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PARLIAMENTARY DEBATES

(HANSARD)

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THIRD SESSION - FIRST MEETING

WEDNESDAY, 23 AUGUST 2023



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 21ST SITTING - FIRST MEETING

Wednesday, 23 August 2023

Parliament met at 2.16 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Thank you, honourable colleagues. I welcome you to today's sitting. Let us have matters of national importance. Two minutes each.

2.19

Ms TEDDY NAMBOOZE (NUP, Woman Representative, Mpigi): Thank you, Mr Speaker, for your indulgence. I rise on a matter of urgent importance concerning various homesteads and institutions in Musa Parish, Kamengo Subcounty, Mpigi District – *(Interruption)*

MR SSEMUJJU: Mr Speaker, honourable colleagues ask questions looking for answers but you can see, the frontbench has only junior ministers. I have said “junior” and I mean it because it is English.

In many instances here they have said, “I will consult my senior minister”. Mr Speaker, I would like to find out if all senior ministers, with the exception of the Minister of Education and Sports, who usually sends Dr Muyingo,

notified you that the juniors they have sent are able to deal with our matters so that we do not continue to raise them again.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, it is “Minister” and I warned Hon. Ssemujju earlier that the word “junior” does not sound decent. Let us use the official designation, which is “Minister of State”. For instance, when you are abroad, even a minister of state sounds bigger than just a minister. *(Laughter)*

There is a professor I know who said during campaigns: “I am not only a professor but also an associate professor and I hold a degree of philosophy” and people believed him. Let us call them ministers of state. Otherwise, every minister here is substantive. This is why in the rota we requested for, we did not say the Cabinet Minister must be the one to attend.

Hon. Ssemujju's concern is: how many are here? Rt Hon. Prime Minister, we agreed and you gave us a rota. Parliament starts at 2.00 p.m. Honourable members, I would be here at exactly 2.00 p.m., but usually I watch the screen and give room for a few people to come. So, let us ensure we have the numbers. The point is noted and it is a very serious concern, especially numbers, so we avoid situations of always postponing issues.

Honourable colleagues, when you come to the Floor of Parliament and start reading, then you must share that statement. If you do not have the issue off-the-cuff, tell us, so we

can accommodate it. Also, when the Speaker is speaking, sit. *(Laughter)* It is not only the Speaker, but any Member.

These are issues of discipline and they require practise, which we must learn. When I allow another Member, then, the one holding the Floor sits down and gives space because we cannot have two people standing at once.

Hon. Teddy, please, present a summary. I hope no one demands a copy of the statement you are reading.

MS TEDDY NAMBOOZE: Thank you very much, Mr Speaker. I was trying to share that last week, my people had a heavy downpour characterised by a storm. This incident left several homes unroofed including a church structure at Buwe Church of Uganda, which was completely demolished and several acreages of crops including bananas and coffee plantations.

Mr Speaker, these people are stuck because they are now homeless with no adequate food to sustain their families. I am putting the Office of the Prime Minister to notice to take urgent action.

My prayer is that the Department of Disaster Preparedness, under the Office of the Prime Minister, liaises with our offices and the district disaster committee to support in terms of food stuffs and iron sheets. Seeds should also be provided to enable them replant on time.

I beg to move. Thank you.

2.24

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Hon. Teddy Nambooze, sorry about what happened in Mpigi. I request that you share the written document with the Office of the Prime Minister so that urgent action can be taken. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, to make it easy, we have said here

several times, but we will not get tired of repeating it: when you have a disaster in your area like floods, we have the district disaster committee, which is chaired by the Chief Executive Office (CAO). So, the CAO should be informed because we are all leaders and we work together and coordinate. The district disaster committee should go on ground, assess and then write a report to the Prime Minister for action.

It is always good that when you come to the Floor, you come with a copy of the letter, which has been written to the Prime Minister and maybe report that the Office of the Prime Minister delayed or that you received this letter and you request the Office of the Prime Minister to take quick action.

I always allow you, colleagues, to raise your issues on the Floor because it is very important for your constituents to know that you have raised their issues. When the procedure is well followed, it makes it very easy for action to be taken.

THE DEPUTY SPEAKER: Hon. Muzaale, do you have a procedural issue?

MR MUZAAL: Thank you, Mr Speaker. I rise on the issue of deemed energy. The Prime Minister promised that she will bring a report but up to today, we have not received a report about deemed energy. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, these are issues you should share with me so that on the Floor, we use prime time for prime business.

Last week, I gave the Minister of Energy and Mineral Development two weeks to compile all issues such that we give them enough space and time on the Order Paper for a substantive discussion to do with the Rural Electrification Agency (REA), deemed energy and the poles we have in our constituencies. So, Prime Minister, a kind reminder; next week, I will give you space on the Order Paper to ensure those issues are given time.

MS NALUYIMA: Thank you, Mr Speaker. You have always advised that as we present matters about disasters to the Office of the Prime Minister, we should also give your office a copy.

In November 2021, I presented a matter about a fire that gutted Bussi Island in Wakiso District, and I even gave your office a copy but nothing has been acted on. Isn't it procedurally right, as a matter of courtesy, that when we write and a matter is not handled, the Office of the Prime Minister responds so that we are able so to get an answer for our people out there who sent us here?

We, at times, even fear to interface with our people. Isn't it procedurally right that they also communicate about the receipt of our letters? Thank you.

THE DEPUTY SPEAKER: Thank you. Now, this is an administrative matter because every office has its own way of doing things. But it is courteous that when a Member writes to you, you at least acknowledge receipt of the letter and you promise to look into it. It does not have to be just action but just acknowledgement that the letter was received.

Otherwise, we shall go on the Floor and say our letters were never received, although we delivered them. So, Rt Hon. Prime Minister, I think it would be courteous for that to be done. It does not need to be signed by the Prime Minister; these letters can be signed by assistants.

MS NAKADAMA: Mr Speaker, I thank you and my colleague from Wakiso. Yesterday, she raised that issue when we were in the lobby and I told her to follow up. However, when you bring the letters, I think you are given a copy stamped "received". You must go with a copy so that you get a received stamp – *(Interjection)*- That one helps you to follow up on that received copy.

Secondly, when giving copies, I request that you do not just give to the Prime Minister alone but give to other relevant ministries so that a follow-up can be done. Thank you.

THE DEPUTY SPEAKER: Thank you. Please, honourable colleagues, I have an Order Paper to follow today. I do not want to be diverted with issues of how letters are written and received; these are not issues that should divert us.

But, Rt Hon. Prime Minister, you have gotten the essence of my guidance. This is an administrative matter and it is in your discretion, but it is courteous for you to write to a Member - because when it is received, what if the secretary receives and does not give you? So, we need to know that it has reached your desk and we lose nothing - No, people, save me -

MR BASALIRWA: Mr Speaker, I want to thank you. There has been information that the World Bank has suspended extending loan facilities to Uganda. I have looked at the Order Paper and on the Order Paper there are various aspects to do with it.

THE DEPUTY SPEAKER: Hon Basalirwa, can you leave me to manage my Order Paper?

MR BASALIRWA: Yes.

THE DEPUTY SPEAKER: I am still on my communication. Please, if there is an item that is substantive on the Order Paper, then let us not comment on it now. We shall reach there.

MR BASALIRWA: The procedural issue I want to raise, Mr Speaker, is that since there was communication on that aspect of the suspension, this Parliament has not been given an opportunity from the side of the Executive to formally bring this matter to our attention. Wouldn't it be procedurally right that we are given an opportunity and a response from the Executive on how we will be able to manage that issue because, Mr Speaker, I am even contemplating suing the World Bank *(Applause)*.

THE DEPUTY SPEAKER: Please, Hon. Basalirwa. Honourable colleagues, in Parliament, we do work that helps the country in whatever it is doing. That matter came up and I gave my ruling and that was it. It is a

matter that is being handled by the Executive. The moment we subject it to debate here, that debate will not help the process - I know what I am talking about. When you hear statements of suing, statements of what, these are issues of diplomacy.

The Executive is handling it and I am privy even to very concrete information, and we are following up. But the moment I allow debate on that matter on this Floor, then I know where it will go.

So, I gave my guidance, around Tuesday or Wednesday last week, that these are loans and relations that are negotiated by the Executive, and whenever we are needed to play a role as Parliament, they always come to us and we play our role. I request that on that matter, we stop there.

2.33

MS FAITH NAKUT (NRM, Woman Representative, Napak): Thank you, Mr Speaker. My attention has been drawn to the operation by the Ministry of Works and Transport. They are arresting people all over the country who allegedly have materials from the Uganda Railways.

The Uganda Railways never reached Karamoja but the tools that might look like items of the Uganda Railways reached Karamoja in the form of ox ploughs, and farm tools.

Last week, a team from the Ministry of Works and Transport arrested people from Napak and many other neighbouring districts and took them to Soroti with their tools and ox ploughs.

Mr Speaker, I appreciate the work the Ministry of Works is doing in following up on vandalism of government property. However, the extortion happening in the cells in Soroti is alarming. The people who were arrested in Napak reported to me that they were charged a million to Shs 3 million to be released. Those who did not have the money remained in the cells to date. If this operation is happening in the whole country in that manner, then we are encouraging corruption.

My prayer is that the Ministry of Works and Transport issues a mechanism on which the proceeds from this operation are managed. The proceeds include cash and those metals.

Secondly, the Ministry of Internal Affairs should decentralise this operation. Why would you bring our people to Soroti and when you release them, they lack transport to go back home? How would their people reach them? Those are my prayers.

THE DEPUTY SPEAKER: Thank you.

2.36

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, I have to call the Ministry of Works because the honourable member is saying things that look like - So, we are not very sure if they were really materials for the railway. The Ministry of Works has to come and inform us what materials they are and if really they are extorting money because she is saying she was informed - we are not very sure.

I will request that we get information from the Ministry of Works and Transport to give us the full story and then we see how it can be handled.

THE DEPUTY SPEAKER: Rt Hon. Rukia Nakadama, this is a serious matter; I need a response on Wednesday next week here on the Floor.

2.37

MR YUSUF MUTEMBULI (NRM, Bunyole East County, Butaleja): Thank you, Mr Speaker. Two weeks ago, we had a serious issue concerning Namulo Bridge, which collapsed and four pupils who were crossing from Doho to Namulo Primary School were affected. As we speak, they are hospitalised in Nabiganda Health Centre IV.

My prayers are:

- i) The Uganda National Roads Authority immediately goes and maintains the bridge; and

- ii) The Ministry of Works and Transport considers having the bridge permanently constructed because we are tired of having maintenance every two to three months. Every time it collapses, we lose our people. So, if this can be done, we shall be very grateful as the people of Bunyole East in Butaleja. Thank you.

THE DEPUTY SPEAKER: Thank you. Rt Honourable, on Tuesday, if I do not have a Minister for Works in the House, I will be forced to write so that you explain why the ministers in the Ministry of Works and Transport, despite the rota, are never here.

We have many issues to do with the Ministry of Works and Transport, but they are never here. The whole of last week, they did not appear. Today, I told the junior minister how we have been having issues, but they are not here – *(Laughter)*.

I have been converted by Hon. Ssemujju – *(Laughter)*- sorry, the Minister of State for Works and Transport. You can see Hon. Ssemujju has now influenced me so much; I ran away from him but he is pulling me by other means.

2.39

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, the Minister of Works and Transport is unwell. Another minister is in Nairobi and the other minister is with the President right now. That is why they are missing but I have taken note and will inform them.

THE DEPUTY SPEAKER: Members, when the ministers are in trouble, they come to me but when we need them on the Floor, they are not here.

He was in trouble, he came to me and I solved his issue. Now we need him here to answer issues, he is nowhere. It is a serious point of concern and that is why we have the rota. So, will you take up the matter raised by Hon. Mutembuli?

MS NAKADAMA: We are going to take it up with the Ministry of Works and Transport and inform him thereafter.

2.40

MR WILLIAM CHEMONGES (NRM, Kween County, Kween): Thank you, Mr Speaker. I rise on an issue of national importance concerning the ambulance in Kapchorwa General Hospital. This year in April, I rose on the issue of Kapchorwa General Hospital, which has not had an ambulance for the past 20 years.

I told you that Kapchorwa General Hospital is currently used as a referral hospital because it serves three districts of Sebei, Amudat and part of Bulambuli. We have a population of about 500,000 people. This is one of the biggest hospitals in the region, and we have no ambulance.

Last night at around 10.00 p.m., we had an accident and so far, we have lost four people. However, it took two hours for us to find ways of transporting the victims to Mbale and right now, four of them have died.

At the time when I raised this matter, the Government Chief Whip promised to bring an answer to this House on when we shall get the ambulance. This morning, I have seen very nice ambulances on social media that have been brought -

THE DEPUTY SPEAKER: Can you make your prayers, honourable?

MR CHEMONGES: Since I have seen somewhere that the Government has already procured very nice ambulances, can we take the one for Kapchorwa as a national matter and deliver the ambulance within this week?

THE DEPUTY SPEAKER: Thank you. Government?

MS NAKADAMA: Mr Speaker, that is an achievement and those are some of the good things that we should register on the side of the Government.

I want to inform you that the ambulances are going to be given out to districts, especially those without any. I pray - or you can also pray with me - that Kapchorwa is one of the districts to be given the ambulances. I know you will get it. Thank you.

THE DEPUTY SPEAKER: Thank you. We would be praying that you give. As Parliament, we have prayed to the almighty Rt Honourable - no need. Thank you.

2.44

MR GEOFFREY OKELLO (DP, Nwoya East County, Nwoya): Thank you, Mr Speaker. I rise on a matter of urgent national importance regarding the safety concerns of the table salt that is on our local market. Last Friday, 18 August 2023, I received complaints from my constituents of Nwoya East, about the salt they are consuming, which they claim does not dissolve 100 per cent.

When this salt is dissolved in water, it leaves a white tasteless substance, and they doubt the safety and the quality of this salt.

