: Mr Speaker, I need protection from Hon. Namugga. She wants to jump on me. *(Laughter)*

7.16

MR BOSCO OKIROR (NRM, Usuk County, Katakwi): I am handling the “how” issue – how are we going to handle it? The supplementary budget has been brought as a basket of tomatoes, which has good and rotten tomatoes.

I agree with Members who said we should handle it item by item. The omnibus rejection of the supplementary budget is very dangerous. If we could advance to the level where we consider it item by item, it would be very important. That is my suggestion.

THE DEPUTY SPEAKER: Okay. Thank you.

7.17

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Thank you, Mr Speaker. This supplementary is more or less a done deal. It is unfortunate that we have always been relying on the three per cent of the budget requirement.

However, the issue is the courtesy by the Minister of Finance to come and tell us, “We have these items to spend money on”. We are part and parcel of the ministry and they cannot isolate us. Where they are spending money is where we do not want the money to go. We want priorities among priorities.

Honourable colleagues, this money has already been spent just –(Interjections)

THE DEPUTY SPEAKER: Hon. Namugga, please listen to the honourable colleague. When you are on the Floor, honourable colleagues listen to you.

MR NATHAN BYANYIMA: Since most of this money has just been spent, the most important thing is to look at the law and see if we can amend it. However, it is already done. Kindly, I call upon the Minister of Finance, Planning and Economic Development to stand up and apologise to us and we finish the matter.

7.18

MR PAUL OMARA (Independent, Otuke County, Otuke): Thank you very much, Mr Speaker –

THE DEPUTY SPEAKER: Honourable colleagues, let us listen.

MR OMARA: My preposition is on how we should proceed tomorrow or today. We should be guided by the enabling laws and I would like to refer you to those laws.

We have Section 25(1) of Public Finance Management Act which must be read together with rule 153(1), (2) and (3) and Article 156(2) of the Constitution of the Republic of Uganda. That is very important because it will guide us on the import of the law.

The second consideration that we should make tomorrow –(Interjections) – or today, the Speaker will guide on that.

THE DEPUTY SPEAKER: Please, whether the honourable colleague is saying “today” or “tomorrow”, just listen. I will give guidance.

MR OMARA: The second issue that we must consider is that, that supplementary will not have any impact on the Appropriation Act and that the source of revenue is very clear.

The third thing, which we would request the Minister of Finance, Planning and Economic Development to concede to is that it – (Interjections) No, I am providing information.

The last issue that the Minister of Finance should confirm to us is that there are some elements in the Appropriation Act that have not been funded to date and that they will provide the requisite funds within this financial year.

The amount of money - I have looked at a few items – comes to about Shs 157 billion, which is a paltry amount. I request the minister to consider it. I submit.

THE DEPUTY SPEAKER: Thank you.

7.21

MR FOX ODOI (NRM, West Budama North East County, Tororo): Thank you, Mr Speaker. I will address you on two legal principles. The first is the principle known as “*fait accompli*”. The second is a principle known as “guarding against absurdity.”

Hon. Nathan Byanyima stated, as a fact, that most of these resources have already been spent -

THE DEPUTY SPEAKER: Honourable colleagues, please - I could have decided in a certain way but I decided to get your opinion. Now I am giving you a chance to give your opinion, but you do not want to listen to each other and then after you will say, “The Speaker has ruled this way.” Please, I am trying to hear from you. Hon. Fox, you are protected.

MR FOX ODOI-OYWELOWO: The resources were spent within the boundaries of Uganda for public works that were determined by the Executive of this country to be worthy of expenditure. We have a duty, as Parliament, to appropriate – and that introduces me to the second leg of my argument. If we refuse

to appropriate, we shall only be indulging in absurdity.

The money has been spent and we are left with only one option: to appropriate. The Executive has already heard us; we have spoken. They know our position, as Parliament. I humbly beg, honourable colleagues, let us perform our duty to appropriate. Thank you.

7.25

MR XAVIER KYOOMA (NRM, Ibanda County North, Ibanda): Thank you, Mr Speaker. Whether we are handling it now or tomorrow, I want to agree that we look at each and every item on its merit because, first of all, supplementary expenditure is backed by enabling laws.

When you read the Public Finance Management Act, there are those provisions which are very clear. So, I propose that we handle it item by item, according to the enabling law.

Honourable colleagues, if we feel that there are inadequacies in the Act, we need to address them now or tomorrow so that we do not get back to this. What we may look at as priorities, as Parliament, may differ from what the Executive may look at as priorities.

However, where they defeat us is: as long as it is within the law then Hon. Musasizi will have us but we are the makers of the law. I thank you.

7.26

MR ALEX RUHUNDA (NRM, Fort Portal Central Division, Fort Portal City): Thank you, Mr Speaker. This is not the first supplementary - I mean, we have been handling supplementaries. Therefore, I do not see why there is a lot of - Because a supplementary - the methodology is what the Speaker wants us to agree on. Are we going item by item or omnibus?

I think the spirit of the House is such that we go item by item. If that is the case, what would be the implication of the “rotten tomato”

which has already been spent? I think that is something we need to agree on.

Otherwise, Mr Speaker, I am appealing to the House that there is a lot of work. If we keep postponing it to tomorrow - I am of the view that we appropriate today and finish the business.

THE DEPUTY SPEAKER: Honourable colleagues, this is not a matter that we can just talk about and - I want to see the side that wants us to go to supply now, to put up their arms. Otherwise, the shouting may not help us to decide whether we should do it today or tomorrow. Do we do it today or tomorrow? Those who say that we do today, put your hands up. I am going to count. Those who say that we do it today – I have counted 45.

Those who say we do it tomorrow – I have counted 47. Okay, 45 say we do it today and 47 say we do it tomorrow. *(Applause)* I want it to be as clear as possible. No, I counted raised arms. Colleagues, tomorrow we are handling this item. On the methodology, we are going to consult and see what best to do. I adjourn the House to tomorrow at 2.00 p.m.

(The House rose at 7.29 p.m. and adjourned until Thursday, 13 April 2023 at 2.00 p.m.)