I looked at the 500-gramme packet of that salt, and it is branded "*Habari*." It has certification from the Kenya Bureau of Standards but it does not have certification from the Uganda National Bureau of Standards. My prayer is that the Minister of Trade, Industry and Cooperatives does investigate the quality of this salt, especially about the safety.

I beg to submit. Thank you.

THE DEPUTY SPEAKER: Honourable minister of Trade, Industry and Cooperatives?

2.46

THE MINISTER OF TRADE, INDUSTRY AND COOPERATIVES (Mr David Bahati): Mr Speaker, we shall take up that matter, pick the samples and test them, but also pursue those who are producing it so that it does not come to the market.

I use this opportunity to appeal to the population that if possible, do not buy anything that is not

marked by the Uganda National Bureau of Standards. We are trying as much as possible to make sure that products, which are not certified by the UNBS, do not go to the market.

However, sometimes they pass through a lot of "*panyas*" and go to the market. We appeal to the population that you are the first law enforcement officer for your health. Ensure that you do not buy things that are not certified by the UNBS, as we also try our level best to ensure that standards are enforced.

THE DEPUTY SPEAKER: Honourable minister, this is an urgent matter, where people are consuming a suspected substandard product. If you take it up seriously, by the end of this weekend, you could even get results so that on Tuesday or Wednesday, you bring a statement on the Floor. This is a product that can go nationwide. So, on Wednesday, please, bring a statement on the Floor regarding that.

Point of procedure?

MS KAAYA: Mr Speaker, my procedural issue relates to the response we have been given. Ninety per cent of the salt we have here is imported. Lake Katwe salt factory, for over three decades, has been down. So, it is becoming very difficult to get UNBS certified salt here.

My procedural issue is for the minister to, first, ensure that at least the extraction of salt from our rich natural resources is prioritised. Otherwise, the other remedy is very difficult.

THE DEPUTY SPEAKER: Honourable colleagues, procedure is about the conduct of business here, not about the conduct of business outside. However, minister, take note; she is raising a big point of concern.

2.49

MR MAURICE KIBALYA (NRM, Bugabula County South, Kamuli): Thank you, Mr Speaker. Last year, a group migrated and settled in Namwendwa Town Council. They migrated from a region that we are yet to establish. This group has hired 13 rooms and established two

forms of money lending: the “easy loan” and the “quick loan”. Originally, when they came, they were polite. After sometime, when they wanted to recover the money they had lent out, they began moving with sticks, which they call “*enkoni*”.

Mr Speaker, this group is untouchable. When they are recovering their money, they arrest people. They either move with boda bodas or a “drone”, but with sticks. When recovering the money, they arrest and beat people.

Those that were beaten tried to report the matter to the police, but the response they got from the police was that those people are untouchable. They reported to Namwendwa Police Post, but they feared the group. Those who were beaten went to Kamuli Police Station, where there even the District Police Commander is, but he also feared them, saying, “Those people are untouchable.”

Mr Speaker, some of the people who were beaten include Kisame, a *boda boda* rider from Bugoole Zone, Kisa Alamanzan from Kyeya and Frank Lubaale from Market Zone.

The recent incident, which was very shaming, was that on Sunday, this group went and invaded a church called “Personal Christian Assembly”. The church had hosted *Bazungu*. So, they were praising and singing and all of a sudden, these people entered the church and began beating a pastor called Waiswa. The rest of the people in the church fled. This was a scandal, Mr Speaker.

To pay back these people’s loan, you have to deposit Shs 4,000 per day. If you miss two days without paying, these people will come for you. What is more terrible -

THE DEPUTY SPEAKER: Prayers, honourable member.

MR KIBALYA: As I go to my prayers, Mr Speaker, what is more terrible is that these people confiscated National Identity Cards from whoever picked loans from them –

THE DEPUTY SPEAKER: Honourable member, give your prayers before they also beat you. (*Laughter*)

MR KIBALYA: Our prayers are that:

1. The Minister of Internal Affairs should investigate who these untouchable people, who come with *enkoni*, are. The police are afraid of them.
2. The finance ministry – I see Hon. Musasizi here – should tell us who these 13 groups of money lenders in a small town council are. They are 13 groups with different names.
3. The Prime Minister, *Madam Majegere*, should come to the rescue of these people. Their National IDs were confiscated and cannot get the PDM money. We need the Government to come in and save the people of Namwendwa and Bugabula from this group, which came from a region that we are yet to identify. (*Laughter*)

THE DEPUTY SPEAKER: Hon. Kibalya, for record purposes, I want to know: is the Prime Minister of Uganda the one that you are referring to?

MR KIBALYA: Mr Speaker, the Prime Minister of this country is the Rt Hon. Nabbanja, but we normally use the name “Majegere” because she behaves like a caterpillar. (*Laughter*)

THE DEPUTY SPEAKER: I now know the Prime Minister you are referring to.

Honourable colleagues, the way the honourable colleague presented the case could make you laugh, but it sounds really horrible. It is as if people are running a terror cell in the area. Rt Hon. Prime Minister, we need you to take it up seriously. The Minister of Internal Affairs should arrange a team to go on the ground and meet – I think we should also involve the political leaders. The team from the Government should go on the ground, meet the community and establish what is really going on - and action should be taken.

Hon. Kisa, what is the procedural matter?

MR KISA: Thank you, Mr Speaker. The procedural matter I am raising is that Luuka is a neighbour to Bugabula South. I would like to inform my honourable colleague that this group is spilling over to Luuka. In fact, the man he is referring to as Kisa Alamanzan, is my brother. After those people beat him thoroughly, I found him at home, crawling. They even took away the motorcycle that I had given him.

So, the procedural matter I am raising is that the internal affairs ministry should, as it does the investigations, also consider Luuka on the matter of those money lenders.

THE DEPUTY SPEAKER: Absolutely. Information, Hon. Angura?

MR ANGURA: Thank you very much, Mr Speaker. Hon. Kibalya has raised a very important issue. This team, I think, is not isolated to the area raised by Hon. Kibalya; they seem to have spread across.

In my constituency, I have a team of money lenders who are now popularly referred to as “*Daily Daily*”. They have made women run away and, sometimes, the women hide in Kenya. I have been trying to find out where this team called “*Daily Daily*” comes from. So, I think the investigation should be extended beyond Luuka.

These are money lenders, as I have been told. I have not had the opportunity to meet them, but the whole community is living in fear because of “*Daily Daily*”. I thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, we need several levels of action. We need urgent action in those areas, which are already affected – and the Ministry of Internal Affairs has structures in all of these areas. You have the Regional Police Commander (RPC), and the District Police Commander (DPC), so, they can easily get reports and look at the action to be taken quickly.

We are specifically assigning this issue to you, Rt Hon. Prime Minister, to coordinate so that other ministries - since you are from the region, you know the issues very well. Update us next week on Wednesday on the action you have taken, and the information you would have gathered. Help these communities.

MR SSEMUJJU: Mr Speaker, a while ago, a colleague asked the investigation to be extended to other areas. We have heard a story quoting the Speaker of Parliament in the media, that there are Members of Parliament who are hiding from money lenders. Wouldn't it be procedurally right to extend that investigation even to Parliament - *(Laughter)* - because we have also read reports of Members of Parliament hiding in Parliament because of loans?

THE DEPUTY SPEAKER: Thank you. Parliament has its own procedures and mechanisms of handling such matters. One of the actions we managed to take was to suspend all money lenders who were deducting Members' money directly from the platforms.

We cancelled all the Memoranda of Understanding (MOUs) with them because they had made it a trend. They have tried to lobby, surprisingly, even lobbying some of you, honourable colleagues that we allow them back. But we have made that decision as the leadership of Parliament, and we are not going to rescind that.

If you want to deal with a money lender, go and do it outside the network of Parliament, and at your own volition so that we are not responsible, in anyway. If you go for “*Daily Daily*”, and they arrest you ‘daily daily’, we will not be responsible. *(Laughter)*

Honourable colleagues, you know you are targeted. Be cautious of these people. Be very cautious; they are going to embarrass us. They can blackmail us. We are targeted because of the positions we hold. Some of them believe if you arrest a Member of Parliament, his honourable colleagues will say, “Let us collect money to help a colleague.”

Some of your opponents will know which money lender you are dealing with, and will go through him or her to arrest you, and you get embarrassed in your constituency. So, Hon. Ssemujju has raised a very pertinent issue but I hope we can manage it internally. Hon. Betty Naluyima?

3.00

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you, Mr Speaker. As we await the harmonisation of the legislation concerning locally-raised revenue of local governments *vis-à-vis* its remittances, my matter concerns the timing of the Ministry of Finance, Planning and Economic Development in as far as remitting back to the local governments. I have an issue where one of my divisions in the district is getting conflicts with the mother local government, which is the municipality.

The town councils are also getting concerns, because as they take all the time to raise this revenue, they cannot know at any one time - I got a letter from one of the divisions saying that they last collected money but did not get anything back at all in June. When I contacted the municipality, I was told: "What can we do when we do not get anything?"

My prayer is that the finance ministry, after collecting money, should remit it back in time. Local governments are really disturbed and cannot do work. So, our request is, let us not have more than two weeks - when that money has been received by the Ministry of Finance, Planning and Economic Development, let it be remitted back to the local governments so that they can dispense off their duties and also be able to work and reduce the conflicts that arise out of that money. I beg that the finance ministry really considers this.

THE DEPUTY SPEAKER: Thank you. Honourable Minister of Finance, Planning and Economic Development, I thought you frontload in quarters and then agencies start collecting and remitting to the Consolidated Fund, and then you reconcile?

3.01

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Mr Speaker. I do not know how many times Hon. Naluyima will raise this matter. We have been on it over and over again.

Mr Speaker, the issue is on reminting back the locally collected revenue - what happens is they collect and remit the money to the Consolidated Fund, and we send back regularly, after reconciliation.

I need to check. If the collections are for July, by now they should be having this money sent back to them. I will work with her to do a reconciliation. I know we shall resolve her issue.

THE DEPUTY SPEAKER: But this might not be an issue affecting only Wakiso; it is an issue affecting all. I thought, honourable minister, that once we approve projections for Non-Tax Revenue (NTR), then when a Quarter reaches, you release according to the projection that was approved. Then the local government is supposed to collect, remitting to the Consolidated Fund and once it has a shortfall, when you are releasing for the next quarter, you reduce it by that shortfall. Is that the procedure? Bring me on board.

MR MUSASIZI: Mr Speaker, I have to bring you on board; remitting back this money depends on the actuals. We used to use that approach, and they would overstate, so, we decided to base the remittances on the actual amounts received.

THE DEPUTY SPEAKER: Let me first allow Hon. Ssewungu.

MR SSEWUNGU: There is a motion we passed here, Mr Speaker, again brought by the honourable member from Wakiso. Unless the Ministry of Finance, Planning and Economic Development never got a copy of the motion we passed, we said that this money should not go to the Ministry of Finance. These people

should get their money. That is the motion we passed. These people need their money in time. If you collect money in July and send it in September, is it of any use to these people? Let us respect the resolutions of Parliament as they were passed.

Mr Speaker, if they never got that motion, with your powers, it can be extracted for them to look at what was passed by the Committee of the Whole House. That will make others happy, other than having the same matter coming to the Floor of Parliament.

This is the same challenge we are facing with universities; collecting their funds, going to the finance ministry. It is okay but the motion we passed on local governments here should be respected because it is a resolution of Parliament. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleagues, I usually caution you. You know, when cautioning on some matters, some people might think you are trying to water down the powers of Parliament. I remember that motion very well; it was a motion “urging” - those are motions of no consequence. I want us to be clear. That is why I want to have a minute with the honourable member who is bringing the one on the Rural Electrification Agency (REA). Motions of no consequence; you spend one hour “urging” someone; what if I do not want to be urged? You leave it to me.

These are motions especially - when we are limited by Article 93 of the Constitution - this is a motion that would have a charge on the Consolidated Fund. So, we urged the minister; we were basically begging. We said, “We have passed a resolution begging you, honourable minister.” But you are begging me; I might accept or refuse. So, it is even difficult for us to ask for an action-taken report on a matter on which the powers are still with the minister 100 per cent.

I want to get time and explain to you, honourable colleagues, to reduce on motions of “urge”. They put us in conflict with the

Executive because we have passed a resolution, and a minister says, “But I am not obligated to implement.”

Honourable ministers, also, my guidance would be that for such matters, let us always speak them out as substantive questions and we put a minister to task to say we have a gap on this matter, why don’t you address it and then we debate, we participate and the Minister is - but when you pass a resolution without consequence, it is an absurdity. That is my guidance.

MR SSEWUNGU: Now since that motion was urging, could we hear from the minister why he at least -

THE DEPUTY SPEAKER: We urged you.

MR SSEWUNGU: We urged you. Why have you failed to give us our money in time so that people can enjoy their collection?

MR MUSASIZI: Mr Speaker, I do vividly remember about the motion which was passed by this House. Whatever we are doing, all the actions we are taking, in this regard are under Sections 29 and 30 of the Public Finance Management Act, which requires us to deposit all the funds of the government into the Consolidated Fund. Therefore, even when I was urged, I was constrained to act as per the wishes of the House.

3.08

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Thank you, Mr Speaker. First of all, to contextualise the motions of Parliament, the flow from the doctrine of separation of powers to my understanding, namely, that Parliament, which is the Legislature, the Executive, and the judiciary, act with a degree of independence. And, therefore, when we raise motions here, they should not be fettered by the overbearing power of the Executive, and there is no legal bar in the rules or the Constitution that stops Parliament from passing compelling resolutions to the Executive.

There is no legal bar that would pass a resolution as Parliament to compel the government to act on a matter. Take an example: whereas the minister is basing his argument on Sections 29 and 30, he is oblivious to the command of Section 29(3) of the Public Finance Management Act.

The minister takes away levies, licences and fines from markets and marketed use. These under the law are supposed to remain with the local governments. So, would the minister state under which law he takes away levies, marketed use, and fines from local governments?

Mr Speaker, that is why urban authorities are rotting away in the garbage because the money from levies from markets is supposed to be reused to clean and make up all these obligations to the Ministry of Finance Planning and Economic Development. For example, takes money in July from the local governments and returns in September. So how do you operate?

Therefore, the motion - and that is why I am glad today that it recognises the effectiveness of my Shadow Minister for Local Government; that you will not vacate this matter until you do your work and you act within the law.

Mr Speaker, the minister is acting outside the realm of the law as far as these local revenues are concerned. The law is very clear: I can lend you my copy. Your copy may be old. Section 29(3) is very clear. You cannot take away levies and the small collections and fines, or market dues from the local government. I thought the Minister must commit to this and pronounce that he will not collect it again and the Speaker should, by instruction, tell the local government to return this money because the law allows them.

THE DEPUTY SPEAKER: Thank you. Now, honourable colleagues and honourable LOP, we have had a discussion. If there is a law that conflicts with itself, it is the PFMA; it has many issues where it gives and again takes away within the same law. You know, and I have shared with the Attorney-General and the

minister that this is one law they need to look into and see a way of harmonising.

Otherwise once the law has room for manoeuvring, each one will look at it and interpret it to their favour. So, these are issues we have to look into but when the motion is for urging, I still stand my point. You see, I avoid decisions that are final in nature.

Such a decision under Article 93(b) of the Constitution, "Parliament shall not proceed upon a motion including an amendment to a motion, the effect of which would be to make provision for any of the purposes specified in paragraph (A) of this Article, which is a charge on the Consolidated Fund.

Therefore, if this money is going to the Consolidated Fund, then we cannot do much. Now, what does it help for us to come here, we add - the line of putting it to the minister is the way the Leader of the Opposition has put it to the minister. That is a much better line.

Honourable minister, the law says this, but you are doing this, explain here. And we make it very clear even when we are budgeting. We invoke our powers and we say no, this money is being placed wrongly. We are placing it under the ministry, but the law says it should go to the local governments. Therefore, let it remain with local governments and we use our powers as Parliament.

However, the moment we leave it at the liberty of the minister through compelling motions and all that, colleagues will not be able to. We have our powers; let us use them to take action here.

3.13

MR JONATHAN ODUR (UPC, Erute County South, Lira): Mr Speaker, where we have conflict with our Statutes, the Constitution gives us very good guidance and whereas we have created the Consolidated Fund, if you read the Article that creates a Consolidated Fund, it was meant to receive monies or for on behalf of the central government. But under Article 191, which gives the power to levy and

appropriate taxes by the local government, and even Article 192, if I can read briefly. Article 191(1) states, “Local governments shall have the power to levy, charge, collect, and I want to underline the word ‘collect’ appropriate fees and taxes by any law enacted by Parliament by Article 152.”

Under Clause 2, it states, “The fees and taxes to be levied, charged, collected and appropriated under clause 1 of this Article shall consist of rents, rates, royalties, stamps, duties, fees on registration, licencing and any other fees and taxes that Parliament may prescribe.”

Therefore, even when we do not entertain the conflict in the PFMA, this Constitution had not envisaged a situation where the central government would take away the powers conferred upon the local government to collect for them. Where the local government needs to collect on behalf of the central government is provided under Article 192, where the money is exclusively for the use of the central government.

Therefore, Mr Speaker, you may retreat and appreciate this interpretation with the Attorney-General and thereafter be able to make pronouncements that should help our local governments get what is due to them. The question of even coming and saying the money must be sent back after a month or reconciled does not even arise if we are respecting the Constitution. And I know this Minister respects the Constitution.

THE DEPUTY SPEAKER: Thank you. But honourable colleagues and Hon. Jonathan Odur, the arguments you are raising are the arguments we should have used during appropriation. It is not the minister who passed the Budget; it is us. The minister gave us a proposal and we took it. Why didn't we invoke all this and put it directly at local governments?

Therefore, we are the ones who did it. Therefore, I do not want to come here and blame the minister. I kept on telling you, honourable colleagues - listen, I know the minister made very many proposals, which we rejected here

but also many others, which we accepted. This is one of those that we accepted. So, please let us go back - I will arrange a meeting between the Minister for Finance, the Attorney-General, the Leader of the Opposition and Hon. Naluyima so that this issue is discussed and we get a way forward – no, let us conclude this, please.

MR MPUUGA: Mr Speaker, the Ministry of Local Government did not make any presentation taking money away from the local governments; he did so by circular. We challenged that circular here as an illegality and an affront to the Constitution, as raised by Hon. Jonathan Odur. Therefore, we made no mistake at appropriation. The local governments have their votes, and their votes are premised on their indicative figures. The minister, by circular recalled their powers and we challenged the legality of those powers, Mr Speaker. I think that the record should be corrected.

THE DEPUTY SPEAKER: Honourable minister, because we need a clear record here; you did it through a circular. We did our work well, but through a circular, you recalled the money.

MR MUSASIZI: Mr Speaker, I think where we have reached, I need the services of the Attorney-General. *(Laughter)*

THE DEPUTY SPEAKER: The Attorney-General has just entered. Did you do it by circular? Because you see, the LOP is correcting a record –

MR MUSASIZI: Mr Speaker, my services, as an accountant, end in as far as my submission and my understanding of section 30 is concerned.

THE DEPUTY SPEAKER: Thank you. Now, we shall go with the clarification of the LOP, that for us we appropriated rightly. You are the ones who went and did what you did. Anyhow, though the Attorney-General is now present in the House, I do not want us to prolong this matter. I had already suggested that we were going to have a meeting over this matter. Yes, Hon. Gideon Thembo.

3.19

MR THEMBO MUJUNGU (NRM, Busongora County South, Kasese): Thank you, Mr Speaker. I rise on a matter of national importance. The matter relates a disaster in Katunguru, which is an area around Lake Katwe in Kasese District occupied by a fishing community.

Last week, on the 16th, this area experienced a heavy hailstorm that destroyed homes and property including goats, chickens, and ducks and 19 homesteads were affected, nine of them severely. As I speak, the affected persons are virtually internally displaced in the community and only living at the mercy of good Samaritans.

Mr Speaker, I appeal to the Office of the Prime Minister to take interest in this matter and provide relief services to the affected persons and homesteads. I thank you.

THE DEPUTY SPEAKER: Thank you. As the Minister for Disaster comes, in the public gallery this afternoon, we have students and teachers of Victors' Christian Junior School, Mukono Municipality. They are represented in Parliament by Hon. Nambooze Betty Bakireke and Hon. Nabukeera Hanifa. They have come to observe proceedings of this House. Please join me in welcoming them. *(Applause)* If they could stand up. Thank you.

Also in the public gallery this afternoon, we have students and teachers of Kiwango Umea School from Mukono Municipality. They are represented in Parliament by Hon. Nambooze Betty Bakireke and Hon. Nabukeera Hanifa. They have come to observe proceedings of this House. Please join me also in welcoming them. *(Applause)* Honourable minister for disaster preparedness.

3.21

THE MINISTER OF STATE, OFFICE OF THE PRIME MINISTER (RELIEF, DISASTER PREPAREDNESS AND REFUGEES) (Ms Esther Anyakun): Thank you, Mr Speaker. I am going to liaise with the Member of Parliament from Kasese and ensure that we get a report from the Chief

Administrative Officer, who is the Chairman of the District Disaster Committee, and we should be able to respond. Thank you.

THE DEPUTY SPEAKER: Hon. Dr Eunice Apio, please come make your maiden speech. Colleagues, welcome our new Member. *(Applause)* And no interruption; you know the rules on maiden speeches.

3.22

DR APIO EUNICE (UPC, Oyam County North, Oyam): Mr Speaker, thank you for inviting me to give my maiden speech. I am honoured to be here. I would like to thank the people of Oyam County North –*(Interjections)* - can I proceed, Mr Speaker?

THE DEPUTY SPEAKER: Yes, please.

DR APIO: I would like to thank this Parliament for the warm welcome given to me and you, Mr Speaker, for giving me this opportunity to make my maiden speech.

Firstly, I would like to give a brief tribute to my predecessors, all of them, men of great repute. I begin with our pioneering Member in the 1960s, the late Hon. Martin Aroma, whose constituency then covered the majority of the constituencies in Lango, including mine.

Mr Speaker, we also had Prof. Isaac Newton Ojok, whose starring performance in the education sector, in the first half of the 1980s, remains unrivalled. Further, I also would like to recognise the Hon. Ben Wacha and the Hon. Krispus Ayena Odongo, who in their time, diligently contributed to shaping development policies in this country.

Mr Speaker, on a special note, I would like to recognise and appreciate very much, my immediate predecessor, the late Hon. Col Charles Macodwogo, for his contribution to this country.

The late Col. Charles Macodwogo was brutally murdered, as we all know, in early May this year and that deprived this country of the services of one of the most illustrious sons of

Lango in the Military, in recent times; he will forever be remembered.

Mr Speaker, when my immediate predecessor passed on, he left behind a number of crucial issues that are important to my constituents, and I as the current Member of Parliament, I am now compelled to take them up. *(Applause)*

One of the very urgent issues is the absence of a district hospital. The highest level of a health service unit in Oyam County North, in Oyam District, at the moment, is a health centre IV, which is Anyeke Health Centre IV.

This health facility currently serves more than 500,000 people, which number is over and above the population threshold for a district hospital.

My prayer, Mr Speaker, is that the Ministry of Health and Government at large, finds resources for this health centre IV, equips it properly, and elevates it to a district hospital for it to serve our people of Oyam District better.

I thank you, Mr Speaker and I look forward to working with Members of Parliament in this august House across the divide for the development of both my constituency and the country at large. Thank you very much. *(Applause)*

3.26

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORT-FOLIO (Ms Rukia Nakadama): Thank you, Mr Speaker. I also welcome our colleague, the Hon. Dr Eunice Otuko. Congratulations for winning that seat.

In this year's budget, which Parliament passed, we did not have any money for a hospital in that constituency to be elevated. So, I request that maybe we include it in our budget for the next financial year so that it can be worked on. I thank you.

THE DEPUTY SPEAKER: You can welcome her with an ambulance; you said you have many of them.

MS NAKADAMA: Mr Speaker, if it is one of the districts that completely does not have an ambulance, they might be on the list to get one. *(Applause)*

THE DEPUTY SPEAKER: Point of procedure, Hon. Nambooze.

MS BETTY NAMBOOZE: Mr Speaker, under the Rules of Procedure of Parliament, in particular, Rule 179, assurances, pledges and undertakings are made on the Floor of this Parliament by the Prime Minister, who is the Leader of Government Business, and they are recorded. The proper procedure is that for all assurances, time is attached to make them serious commitments.

I would like to know if it would not be procedurally right for the Leader of Government Business to come out clearly and inform this House that this is an assurance given to that constituency and that the district should wait for its hospital, come next financial year. I beg to move.

MS NAKADAMA: Mr Speaker, this Parliament has the mandate to pass the budget. It is the reason I said that maybe if they submit it next year, it will be this Parliament to assure the people of Oyam that they have given them money to upgrade the hospital. So, I do not do it as a person, it is this Parliament that passes the budget. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, we know that the Rt Hon. Prime Minister cannot sit here alone and decide. She has to go to the Cabinet, Ministry of Finance, Planning and Economic Development, and look at the projections of money available. I do not want us to make her commit on something she cannot execute by herself but at least there is hope. Hon. Tebandeke – okay, Hon. Nambooze will take her on. Please take note of that; she should appear before your committee.

In the public gallery this afternoon, we have students and teachers of United Parents Primary School from Ibanda District. They are represented in Parliament by Hon. John

Paul Ninkusiima and Hon. Jane Bainomugisha Kabajungu. They have come to observe proceedings of this House. Please join me in welcoming them –(Applause) - kindly stand up if you are around. Thank you.

3.30

MR CHARLES TEBANDEKE (NUP, Bbaale County, Kayunga): Thank you, Mr Speaker. I rise on a matter of national importance under Rule 49 of the Rules of Procedure of Parliament of Uganda.

From Friday to Sunday, my constituents experienced serious road accidents where we lost close to twelve people. These included William Orama Sebugwawo, who was a teacher at the Bugato Primary School, Kyidde Mugalu, Kibuuka Paul, who was a resident of Mityana but working in my constituency and Sam, a resident in Wabwoko.

The cause of the road accidents is the shoddy work done by UNRA under regular road maintenance as mandated. The kind of work done –

THE DEPUTY SPEAKER: Honourable member, in Parliament, you do not make such conclusions. I have always guided you on several occasions not to always rush to make such conclusions. If there are accidents, you know the procedure of investigation. When you draw conclusions now, it is not good.

MR TEBANDEKE: I decline it, Mr Speaker.

THE DEPUTY SPEAKER: Do you decline my guidance? (Laughter)

MR TEBANDEKE: No, I withdraw the statement. Mr Speaker, the kind of maintenance being done is a mere collection of mud and silty soils beside the road, which is heaped and compacted. It lacks the marram that makes it a real concrete marram road for usage yet the road is very busy with trucks that carry sugarcane regularly from Galiraya and other places.

During the sunny season the dust is too much. The cyclists and pedestrians can neither see behind nor in front. This causes serious accidents where people have lost lives. I pray that the Ministry of Works and Transport accounts for such regular kind of work done by UNRA along the Kayunga-Bbaale-Galiraya Road.

Secondly, Government updates us on how far the engagements on upgrading this road have reached because it is a road that is used by very many investors. Even as I speak, I guess there is someone being crushed by a truck. 12 people in three days is an average of three people dying per day.

Mr Speaker, I also pray that as a norm, Government compensates the families of the people who died not out of their own making but may be due to the work being -

THE DEPUTY SPEAKER: Is it a norm by Government to compensate?

MR TEBANDEKE: I have always seen the Prime Minister –

THE DEPUTY SPEAKER: Governments do not work with norms, honourable member. They are very clear. You can request that the families of victims to be assisted.

MR TEBANDEKE: Mr Speaker, I have always seen the Prime Minister, one of the musicians as well as the President giving out Shs 5 million as condolence to such affected families. In the same manner, I pray that the people of Bbaale who have lost their dear ones - we have very many orphans, widows and widowers who are running without help. I pray that Government comes to their rescue and compensates them.

THE DEPUTY SPEAKER: Thank you. Minister of Works and Transport, on Kayunga-Galiraya Road, people are dying every day. There are heaps of marram on the road and the road is really bad. When are you doing it and what are you doing about this?

3.35

THE MINISTER OF STATE FOR WORKS AND TRANSPORT (TRANSPORT) (Mr Fred Byamukama): Thank you, Mr Speaker. I have heard from my honourable colleague and on behalf of Government, we are sorry. After here, I am going to get in touch with him and see how to save our people. If it is the heaps of marram causing these accidents, we can work on that very fast. Meanwhile, we shall look for ways of working on a permanent solution so that our people do not die in accidents anymore.

THE DEPUTY SPEAKER: Please, get in touch with the honourable colleague. Rt Hon. Prime Minister, the Member also requested for assistance to the victims – that the Prime Minister has been giving assistance and it is now a norm. So, can you extend the same assistance?

3.36

THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama): Mr Speaker, the honourable member said that the President has been giving assistance. So, we are going to pass on this information to His Excellency, the President and request for that.

THE DEPUTY SPEAKER: Next item? Yes, Hon. Aisha Kabanda.

MS AISHA KABANDA: Thank you, Mr Speaker. I have a procedural matter that I am struggling to understand, that is, rule 24 in relation to rule 96(2)(b).

Mr Speaker, my procedural issue is in relation to the quorum of this House that is constituted by Members present in the House and those on *Zoom*, when a matter is to be decided upon by a vote, where people have to pronounce themselves through “Aye” or “Nayes”, and a situation where people on *Zoom* are muted, yet they are part of the quorum. I have been trying to understand how their decision could be considered in that situation; I mean when the matter to be decided upon is through voice voting. It is a matter I have been struggling to understand since yesterday because the quorum

here included people who were on *Zoom*. I beg for clarification.

THE DEPUTY SPEAKER: Thank you. Honourable member, that should not worry you. We made it clear because *Zoom* is very technical. The Clerk has clear instructions that when we are putting the question to a vote, he should unmute right away. That is how we do it; it is a technical issue. I listen to the voices wherever they are coming from. I do not know how to differentiate voices of people on *Zoom* from voices of Members present here – as long as the Clerk unmutes.

Next item, please.

LAYING OF PAPERS

I) REPORT OF THE COMMITTEE ON FOREIGN AFFAIRS ON AN OVERSIGHT VISIT TO MPONDWE ONE-STOP BORDER POST

3.39

THE VICE-CHAIRPERSON, COMMITTEE ON FOREIGN AFFAIRS (Mr Fred Opolot): Mr Speaker, in accordance with Rule 34(1) of our Rules of Procedure, I beg to lay a report of the Committee on Foreign Affairs on an oversight visit to Mpondwe One-Stop Border Post.

Mr Speaker, I lay.

Further, in accordance with Rule 34(2) of our Rules of Procedure, I beg to present a brief summary of the report and highlight the key recommendations contained in there.

The committee undertook an oversight visit to Mpondwe One-Stop Border Post –

THE DEPUTY SPEAKER: No, please. After you have laid, you sit. Rule 34(3) states that it is the Speaker to appoint the time for debate. How do we debate a report that you have just laid? We will go through it and, at some point, have it sorted.

Yes, point of procedure, Hon. Kayemba-Ssolo.

MR KAYEMBA-SOLO: Thank you very much, Mr Speaker. Last Thursday, you guided that the ministerial statement on the International Youth Day Celebration would be debated today, Wednesday, 23 August. However, when I look at the Order Paper, I notice that it is not there. I seek your indulgence, Mr Speaker, on whether we shall get a chance to debate this important sector of the country.

THE DEPUTY SPEAKER: Sure, we will. However, I had very critical business, which I felt should be handled first. That is just a debate with no resolution to be made, but here, we have got business on which we need resolutions. So, I felt that we should give this priority. Otherwise, I had already instructed the Clerk to make sure it is allotted time on the Order Paper – together with the one of the Committee on Science, Technology and Innovation.

Yes, Hon. Mbwatekamwa, procedure.

MR MBWATEKAMWA: Thank you, Mr Speaker. We come to this House to make an input. Sometimes, we have burning matters and we come to your office to try to get our names on the list of those to participate, especially during the time for matters of national importance.

Mr Speaker, the procedural matter I am raising is: what criteria can be used to make sure that we can be part of the people who are supposed to contribute in this House? Is it procedurally right for some Members to register their names on that list, but are not given an opportunity? Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Honourable colleague, matters of national importance are provided for under my communication. Secondly, when you read rules 41 to 45, you will notice that you have many avenues of presenting your questions to the Prime Minister, ministers and committee chairpersons. The avenues go up to rule 50. So, raising your questions does not require you have to wait for the time for matters of national importance only.

Also, honourable colleagues, I made it clear that I pick only five questions but today I went as far as nine. From 2.00 p.m. – it is coming to 4.00 p.m. – we are still handling matters of national importance, yet we have a substantive Order Paper to handle. Please, I am going to stop allowing even those five questions if that is how it is judged. You come here to discuss business on the Order Paper and not only the questions that you ask. We are still on item three out of the ten items on the Order Paper because I gave you space to present those question.

I am sorry, honourable member, if your matter has not been picked, but I have gone beyond the number that I usually pick. Next time, you will have a chance.

Yes, Hon. Nambooze.

MS NAMBOOZE: I thank you, Mr Speaker. I wish to draw your attention to the provisions of the rule 179(7) and I quote: “*The Speaker shall allot time for Members to raise specific Government undertakings and assurances made in their constituencies.*”

Mr Speaker, some Members have been asking: if an assurance is made in a constituency, how does it reach the Floor of Parliament so that it can fall under the mandate of the Committee on Government Assurance and Implementation?

Mr Speaker, this rule is very clear and mandatory. I wonder whether it would not be procedurally okay for you to guide this House on when to raise these assurances so that they are captured on the *Hansard* for further processing.

THE DEPUTY SPEAKER: These are the matters, honourable colleagues, that we allow you to raise. I will not provide a substantive item for Government undertakings. No, I will not. I only need to create space for you to be able to raise them.

I think what we need to make clear is that - maybe, honourable colleagues, you can conclude your matter by saying, “The

Committee on Government Assurance and Implementation should look into this matter.” Then, Hon. Nambooze and her team will pick it up. So, the style will depend on you, but why don’t we move on? I am looking at the Order Paper - how will someone judge us when they look at the Order Paper *visa-avis* business we have conducted? Yes. Hon. Opio.

MR OPIO: Thank you, Mr Speaker. The procedural matter I am raising is that on the Order Paper, we have a number of committee reports with recommendations, and action-taken reports will need to be provided, as per rule 2020. However, in the last session –

THE DEPUTY SPEAKER: It is rule 220 not 2020.

MR OPIO: Yes, rule 220. We have several committee reports that were presented and recommendations were adopted. However, till to date, action-taken reports have not been provided. One of the key reports is the report from the Committee on East African Community Affairs on the delayed payment of the former employees of the East African Community. You had directed that an action-taken report should be presented within one month, but it is now six months and some of these senior citizens have died.

Mr Speaker, payment delayed is payment denied. Wouldn’t it be procedurally right that we have action-taken reports provided for this particular committee recommendations?

Secondly, for all the adopted committee reports that were presented last year, why don’t we get the Prime Minister to compile all of them and we have action-taken reports? It will help us avoid raising some of the issues that we are continuously raising, as matters of national importance. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Opio, that is a very good point, but we usually phase our legislative process. In the time after the budget, what do we do? We have a time which - of course, we do not announce it here - but in our planning, we have a time

for accountability committee reports, handling Bills, recess, and for action-taken reports.

Do you remember about three months ago when we handled nearly all action-taken reports? Nonetheless, that is very important. For the East African Community, I read in the papers that money again went back to the Consolidated Fund, but the people are saying that they have not been paid. The ministry on the other hand says they paid the people they received and verified; the money that went back is for people who never turned up. So, it is a very important matter. We should look into it to help these senior citizens.

Clerk, pick out that item and ensure that we get a report. Rt Hon. Prime Minister, take up the matter. We need action-taken reports on the resolutions that we made. Clerk, extract all resolutions and communicate them to the Prime Minister so that we get these reports from the ministers.

MR MUZAALE: Thank you, Mr Speaker. The procedural matter I am raising is in regard to the Shs 1 billion that was sent to the districts.

In this very House, we adopted a resolution from the Committee on Physical Infrastructure in regard to the management of that money. The Ministry of Finance, Planning and Economic Development has already sent some money to the districts and the Clerk wrote to the Minister of Local Government to circulate that resolution, but up to date, it has not been done.

The money is with the districts. Actually, in respect to my district, we had a meeting, and we told the district not to tamper with that money until the circular reaches them. And up to date, the money is still held up in the accounts of the district, but the circular is not yet there. Therefore, Mr Speaker, I am seeking your guidance in regard to that circular.

THE DEPUTY SPEAKER: Honourable minister of Works and Transport, do you have any latest information on that issue? I remember the Rt Hon. Speaker gave guidance on that matter on the Floor. I do not know how far you have reached.

3.50

THE MINISTER OF STATE FOR WORKS AND TRANSPORT (TRANSPORT) (Mr Fred Byamukama): Mr Speaker, it is true that at first, the mandate was with us, but when Parliament passed the resolution and gave the powers to the Ministry of Local Government, we had a joint inter-ministerial meeting with the Ministries of Finance, Planning and Economic Development, Local Government. The Minister of Local Government is writing a circular to the local governments on how to utilise this money and very soon, it will move to the districts. Thank you.

THE DEPUTY SPEAKER: We need that urgently. The problem is in terminology where the Government wanted that money to be used for the rehabilitation of roads but we are saying on rehabilitation, where the work will even look the same, they will do around 50 kilometres.

We are also saying that this money should be for maintenance because if it is for maintenance, it can even cover 300 to 400 kilometres. If you have been giving my district only Shs 360 million for maintenance, now, if you added us Shs 1 billion for maintenance, then we would do well. I do not know which road you are coming to rehabilitate in these areas.

Colleagues, I do not want to open this debate but honourable minister, on Tuesday, we need a statement on this. I hope by then you will have got in touch with local governments. Honourable Minister of Local Government, I do not know where you have reached, but on Tuesday, we need this sorted.

3.52

THE MINISTER OF STATE FOR LOCAL GOVERNMENT (Ms Victoria Rusoke): Mr Speaker, we are in the final touches. We promise that on Tuesday, the statement will be here.

THE DEPUTY SPEAKER: Thank you. Let us go to the next item. Colleagues, I have handled five procedural matters, one following each other; I am not having a session for points of procedure.

LAYING OF PAPERS

REPORT OF THE DELEGATION OF PARLIAMENT OF UGANDA TO THE 66TH SESSION OF THE OACP PARLIAMENTARY ASSEMBLY AND THE 43RD SESSION OF THE OACS-EU JOINT PARLIAMENTARY ASSEMBLY, HELD FROM 19 TO 29 JUNE 2023 IN BRUSSELS, BELGIUM

THE DEPUTY SPEAKER: I was the head of the delegation and I have looked at this statement, and noticed that there is something incorrect. So, I requested that they first correct it before it is presented. Next item?

MOTION FOR RESOLUTION OF PARLIAMENT TO AUTHORISE GOVERNMENT TO BORROW UP TO UNIT OF ACCOUNTS 125.6 MILLION (EURO 147.69 MILLION) FROM THE AFRICAN DEVELOPMENT FUND, AND UNIT OF ACCOUNTS 50 MILLION (EURO 59 MILLION) FROM THE AFRICAN DEVELOPMENT BANK, AND EURO 25.9841 MILLION FROM THE CORPORATE INTERNALISATION FUND OF SPAIN, FOR THE REFURBISHMENT OF KAMPALA – MALABA METRE GAUGE RAILWAY PROJECT

3.54

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Mr Speaker. I beg to move a Motion to authorise Government to borrow up to units of account 125.6 million, an equivalent to €147.69 million from the African Development Fund and units of account 50 million equivalent to €59 million from the African Development Bank, and €25.9841 million from the Corporate Internationalisation Fund of Spain, for the refurbishment of the Kampala-Malaba Meter Gauge Railway Project. I beg to move.

THE DEPUTY SPEAKER: Is the motion seconded? Okay, it is seconded by Hon. Namuyangu, Hon. Okeyoh, Hon. Kafuuzi

and Rt Hon. Nakadama, Hon. Mulimba, Hon. Chemonges, Hon. Mateke, Members of Parliament for Adjumani, Bugiri, Isingiro and Hon. Kibalya. Thank you.

Honourable chairperson of the committee, all these reasons were handed over to the committee. This is what the chairperson is going to present. Are 15 minutes enough for you?

3.56

THE CHAIRPERSON, COMMITTEE ON NATIONAL ECONOMY (Mr John Bosco Ikojo): Thank you, Mr Speaker. I will try to summarise. Before I present the report of the Committee on National Economy on the proposal by the Government to borrow up to Units of Accounts (UA) 125.6 million, equivalent to € 147.69 million from the African Development Fund, and UA 50 million, equivalent to €59 million euros from African Development Bank and € 25.9841 million from the Corporate Internationalisation Fund of Spain for the refurbishment of the Kampala-Malaba Meter Gauge Railway Project. I beg to lay the report of the committee and minutes for the same.

Mr Speaker, on 4 May 2023, the Minister of Finance, Planning and Economic Development presented to Parliament, a proposal by Government to borrow up to UA 125.6 million units of account from the African Development Fund and €59 million from the African Development Bank and UA 25.9841 million from the Corporate Internationalisation Fund of Spain for the refurbishment of Kampala-Malaba Meter Gauge Railway project and was referred to the Committee on National Economy. The committee considered the proposal and now begs to report.

On 11 May 2021, at the tail end of the 10th Parliament, Parliament passed a resolution authorising the Government to borrow up to UA 179.56 million, equivalent to €216 million from the African Development Fund and UA 69.94 million, equivalent to €84.41 million from the African Development Bank, and UA 21.653 equivalent to € 25.984 million from the Corporate Internationalisation Development

Fund of Spain for the refurbishment of Kampala-Malaba Meter Gauge Railway Project.

In a letter dated 25 May 2022, a year later, the loan was approved by Parliament and the African Development Bank informed the Ministry of Finance, Planning and Economic Development on the changes of the loan amounts, according to the bank's communication. The loan amount was reduced to introduce the grant as indicated in the Table. I will not go through the Table but you can see the figures.

The loan from African Development Fund was reduced by €66.7 million because they introduced a grant element of about €53.45 million. The loan from African Development Bank was reduced by €19.41 million. You can go through that. And the source of information is the draft financing agreement and the letter from the African Development Bank Group on the loan and the grant.

The introduction of the new resource in the form of a grant of UA 44.54 million, equivalent to €53.44 million reduced the total loan amount expected to finance the Meter Gauge Railway Project from the African Development Bank Group, from UA 249.5 million, that is 92 per cent, to UA 223.38 million, which is 81 per cent.

The committee had meetings with officials from the Ministry of Finance, Planning and Economic Development, Ministry of Works and Transport, Uganda Railway Corporation and the sectoral Committee on Physical Infrastructure.

The committee went as far as reviewing documents that were provided to the committee, which included the Ministry of Finance, Planning and Economic Development's brief on the loan request, the report from the Committee on Physical Infrastructure, the Public Finance Management Act, 2015 and a number of other documents, including reviewing the resolution of Parliament.

THE DEPUTY SPEAKER: Honourable member, go to the observations, please.

MR IKOJO: Mr Speaker, much obliged. The committee also had field visits. We visited the concrete plant factory. I believe Members will be in position to read and internalise the other bit of the loan –

THE DEPUTY SPEAKER: We do not read from here. By now, members should have read the report. This is why I am saying go to the observations.

MR IKOJO: Mr Speaker, the committee had five observations and made recommendations based on them.

Vandalism and theft of railway infrastructure

The committee was informed that large portions of the railway infrastructure across the country have been destroyed through theft and vandalism. The problem has been encouraged by the increased number of industries that use railway sleepers as raw materials for manufacturing steel products. There are some people who have become accustomed to earning a living by stealing the metallic rails and turning them into scrap.

The committee was further informed that Uganda Railway Corporation and the police are inadequately equipped with the security personnel to manage enforcement. For the corporation to curb the challenge of vandalism, it requires adequate funds for regular monitoring and enforcement to protect the railway line and its infrastructure.

The committee was informed that to curb down the problem of vandalism, there is a need to replace the current metallic sleepers with concrete ones, which are not prone to theft by the by the scrap dealers.

The committee made the following recommendations:

- i) Uganda Railway Corporation and the Uganda Railway Police should be adequately facilitated to protect the railway infrastructure and detect theft in real time so that the criminals can be arrested and dealt with adequately; and

- ii) Government should consider revising the legal penalties for vandalism of railway assets in order to make them stringent enough to deter the vice of vandalism of the rehabilitated railway network.

Reduction in funding towards the project

The committee observed that the total project cost is estimated at €330 million to cater for both the civil works and consultancy as indicated in Annex 1.

In 2021, the 10th Parliament was informed that the project was to be financed through the loan proceeds with Government counterpart funding covering the shortfall of €2.9 million as indicated in the Table below. Mr Speaker, I am not going to present that Table.

The committee was concerned that the loan amount proposed to be borrowed from the African Development Bank and the African Development Fund under the new terms, is lower than the previously approved loan amount to be utilised in the implementation of the same project. Even though the African Development Fund has now introduced a grant of € 53.7 million.

The overall amount expected from both the creditor has been reduced by Euros 32.67 million. Moreover, the grant amount indicates that the UA 15.26 million, which is 30 per cent of the grant amount, is towards compensation of the project-affected persons, further reducing the total funding for the project works.

Given that the project funding for the Africa Development Bank (ADB) and African Development Fund (ADF) is now expected to be reduced by Euros 32.67 million, the committee expresses concern over its implications on the project's implementation, as this reduction will ordinarily affect the project's scope.

Moreover, the Certificate of Financial Implication availed to the committee indicated the Government's commitment to avail the Euros 2.92 million as counterpart funding towards the project, which was sufficient with the financing terms of the creditor in 2021.

In addressing this concern, the Ministry of Finance, Planning and Economic Development informed the committee that even with a noted reduction in funding, the resources being proposed would be sufficient to implement the refurbishment of the Kampala-Malaba Meter Gauge Railway Project.

The Ministry of Finance then gave a verbal commitment to the committee that for any cost overruns that will necessitate additional funding for this project, the Government of Uganda's domestic resources would be provided to ensure the completion of the project.

The committee recommends that in order to facilitate oversight of this project, the Minister of Finance, Planning and Economic Development should provide Parliament with a formal commitment of the Government to provide counterpart funding towards the project in light of the new financing terms from the creditor, in order to give Parliament assurance that the Kampala-Malaba Meter Gauge Railway Project would be implemented as originally planned without any changes in the project scope.

Compensation of the Project Affected Persons (PAP)

The committee observed that 3.05 of the Draft Loan Agreement between the Government of Uganda and the African Development Bank and Section 4.05 of the Draft Loan Agreement between the Government of Uganda and the African Development Bank both relate to the conditions for disbursement for works involving resettlement.

Both agreements indicate that the obligation of the creditor is to disburse the loan for works that involves resettlement to be financed by the borrower and shall be subject to the satisfaction of the following conditions:

- 1(a) Submission of satisfactory evidence that all project-affected persons in respect of the civil works in a given lot, have been compensated or resettled in

accordance with the Environmental and Social Management Plan, the approved resettlement action plans, the agreed works and compensation schedule, and the Bank's safeguard policies, prior to the commencement of civil works in such sections and in any case before the PAPs' actual move and/or taking of land and related assets.

- b) In lieu of paragraph (a) above, the submission of satisfactory evidence indicating that the resources allocated for the compensation or resettlement of the PAPs have been deposited in a dedicated account in a bank acceptable to the fund or bank, or remitted to the trust third party acceptable to the fund or bank where the borrower can prove to the satisfaction of the bank that compensation or resettlement of the PAPs in accordance with paragraph (a) above shall not be undertaken fully or partially because of the following reasons:
 - i) The identification of the PAPs by the borrower is not feasible or possible;
 - ii) Ongoing litigation involving the PAPs and or affecting the compensation or resettlement exercise; and
 - iii) Any other reason beyond the control of the borrower as discussed and agreed with the fund or the bank.

The project resettlement action plan was carried out in the two sections and reported in two separate reports. Volume 1 relates specifically to the Malaba-Namamve Section of the meter gauge line, while, volume ii focuses on the Kampala and Wakiso area of the line, which includes Kampala, Portbell-Namamve-Nalukolongo-Kyengera lines.

According to the plans, although the land belongs to Uganda Railway Corporation, it is expected that land users and occupants will be entitled to compensation for the trees and potential crops and structures in accordance with Ugandan law.

The compensation relates to crops and buildings of non-permanent structure determined under Section 59(1)(f) of the Land Act by the district land board of the respective local governments from Kampala to Tororo that are updated on an annual basis.

The two RAPs indicate that the total estimated cost of compensation of the project-affected person and the cost of the implementation of the RAPs for the entire project is Shs 143.58 billion, with Namanve to Malaba Section accounting for 24 per cent of the compensation cost, while Kampala and Wakiso accounting for 76 per cent.

The committee noted that out of the required Shs 143.58 billion for compensation of PAPs, the grant from the African Development Bank is only providing for Euros 15.9 million, (Shs 63.65 billion using an exchange rate of 1 dollar to Shs 4000).

The Government has not committed to avail the additional Shs 79.9 billion that is required to complete the compensation of the PAPs during the project life and instead had indicated that funding is required for the Financial Year 2023/2024, living the outer years without commitment. The approved budget for 2023/2024 for the land acquisition under the project is Shs 3.915 billion and external funding of Shs 8.563 billion.

The committee was concerned that the Government lost the grant funding for the EU of Euros 26 million for the rehabilitation of the Tororo Metre Gauge Railway because it did not provide the required counterpart funding of Euros 13 million. And now, the Government has to fully fund the rehabilitation of the Tororo-Gulu Metre Gauge Railway. Moreover, during the budgeting process, counterpart funding always appears as a funding gap, implying it was among the priorities of the sector. Consequently, the Government is now going to spend double because the counterpart funding was not availed.

The committee recommends that the Ministry of Finance, Planning and Economic Development commits to provide Shs 79.9 billion needed to

fully compensate the Project-Affected Persons over the project life to enable disbursement of the loan proceeds as per the funding agreement and avoid a repeat of what happened to the grant under the rehabilitation of the Tororo-Gulu Metre Gauge Railway line.

The Government should free all the railway land from encroachers to guarantee the timely implementation of this project. This will ultimately minimise the Government's expenditure on compensating people who encroached the railway line.

The policy, legal and institutional framework: The committee noted that the policy, legal and institutional framework of the railway sub-sector is not conducive to the growth of the sub-sector.

There is need for a comprehensive policy, legal and institutional framework of the railway sub-sector with a view to making the policy, legal and institutional framework responsive to the current prevailing and dynamic needs of Uganda, characterised by the rapid economic, social and cultural development.

For example, the Uganda Railways Corporation's current organisation structure is a major constraint as a department structure is not appropriate for a modern railway as a business focus is needed.

In addition, Uganda Railways Corporation Act, 1992 did not foresee the management and regulatory policy for the inclusion of other players in the railway transport. The Act is silent on the mandate, function and management of the new actor in the railway business.

At present, there exist new stakeholders within the railway transport service delivery like the Standard Gauge Railway Company, which was not envisaged at the time the Act was enacted in 1992.

The committee recommends as follows:

Government fast-tracks the long-awaited reforms of the Uganda Railways Corporation Act, Cap 331 in order to establish and investigate

the legal issues, gaps and challenges that continue to stifle operations under the Uganda Railways Corporation Act, as well as the issues curtailing the implementation of the Act over the 31-year period since its enactment.

Adopt guidelines for the railway sub-sector to cover safety, security, infrastructure financing, qualified staff and quality services.

The development of the railway infrastructure:

The committee observed that a well-developed railway network contributes to the socio-economic development of a country as it enables connectivity, boosts trade and provides access to workplaces, healthcare services and leisure activities, among others.

The development of a dependable railway transport infrastructure facilitates the mobility and accessibility of a country's factors of production and at the same time reduces environmental degradation. This ultimately would boost and enhance trade, tourism and improve the general standards of living.

The committee notes that over the past decades, the Government accorded high priority to road transport over rail transport infrastructure development. Cargoes that would ordinarily be transported on rail lines are now routed on the road network.

In essence, this has contributed to high costs of doing business as well as increasing the road maintenance needs and costs.

The committee was informed that limited investment in the railway network is attributed to high initial investment costs needed to set up a railway investment and management system.

The East African Community undertook to invest and set up the Standard Gauge Railway, which is expected to improve regional connectivity. Whereas, the Standard Gauge Railway is a good investment, member states will still need the Metre Gauge Railway to complement the Standard Gauge Railway for purposes of last mile connectivity.

In light of this, the committee noted the need to rehabilitate the existing Metre Gauge Railway lines across the country in places where the Standard Gauge Railway has not been planned to be routed.

The committee was informed that it is the wish of the Uganda Railways Corporation to carry out serious development of the railway network so as to reduce the traffic burden on the existing highway roads that are narrow.

This, however, requires more funding to be able to refurbish the remaining railway lines of Kampala, Kasese, Tororo-Gulu, Pakwach, which is not available at the moment.

The committee was further informed that the Government of Uganda contracted a Spanish contractor to manufacture concrete slippers for part of the railway line under rehabilitation. The same company has established a railway training school located at Nalukolongo to train and equip the Ugandan engineers with railway engineering knowledge. This implies that at the end of the contract period, the company will close the business and go back.

The committee recommends that:

- i. Government fast-tracks the implementation of the Standard Gauge Railway to enable Uganda to move in tandem with the East African partner states.
- ii. At the end of the contract period of Imathia Construction Company, Government invests in concrete slippers production plant, fully equipped and owned by the Government of Uganda, to facilitate production of concrete slippers for rehabilitation and construction of other railway lines across the country.

In conclusion, the proposal by the Government to borrow up to UA 125.16 million equivalent to £150 million from the African Development Fund and UA 54.17 million equivalent to £65 million from the African Development Bank for the refurbishment of the Kampala-Malaba

Metre Gauge Railway project be approved subject to the recommendations therein. I beg to report.

THE DEPUTY SPEAKER: Thank you, chairperson and your committee. Honourable members, I read through both reports; most of the issues are clearly related and around counterpart funding, wraps.

We shall be repeating ourselves during debate, if we are to debate one and go to another. My guidance is that we also receive the report for Kampala Metropolitan since the issues and the funders are closely related and then we debate at once.

However, when we go to resolutions, we shall put separate resolutions for each role. Thank you.

Before - yes, Clerk, our next item - and let the Clerk capture the whole report on the *Hansard* and not the summarised version, for future reference.

MS BETTY NAMBOOZE: Mr Speaker, much as we are working through different committees of Parliament, we continue to remain one House. I am seeking guidance from you on how best to proceed.

Under the activities of the Committee on Government Assurances and Implementation, my deputy led the committee into finding out the status of the assurance to construct the Standard Gauge Railway between Tororo and Gulu. The committee was fully funded by Parliament and it made a report that was submitted to the clerk.

As my colleague was reading the report before us, I discovered that there are many areas that were touched by the Government assurance and implementation committee.

Mr Speaker, the guidance I am seeking is whether it would not have been procedurally okay for the committee that is making the presentation, while we are seeking a new loan, to reconcile their report with ours. Would it please you, Mr Speaker, if the two reports could come at the same time and they are discussed together so that one could enrich the other, as Parliament takes a decision on this matter?

I beg to be guided, Mr Speaker.

THE DEPUTY SPEAKER: Thank you, Hon. Nambooze. I really appreciate your observation. As Parliament, we work in an integrated form; we do not work in silos. However, when you look at the loan we are considering, it is only for purposes of completing our process with the funder.

Issues to do with implementation and oversight will go on, but this is for the purpose of completing the process because the funder requires it. The funder says: "I need a resolution that Parliament has allowed you to borrow and then I release the money." However, that does not take away our responsibility and that is why, according to our rules, it is provided that we must consult with the sectoral committee under which the project falls.

So, if that was done, then, the Committee on National Economy would go ahead and do a report. That does not mean that the issues you have identified are swept under the carpet. We are even going to ensure that we give you space quickly before they even go further so that the minister, as he prepares, also considers your issues.

MOTION FOR A RESOLUTION OF PARLIAMENT TO AUTHORISE GOVERNMENT TO BORROW UP TO SPECIAL DRAWING RIGHTS (SDR) 374.8 MILLION (EQUIVALENT TO \$518 MILLION) FROM THE INTERNATIONAL DEVELOPMENT ASSOCIATION (IDA) OF THE WORLD BANK GROUP AND RECEIVE A GRANT OF SPECIAL DRAWING RIGHTS (SDR) 34.8 MILLION (EQUIVALENT TO \$48 MILLION) FROM THE INTERNATIONAL DEVELOPMENT ASSOCIATION (IDA) OF THE WORLD BANK GROUP AND ALSO TO BORROW UP TO €40 MILLION (EQUIVALENT TO \$42.66 MILLION) FROM AGENCE FRANÇAISE DE DÉVELOPPEMENT (AFD) TO FINANCE THE GREATER KAMPALA METROPOLITAN AREA URBAN DEVELOPMENT PROGRAMMEME (GKMA-UDP)

THE DEPUTY SPEAKER: Thank you. Honourable minister, as you come, I need you to make a clarification to the House to settle the minds of our colleagues here. We saw the statement from the World Bank. Of course, I saw it in detail. By the time I put it on the Order Paper, I first assessed and made a judgment, but we need confirmation from you as the minister, that, indeed, this is not one of the affected loans before we proceed. You can give us that assurance and then I allow you to move your motion.

4.29

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Mr Speaker, it is true that on the 8th of August this year, the World Bank issued a statement in which they informed us that no new public financing to Uganda will be presented to their board of executive directors, until efficacy of the additional measures to ensure inclusion and non-discrimination has been tested.

On 31 May 2022, the World Bank board approved the Greater Kampala Metropolitan

Area Urban Development Programme and this approval is scheduled to expire on 30 November 2023. Therefore, Mr Speaker, the assurance I want to give this House is that the Greater Kampala Metropolitan project is not among the projects affected by the World Bank's statement. It is, therefore, proper that we consider the proposal and process it to enable the Executive to start the implementation.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, that is very clear; the statement was referring to new projects. So, all projects which have already been approved by the World Bank, to my understanding – including some which are not yet even here, but were approved by the board – will be brought here so that we continue. The expiry means that by that time, we need to have approved, as Parliament, so that the project can go on.

Honourable minister, move your motion.

MR MUSASIZI: Mr Speaker, before I move the motion – and further to your guidance – we have a number of projects in the pipeline, which the board of the World Bank has already approved and we shall take them to Cabinet and, subsequently, bring them to the House. These projects have not been affected by the recent decision of the World Bank. I thought I should also add that clarification.

Mr Speaker, I now beg to move a motion for Parliament to authorise Government to borrow up to Special Drawing Rights (SDR) 374.8 million (equivalent to \$518 million) from the International Development Association of the World Bank Group and receive a grant of Special Drawing Rights 34.8 million (equivalent to \$48 million) from the International Development Association of the World Bank Group and also borrow up to €40 million (an equivalent of \$42.66 million) from Agence Française de Développement (ADF) to finance the greater Kampala Metropolitan Area Urban Development Programme.

I beg to move, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Is the motion seconded? (*Members rose*) I am looking for Members from Kampala; Hon.

Dr Bwanika, Member for Nakawa, Hon. Namboozie, Hon. Dr Hilderman, Member for Wakiso, Hon. Omara, honourable minister for defence, minister for Kampala, minister for roads, Hon. Namuyangu, Hon. Olanya, Hon. Ochai, Hon. Patience, Hon. Kayondo and Hon. Bataringaya – he has said: “All of us.” (Laughter) I do not know what that means.

Committee chairperson, you have 15 minutes. Go straight to the salient issues. Honourable Noah Wanzala has issues to raise.

4.34

THE VICE-CHAIRPERSON, COMMITTEE ON NATIONAL ECONOMY (Mr Robert Migadde): Thank you very much, Mr Speaker. I would like to lay on Table a letter of clearance from the President, as far as this loan is concerned.

I want to lay on the Table, the minutes of the committee meetings processing this loan.

Mr Speaker, this is the report of the Committee on National Economy on the proposal by Government to borrow up to Special Drawing Rights (SDR) at 374.8 million (equivalent to \$518 million) from the International Development Association (IDA) of the World Bank Group and receive a grant of Special Drawing Rights 34.8 million (equivalent \$48 million) from the International Development Association (IDA) of the World Bank Group, and also borrow up to €40 million (equivalent to \$42.66 million) from the Agence Française de Développement (AFD) to finance the Greater Kampala Metropolitan Area Urban Development programme.

Mr Speaker, this loan is going to benefit a number of local governments:

- (a) Kampala Capital City;
- (b) Makindye-Ssabagabo;
- (c) Nansana Municipality;
- (d) Mukono Municipality;
- (e) Kira Municipality;
- (f) Wakiso District;
- (g) Mukono District;

- (h) Mpigi District, and;
- (i) Entebbe Municipality.

A total of 550 kilometres will be constructed, tarmacked in those various local governments, in addition to other deliveries.

In terms of the loan, the \$518 million has a grace period of six years and 30 years of maturity.

The second loan, which is €40 million has a grace period of seven years and maturity of 25 years, with interest rate of one per cent.

The concessionality of the loan

Mr Speaker, the first loan which is €518 million is highly concessional, at 46 per cent in terms of grant element.

The second loan, which is €40 million is 41 per cent concessional, in terms of grant element at a discount rate of five per cent per annum.

In terms of budget implications, the project is included in the Financial Year 2023/2024 approved budget estimates.

Economic benefit and return on the project

Given that the Greater Kampala Metropolitan Area will invest 80 per cent of the loan in mobility, accessibility and connectivity, the benefit-cost ratio for the programme at a 12 per cent discount rate is calculated to be 5.7, and net present value (NPV) - so the loan has a higher rate of return.

In terms of project implementation arrangement, it is going to be a central coordination team involving different local governments, in addition to the Ministry of Local Government and Kampala Capital City Authority (KCCA).

The loan current debt situation

Mr Speaker, the loan will definitely impact our current debt situation, but at a later date we shall present performance of loans and the other issues.

In presenting and processing this loan, we visited all the benefiting local governments. We also held meetings with the Committee on Presidential Affairs. So, we are in tandem with that committee.

Observations and recommendations

The committee observed that:

1. During the committee field interactions with KCCA and the eight Greater Kampala local governments, it was noted that there was limited progress made by these entities towards having in place all detailed designs, a Bill of Quantities (BOQ), right of way fully acquired, Project-Affected Persons (PAPs) fully compensated and relocated, continuous sub-project sites free of encumbrances in order to make them available for handover to contractors who will be awarded civil works contracts for the infrastructure sub-projects.
2. Wakiso District Local Government had 36 per cent of all required road designs for selected sub-projects ready; KCCA had 55.5 per cent of all the required road and drainage designs ready; Kira Municipal Council had 30 per cent of all the required road designs for selected sub-projects ready; Makindye-Ssabagabo Municipal Council had 65 per cent; Mukono Municipality had 36 per cent; Entebbe Municipality had 50 per cent and Nansana Municipality had 61 per cent.

The local governments of Mpigi and Mukono did not have any completed road designs for the selected sub-projects under the programme. This was attributed to resource constraints that have hindered them from undertaking the required programme implementation readiness activities especially the preparation of detailed designs and availability of the necessary certificates from the National Environmental Management Authority (NEMA), to confirm that all the environmental standards requirements have been complied with before construction.

The committee recommends as follows:

1. The Ministry of Kampala Capital City and Metropolitan Affairs and eight metropolitan local governments (three districts and five municipalities) should fast-track the completion of all pending detailed designs for the priority infrastructure sub-projects that will be worked on under this programme in order to make them ready for civil works implementation.
2. Government should establish a joint physical planning unit for Greater Kampala Metropolitan Area to be able to address the challenges, size and standardisation of the roads.
3. KCCA and the eight metropolitan local governments should also ensure that all pending BOQs, right of way acquisition, compensation of Project-Affected Persons where applicable, relocation of utility lines and availability of the necessary certificates of National Environmental Management Authority to confirm that all environmental standard requirements have been complied with before construction, are concluded in advance to guarantee the timely implementation of the infrastructure sub-projects.

Programme Coordination

The committee observed that:

- i. Under the Uganda decentralisation policy framework, the deliveries of urban services are devolved to local governments that are independent corporate legal entities. Until recently, districts and municipal governments in the Greater Kampala Metropolitan Area carried out their urban planning and urban management responsibilities with little or no coordination. The result has been uncoordinated investments, lack of synergies and limited economies of scale in service provision.

- ii. Although the capacity to implement the various activities under the programme do exist in KCCA and the eight metropolitan local governments, there is low capacity for coordinated metropolitan planning and management to ensure the achievement of a metropolitan logic. Currently, each of the nine Greater Kampala Metropolitan Area subnational entities are operating as independent corporate entities.
- iii. The KCCA/metropolitan local government councillors (elected representatives) and the Metro Development Forum (MDF) will monitor programme implementation and provide oversight function at KCCA and the metropolitan local government level.
- iv. Government should establish a one-stop metropolitan physical planning unit to coordinate joint physical plans of the Greater Kampala Metropolitan Area. This will ensure standardisation of work and value for money;
- v. The political leaders in the KCCA and the eight metropolitan local governments should have a strong commitment to supporting the development objective of this Greater Kampala Metropolitan Urban Development Programme support; The strong commitment will help in improving communication between stakeholders as well as mediation between communities and local governments in addition to enhancing transparency, accountability and participation by all key stakeholders leading the implementation of this programme.

Recommendations

- i. KCCA and the eight metropolitan local governments should, as a matter of fact, agree that working together across jurisdictions is an essential principle for the future development of the Greater Kampala Metropolitan Area. This should be a deliberate commitment of these beneficial entities under this programme;
- ii. The Minister of Kampala Capital City Authority and the Metropolitan Affairs should ensure that there is strong multi-agency coordination, intensive contract management, rigorous due diligence, appropriate resettlement action plan implementation, establishment and maintenance of functioning grievances readiness mechanisms, and extensive communication strategies during the implementation of this programme;
- iii. In order to decongest the western, northern, and eastern routes of the metropolitan, the Kira-Nsangi circular road should be completed. The segment of Matugga-Wakiso-Buloba-Nsangi should be included in the project. Further, the Jokas-Mukono road should be included in the project;
- vi. Government should table to this House a comprehensive traffic decongestion plan for the Greater Kampala Metropolitan Area;
- vii. Government should consider establishing a new planned city to serve as a new development hub fully served with utilities. This will motivate and attract planned investment, settlement and will in one way or another decongest Kampala City.

Capacity of the Ministry Kampala Capital City Authority and Metropolitan Affairs to coordinate our development and management

The committee observed that a well-functioning metropolitan area is a result of more than the sum of well-performing local governments. There is, therefore, a need to align the incentives and provide for territorial logic to responsibilities and mandates already performed by KCCA and the Greater Kampala metropolitan local governments under the decentralisation policy framework. The Government approved the structure of this new ministry and recruitment is ongoing and a substantive accounting officer was appointed.

The committee recommends the following:

- (a) Government should fast-track the revision of the policy and legal framework for the development and management of the Greater Kampala Metropolitan Area to avoid overlaps in the mandates with sector ministries, departments and agencies, and the Kampala Capital City Authority;
- (b) Government should strengthen the capacity of the Ministry of Kampala Capital City Authority and Metropolitan Affairs through the filling of all the vacant posts as per its approved structure during the implementation of this programme to enable the entity to exercise its coordination and oversight role of the Greater Kampala Metropolitan Area Economic Development Strategy 2020/2030.

Legal covenants of the credit financing agreement

The committee observed that in order for the loan to become effective upon approval by the Parliament, financing agreements require the Government to have recruited or designated the following key staff for the programme support team.

- i. Programme coordinator;
- ii. Two registered engineers (at least one of whom shall be a civil engineer);
- iii. Procurement specialist;
- iv. Financial management specialist;
- v. A physical planner;
- vi. A monitoring and evaluation specialist;
- vii. An environmental specialist;
- viii. A social development specialist;
- ix. A communication specialist; and

- x. A local economic development specialist with qualifications, experience and terms of reference satisfactory to the association.

The committee recommends that the Ministry of Finance, Planning and Economic Development and the Ministry of Kampala Capital City Authority and Metropolitan Affairs should ensure that all the loan effectiveness conditions are timely fulfilled to trigger the timely effectiveness and disbursement of the credit for the programme objectives to be met as planned.

Sustainability of infrastructure to be financed by the programme

The committee observed that although KCCA and the metropolitan local governments have the technical capacities to implement the programme, there are substantial risks associated with their inability to mobilise their source revenue to meet the operating costs for the infrastructures to be financed under the programme.

The committee also observed that this inability to collect enough own source revenue is mainly attributed to actions by the Central Government, which on many occasions undermine the ability of local governments to collect adequate own source revenue. Such actions in the past included the abolition of certain taxes and pronouncing blanket exemptions for other revenue sources such as property rates on owners who occupy residential houses.

The committee further observed that a number of roads constructed in the country are failing to reach their designed life partly due to inadequate maintenance, among others. The budget for the Uganda Road Fund has been declining over the past years while that of road construction has been on the increase. This implies that the increasing paved road network puts pressure on the diminishing road maintenance budget, a situation where more roads added to the network are competing for a reduced road budget.

The committee observes that the quality of roads constructed by some companies has been a concern. Some roads designed for 15 years fail within five years and this cannot just be attributed to maintenance of the roads. Early failure of roads leads to higher maintenance costs as a road that would require routine maintenance would now require periodic maintenance or reconstruction earlier than expected.

The programme intends to have markets constructed in the selected areas, however, the design of these markets is not yet ready. A number of markets across the country were constructed, however, their utilisation remains below capacity and yet the maintenance of these markets relies on the revenues collected from the markets. The underutilisation of some of these markets is attributed to the design of the markets, which acts as a hindrance as it does not favour the products to be sold.

The committee recommends as follows:

- i) KCCA and the eight metropolitan local governments undertake revenue administration systems that are convenient, cost-effective and promote compliance by citizens to pay taxes through investing in tax administration reforms that target those revenue sources that have high yields.
- ii) KCCA and the eight metropolitan local governments should explore the introduction of simple tolling mechanisms among some of the strategic priority roads in the Greater Kampala Metropolitan Area. These mechanisms will contribute to meeting the operating costs for the infrastructure to be financed under the programme;
- iii) Government should increase funding for the maintenance of the road network in the country since the newly constructed roads are to be maintained with the available funding under the Uganda Road Fund;
- iv) The Ministry of Kampala Capital City Authority and Metropolitan Affairs

should ensure that the contractors chosen to cut out works under this programme have a proven history of quality works, to minimise the costs of maintaining the outputs after construction.

- v) The Ministry should ensure that the design of the markets under the programme factors in the preferences of intended market vendors to ensure that they are fully utilised upon completion and become self-sustaining.

Value for Money

The committee observed the following:

- i. KCCA and the eight metropolitan local governments will have to achieve value for money when delivering the infrastructure development. The IDA Programme Credit and Grant Fund (\$566 million) will be disbursed to KCCA and the eight metropolitan local governments through a set of Disbursement Linked Indicators (DLIs) linked to the Programme Development Objective.

The DLIs will be assessed annually by the Office of the Auditor General (OAG) and will focus on three parameters, namely economy (quality and whether the investment/service has been provided at a competitive unit cost); efficiency (whether the investment/service has been delivered in a timely manner), and effectiveness (whether the investment/service has been put in its intended use).

The committee recommends the following:

- i. Government should strengthen the audit arrangements of this programme through OAG conducting timely annual VFM audits during the implementation of this programme.
- ii. The Ministry of Kampala Capital City and Metropolitan Affairs should ensure that all infrastructure sub-projects demonstrate higher value for money with clear linkages between efficiency in procedures (Public

Financial Management, Procurement etcetera.) and economy and effectiveness (quality and utilisation of infrastructure).

Utilisation of the Grant

The committee observed that a grant amounting to \$48 million has been provided under pillars 4 and 5 for institutional strengthening for the Ministry of Kampala and Metropolitan Affairs and the eight metropolitan local governments.

The committee was informed that the current establishment of the Greater Kampala Metropolitan Area requires capacity enhancement to be able to adequately deliver on its mandate. The money is meant for activities related to skills development, retooling and systems development (e-governance, roll-out such as e-payments, e-feedback etcetera.) to allow the Greater Kampala Metropolitan Area local governments to perform their functions as true metropolitan government managers.

The committee, however, notes that \$48 million is quite a lot to only be spent on capacity and institutional strengthening.

The committee, therefore, recommends that \$30 million out of \$48 million be reallocated to the roads component so as to increase the number of kilometres of roads to be rehabilitated and upgraded in the Greater Kampala Metropolitan Area.

Conclusion

The committee therefore recommends that the request by Government to borrow up to Special Drawing Rights (SDR) 374.8 Million (\$518 million) from the International Development Association of the World Bank Group and receive a grant of Special Drawing Rights (SD) 34.8 Million (\$48 million) from the International Development Association of the World Bank Group and also borrow up to Euro 40 million (\$42.66 million) from Agence Française de Développement (AFD) to finance the Greater Kampala Metropolitan Area Urban Development Programme (GKMA-UDP) be approved subject to the recommendations therein.

I beg to report.

THE DEPUTY SPEAKER: Thank you, chairperson. Honourable colleagues, we are going to have a joint debate for both projects and our debate is limited to what is in the report - to the issues at hand; issues outside the report, please let us just limit ourselves.

We have a long Order Paper to handle. So, usually from our practice, we follow up on issues that are captured here with the accountability committees at the implementation stage. And especially these days when it is very difficult to get very cheap money; you rarely find loans where you are getting one per cent with a grant element of over 40 per cent. Usually, here, we do not find a problem with such but implementation is where we usually focus when we are doing our work.

I open up the debate, each one taking two minutes. If you are a member of either committee, please do not take our time. I will start with Eng. Balimwezo, I will add on Hon. Betty Nambooze - I am starting with the MPs from the affected areas in regards to this loan of Kampala; it is somehow deliberate, please. I will allow you, honourable colleagues.

You see, let me tell you, when a project is in your constituency, I give you that opportunity. It is always like sort of a practice because there are constituents - Well, we can argue that all of us are - next time it will be in your constituency and I will deny you time and see what you will say. Hon. Allan, Mpigi- Hon. Aisha Kabanda it does not reach your area. Now it seems we do not have NRM in the benefitting areas - there is Hon. Kayondo; I have Wakiso, and then I am going to allow you colleagues.

Hon. Kakembo, I am going to allow you; we do two minutes and pick each one of us quickly. And the in-laws of Kampala, I will ensure you benefit.

5.02

MR RONALD BALIMWEZO (NUP, Nakawa Division East, Kampala): Thank you, Mr Speaker. I thank the Committee for the

good report. I am going to handle the Greater Kampala Metropolitan Area where basically I subscribe to.

Mr Speaker, Kampala has 2,110 kilometres of road network, but only 300 kilometres are paved and in better condition. The majority of our roads are dilapidated; they have outlived their design life. Indeed, it is critical that we have our roads revamped and made good to reduce the money that we spend in jam because overall we lose over 240,000 man-hours in jam and over Shs 10 trillion in terms of money per year.

Mr Speaker, I am going to touch on the issue concerning the sustainability of the infrastructure. Yes, road infrastructure is the most important public asset and we need maintenance for these roads.

This financial year, KCCA received only Shs 10 billion for road maintenance which is too little and URF says that we cut its budget and that is the reason that it also cut KCCA's by almost 70 per cent; so we need to maintain our roads.

But, also note that we have lost the ecosystem in the city. They have talked about floods. Whenever it rains nowadays, in just 30 minutes, our roads are submerged in - the greatest enemy - *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. No, honourable member, you have colleagues to support you. This is a loan for your area; you need more of the support. Hon. Nambooze? You need people to support you on this loan; so let us give - you have done a good job in mobilising us to support the loan and infrastructure in Kampala and we always appreciate it.
Two minutes for each one of us.

5.04

MS BETTY NAMBOOZE (NUP, Mukono Municipality, Mukono): Thank you, Mr Speaker. I stand to support the report and its recommendations. I associate myself with all the good things that have been mentioned by my colleague who has contributed.

In particular, I request this Parliament to save us from the problems of discussing unity, expansion, working together as Kampala City Council Authority and the metropolitan areas because it has a lot of constitutional issues.

This House has on several occasions tried to work out a structure that could unite this area under one entity for proper planning and running of activities. However, we have always run into constitutional hurdles because of the provisions of Chapter 11 of the Constitution of Uganda.

More so, there are issues to do with regional governments, the deemed Buganda that is supposed to be one entity under the regional government.

The fact of the matter is that this country chose decentralisation as a policy and we should always try to work within that. I know that the districts and the metropolitan municipalities will be able to run these funds effectively.

Secondly, let the unity be at the ministerial level because at the end of the day, we have one Cabinet. Therefore, the Minister for Kampala - *(Member timed out.)*

5.06

MR ALLAN SSEWANYANA (NUP, Makindye Division West, Kampala City): Thank you, Mr Speaker. I support the committee report and most of the recommendations, more especially where the committee chairperson recommended unity between the local governments and Kampala Capital City Authority.

We have a problem with the implementation of some sections of the Kampala Capital City Authority Act, which provides for Kampala Capital City Authority and Metropolitan Physical Planning Committee in the KCCA Act.

Although that provision was not supported by Parliament, it would have helped us to create that unity, which has been recommended by the chairperson and the committee. It will take

a problem to come up with a joint plan between the various municipalities if we do not have that committee.

As Hon. Betty Nambooze has cited decentralisation, each head of a municipality, including KCCA, thinks that they can plan for themselves. Now, this is a joint loan and they have to unite to cause development in the whole city. I can see that as a problem and Parliament can help us to go through it as we foresee the development of our area. Thank you.

THE DEPUTY SPEAKER: Hon. Kayondo, you are a member of the committee so you cannot debate your report.

5.08

MR HILLARY KIYAGA (NUP, Mawokota County North, Mpigi): Thank you, Mr Speaker. I rise to support the loan. If we are to decongest Kampala, we have to improve the infrastructure of the neighbouring districts. One of them is Mpigi which is now accommodating many people. It is time we improved the infrastructure there. One of the roads that was given to our district is the one connecting Mityana to Mpigi.

However, we come with the appetite of supporting loans, but these end up being diverted to other things that are not essential. I recommend that we stick to the reasons for which we are borrowing.

I remember we came here because we do not have power and electricity has to be extended to our places. We passed the loan, but up to now, electricity is not yet extended.

Mr Speaker, if we are to decongest Kampala, I support the loan.

5.10

MS BETTY NALUYIMA (NUP, Woman Representative, Wakiso): Thank you, Mr Speaker. I join the rest to support this loan but would also wish to get additional information. Did the committee consider that the \$30 million, that is going to be deducted from the \$48 million is catered for in those key areas that are for decongesting as mentioned; including Matugga-Nsangi and Jokas-Mukono routes?

Also, did you further indicate how the local governments and KCCA are going to subdivide the remaining \$18 million? Later on, we might think that we are getting something yet the whole share is taken by one entity.

That aside, when you talked about the railway line, you have already taken your land back. Why now talk about compensation when you have already broken down houses especially along Namanve-Kampala route? People are already crying. I thought all is cleared and it is now ready to get on. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, I want to caution us. When you are processing such a loan, the business of saying, "Add this - remove from here and take there -" We have tried to do it before and came back here when some of the resolutions have been rejected. This is part of the extensive negotiations with the Government and are taken as proposals from our side so we shall give Government room.

How do you consider that, "Go and add this road... how did you leave out the other?" Let us give the planners a chance. Here, we are looking at the principle. Our sectoral and oversight committees will ensure that the implementation of the project is well done. However, when we start saying, "Remove... reduce \$30 million here...go and add this project," we shall not be on the right trajectory.

5.12

MR MICHAEL KAKEMBO (NUP, Entebbe Municipality, Wakiso): Thank you, Mr Speaker. I am also adding my voice to thank the committee for the report. Indeed, they visited Entebbe; I am very appreciative of that. Entebbe, is one of the beneficiaries and I must add my voice in supporting this report, the loan and the recommendations therein.

There are a few issues that we need to put to the attention of this House and the Minister of Works and Transport when it comes to the issue of compensation and the procurement process.

Many times, we have borrowed and taken long to implement and sometimes compensation

becomes a very big challenge because the local governments, as we speak, do not have money. Most of the money they would have been used to compensate is now - the issue has been raised by the honourable colleague from Wakiso District as far as releasing money back to the local government is concerned.

Honourable minister, the issue of compensating some of the affected in these processes - municipalities are having serious issues with some Ugandans who are very serious with the law. They are complaining that they should be compensated because that is what the law says. The Town Clerk will tell you, "We do not have money and this World Bank money does not include compensation."

How should we come in to make sure that as this money comes, Government is ready to help –(Interjection)– I can take information from Hon. Nathan.

MR BYANYIMA: Thank you, Mr Speaker. While we were considering this loan, we visited all the affected areas. We were assured that the local governments have negotiated purely, they have consent papers and that there will be nothing like compensation. The honourable member from Wakiso District can bear me witness. We do not have any compensation to make; it has been cleared by the local authorities. Thank you.

MR KAKEMBO: Thank you for the information, honourable colleague. I take it in good faith but the truth of the matter is that Uganda –(Member timed out.)

THE DEPUTY SPEAKER: Thank you, your time is up. Hon. Milton Muwuma -

5.15

MR MILTON MUWUMA (NRM, Kigulu County South, Iganga): Thank you very much, Mr Speaker –

THE DEPUTY SPEAKER: I have picked Members of the Opposition and now I have to go this side.

MR MUWUMA: On behalf of the people that use the eastern route, I support this loan.

Mr Speaker, it takes us three hours in the traffic jam to drive from here, through Mukono Municipality. This loan is trying to address some of the inconveniences that we go through and I have every reason to support it.

Yesterday, you adjourned when it was clocking 7.00 p.m. but I reached home past 9.00 p.m. and I was about to answer questions on where I was –

THE DEPUTY SPEAKER: You answer the questions about where you went? Honourable member, please do not use Parliament – (Laughter)

We shall not give you a caveat. (Laughter)

MR MUWUMA: Mr Speaker, it is the traffic jam that holds us up for long. Secondly, Kampala was recently branded a city of potholes and dust. This loan request will address most of the challenges we go through. I thank the committee and the Government for bringing a people's loan and I appeal to Members to support it wholeheartedly.

THE DEPUTY SPEAKER: Honourable colleagues, I hope you will not push for a resolution for all men who use the Mukono route to reach home past 9.00 p.m. on plenary days. (Laughter) Hon. Nambooze has added women. Procedure, Hon. Aisha?

MS AISHA KABANDA: Thank you, Mr Speaker. There are two motions; one about the metre-gauge railway and the other on the loan for Kampala. I pray that at an opportune moment, you call upon Members who want to speak about motion number two.

THE DEPUTY SPEAKER: Honourable colleagues, I made it clear that when you stand up, you choose which one to speak on. The funding agencies are related and the issues we usually have are the same and revolve around compensation and counterpart funding.

5.17

MR STEPHEN KISA (NRM, Luuka South County, Luuka): Thank you, Mr Speaker. I rise to support this Government borrowing and I thank the chairperson of the committee for the recommendations.

Kampala and the surrounding areas make the face of this country. We have had issues of Kampala having the poorest infrastructure in the region. I faithfully support the borrowing of this money for the development of Kampala. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Hon. Amooti?

5.18

MR PATRICK MWESIGWA-ISINGOMA (Independent, Hoima East Division, Hoima City): Thank you, Mr Speaker. I would like to comment on the recently concluded Kampala City Council Authority (KCCA) urban project. Up to today, the roads which were done, especially in Nakawa Division where I live, have unfinished sections. I see two ministers here and maybe they will tell us why.

For example, in Kyanja where you lived, there is a circular road starting from Prime Petroleum and ending in the township. That road has a section of about 150 metres which is yet to be done, three years since the project was concluded. I would like the minister to explain the plans they have, as KCCA, for these portions of roads which are not included, many years since the projects were concluded. Thank you, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Let us have Hon. Noah Wanzala and Hon. Onen.

5.19

MR NOAH MUTEBI (NRM, Nakasongola County, Nakasongola): Thank you, Mr Speaker. The majority of the Members of Parliament are beneficiaries of this project. I entirely agree with the committee and support the borrowing of this money.

Mr Speaker, in the 10th Parliament, we discussed Kampala and the metropolitan area and looked at having a joint planning unit for Kampala, Wakiso, Mukono, Mpigi and those other areas. However, the district leaders of Mukono, Wakiso and others thought that their powers would be taken away by KCCA. The chief administrative officers in those districts also thought that they would not be accounting officers anymore and that is why they were hesitant to support the project.

I urge this Parliament to come up with a mechanism to bring those local governments and KCCA to agree on how to work together for a better Kampala.

Secondly, the procurement committees for Kampala and local governments have issues. You will find that a contractor who does shoddy work is the same contractor who is given another contract the next day. That shows us that our country is going nowhere. As a Member of Parliament for Nakasongola, my appeal is for the Government to take keen interest in this and procure contractors who can do – *(Member timed out.)*

THE DEPUTY SPEAKER: Thank you. *(Member rose)* Please, I do not want shortcuts; I know you. I can look at your faces and know whether you are guilty or not. Honourable member, you played your role in the committee and I am not happy that you did not sign the report. Yes, I have the report.

Honourable colleagues, there is the issue of absorption. KCCA, what is wrong? We gave you a lot of money and we are adding you more. I talked to someone who told me that Uganda ranks worst in absorption of loans yet we pay interest on this money. So, the issue of absorption is something we need to look at seriously in our oversight.

Hon. Kivumbi, do you want to comment on that?

MR MUWANGA KIVUMBI: I have risen on a point of procedure. There are issues of absorption. When you look at the terms

of borrowing and the interest on disbursed and undisbursed funds under both loans, the percentages are worrying.

Secondly, Mr Speaker, there is the issue of the unit cost. I have looked at the road for Mukono and they have indicated that each kilometre will go for Shs 5 billion. I have heard Hon. Byanyima saying that they are going to build the road without compensation. The question is, if you are not compensating and the unit cost is Shs 5 billion for Mukono, is that a fair cost?

For Kampala, they have dodged putting the unit cost in this report.

Secondly, the Government is also dodging the commitment to counterpart funding because we borrow – I have seen that the amount of money for counterpart funding is almost the same as the loan we are going to borrow but we do not have this money budgeted for. However, we are busy approving a loan here. Failure to dispense will attract interest. We are on the same road we have been on as a country -

THE DEPUTY SPEAKER: Thank you. Hon. Kivumbi, conclude.

MR MUWANGA KIVUMBI: I have also looked at the reports. There is Shs 42 billion from the French law which they are not allocating anywhere. Is this miscellaneous expenditure? The committee has not attached this money to any road or project. What is this money for? Let the committee come clean on these issues. Thank you.

THE DEPUTY SPEAKER: Honourable colleagues, on counterpart funding, my biggest issue is that we also take note, as a Parliament. When it comes to budgeting, we should say, “You committed to this so can you provide this money?” We cannot do away with Kampala. The moment we refuse to approve the loan and leave Kampala in the state it is, we shall not have performed very well. Therefore, we need to say that we came and committed; we are going to provide Shs 100 billion or Shs 200 billion for this road and we want it in the

budget. If you have not provided for it, we are going to cut something in the budget and put it here. We need to be serious with these matters.

I had allowed Hon. Onen to submit. It is my discretion to allow procedural matters. Honourable colleagues, there is something I see; when I do not pick a Member to submit, the shortcut has become “procedure.”

Now, I have looked for a solution for procedural matters and I have found that it is my discretion to pick someone for point of procedure. So, let us be patient. I always allow you. I cannot allow 10 people to speak at once. Take your time.

5.26

MR BERNARD ODOI (NRM, Youth Representative, Eastern): Thank you, Mr Speaker. I rise to support the quest for a loan to refurbish the railway line from Kampala to Malaba. I am aware that 70 per cent of our inland cargo goods pass through the eastern route of Malaba. In a single day, we have thousands of trucks plying that same route, causing many accidents. This would be a game-changer for our economy. The big question is on the refurbishment that we have captured here; does it streamline railway transportation so that our importers will start using the railway station?

The second point is the environmental friendliness of railway transport. I am aware that our road transport is hugely affected by weather. When it rains, everything comes to a standstill. I believe at a time when we are fighting the climate crisis, the refurbishment of the railway line would be a game-changer for our economy. Thank you.

5.28

MS VICTORIOUS ZAWEDDE (Independent, Woman Representative, Nakason-gola): Thank you, Mr Speaker. I support the committee and appreciate it for some good observations and recommendations. It is true that in the morning and evening time, Kampala is always congested. Therefore, I support the construction and maintenance of the recommended roads, as per the committee report. Thank you.

THE DEPUTY SPEAKER: I had picked Hon. Cecilia Ogwal and then I will pick all those who are standing and we finish. Use two minutes each.

5.29

MS CECILIA OGWAL (FDC, Woman Representative, Dokolo): Mr Speaker, I am definitely interested in the two motions but let me focus on the metropolitan areas. The Government is always very smart in packaging loans for us; they package them in such a way that they become very easy to swallow. If you talk about the revival of the railway line, I am very excited about it. If you talk about fixing roads in the metropolitan area where we all live now, we are all very excited.

However, I just want to pick one area which has been overlooked. At least, I have been listening so there is no need for me to have talked on this motion.

Mr Speaker, in the Constituent Assembly, many Members wanted regional governments but the majority opted for “deeming.” Deeming was Hon. Sam Kutesa’s motion which has been enshrined in the Constitution under Article 178.

It is very clear that Buganda, where there is Wakiso, Mukono and Mpigi, is deemed to be one regional block. Kampala stands alone. If it is Buganda, we will discuss it – I am sorry, Mr Speaker, can I explain?

It is very clear, under Article 178, that one or two districts come together and I would want the Attorney-General or somebody who can enlighten us on this - When we approve this loan, the implementation may be a problem because of this constitutional entanglement. We did not look at it at all and it is important that we look at it. How do we take out a block from within Buganda and run it as one sub-block? It becomes practically difficult.

Nonetheless, I want to propose a way out. Maybe, we could come up with an inter-ministerial committee for the purpose of implementation so that we have the Ministry of Local Government and the Ministry of Kampala

Capital City and Metropolitan Affairs coming together for the purpose of implementation.

Otherwise, we will have to explain this constitutional provision because we have to play an oversight role, not only in the utilisation of resources, but also the way we have applied the law. Sometimes, Government is very quick in breaching the law and they get away with it and at the end of the day, Parliament is blamed because we are the final authority.

I would like those with legal minds to look at Chapter 11 in our Constitution, particularly Article 178, and then we can practically look at how we are going to utilise the loan. The purposes of the two loans are very good and I support them but can we follow the constitutional procedures? I thank you.

THE DEPUTY SPEAKER: Honourable colleagues, Government is integrated and to make it even easier now, we are on programme-based budgeting. That is why Hon. Byanyima and team were on this programme of infrastructure cutting across Kampala City.

Last time, the Committee on Physical Infrastructure was only limiting itself to roads under Uganda National Roads Authority (UNRA) and the Road Fund. We always handled the roads in KCCA under the Committee on Presidential Affairs but now we are on programme-based budgeting and planning. So, all ministers falling under that programme should be able to coordinate together and handle the programme. That is what the honourable member has emphasised. Let us limit ourselves to the programme. Members, we are discussing work which is not ours; this is work of the Executive. They should go and do their work but they have heard our concerns.

Hon. Kayondo has laboured to bring another report to me, which shows he signed. The one which was uploaded and I shared with colleagues indicates that he did not sign. Now, he has brought another one which shows he signed. Now, I can confirm that the honourable member signed.

This comes when you harass the Speaker. You force him to go into a closet and bring out issues. When I tell you to sit down but you keep harassing me, you make me go into details. Next time, please listen to me when I am guiding the House.

Honourable colleagues, when you are a member of a committee, you cannot debate your report. That is what the rules say, even if you are raising a point of procedure. You can only give information if another colleague allows you.

Honourable ministers, I will not give you a chance on this. Anyway, I will allow Hon. Namuyangu to appreciate ministers who come. When they are here, they are Members of Parliament. I will pick Hon. Namuyangu and Hon. Christine. Let us be quick. I have a critical item on the Order Paper that I want to handle.

5.35

THE MINISTER OF STATE, OFFICE OF THE PRIME MINISTER (BUNYORO AFFAIRS) (Ms Jenipher Namuyangu): Thank you, Mr Speaker. I would like to appreciate the committee. Borrowing from Bunyoro, I would like to appeal to colleagues - We have a road running from Mubende-Kakumiro-Kibaale-Kagadi. It passes through many districts and it was done.

We are talking about service delivery to our people, but look at most of our roads within the Kampala Metropolitan Area. People are selling items on the roads. We are saying even markets are going to be developed.

Mr Speaker, we should have passed this loan long ago so that people can have better services in terms of infrastructure. Therefore, I appeal to colleagues to pass this loan so that infrastructure is developed in Kampala and its neighbouring districts.

THE DEPUTY SPEAKER: And the railway?

MS NAMUYANGU: Indeed, and the railway. For us who go to the east, we are struggling with trucks everywhere. Today, I took a ride

from here to Namanve at around 11.00 a.m. but it took me three hours to get there. Members, let us pass this loan. Actually, I propose that we stop debating and pass the loan.

5.37

MS CHRISTINE APOLOT (NRM, Woman Representative, Kumi): Thank you, Mr Speaker. The purpose of the two loans is clearly defined and I support the proposals. However, the issue of the work plans is very critical. We should have a work plan for Shs 65 billion. You are aware that the Kampala Metropolitan Area was given that money but we had to wait for this loan to avoid duplication of services.

The second report has an aspect on the quality of roads that are meant to stay for 15 years but only last for five years. I want to relate this with the issue of the low cost ceiling projects across the country. Those roads are supposed to last for 10 years but because of contractors who do not do quality work - I have testimony of many roads. We have been conducting field works and found that within a year, the roads are already spoiled yet when you look at the unit cost of the low costing project, a one kilometre road will cost about Shs 480 million. I would like to challenge the line ministry to look into the aspect of the low cost ceiling roads; otherwise, we are not realising value for money from these roads.

Mr Speaker, I support the position of the committee that we get the loan since the work plans are very clear. Thank you.

5.39

MR MOSES OGWAL GOLI (NRM, Dokolo North County, Dokolo): Thank you, Mr Speaker. I support the motion to borrow for two purposes. One, it will lead to improvement in competitiveness, which is good for the country. However, I urge that we consider local content in the process of procurement.

The second is particularly on the roads. Since we love Kampala so much, during the budget we surrendered some of the monies which were supposed to support the districts. In Dokolo, four smaller roads were budgeted for but they

were not provided for because the money was transferred to Kampala.

It is my humble request that we consider returning that money because we have already got money which we can use. When we budget next financial year, we should ensure that we return our monies because we are losing them. Thank you.

5.40

MS MOURINE OSORU (NRM, Woman Representative, Arua City): Thank you, Mr Speaker. Much as I support the committee, I would feel much happier if the Committee on National Economy briefed Parliament, at least quarterly, on the performances of these loans. In most cases, we pass these loans, but we do not know whether they end up in the rightful hands or in the hands of corrupt people.

On the issue of the Meter Gauge Railway, I would like to bring it to the attention of this House that we only have a Spanish company that is making concrete sleepers, which are supposed to serve Mukono to Kampala. Why don't we use the same company to serve Kampala to Malaba so we avoid vandalism? We are talking about metal sleepers, but anyone can steal and sell them as scrap.

Regarding KCCA, I am aware that they have just passed the budget and in that budget, we removed money from Uganda Road Fund; about Shs 65 billion yet now, we are processing a loan for KCCA and Kampala Metropolitan Area. Why don't we return the Shs 65 billion to its original pool and give it to other districts to benefit since the loan is going to cater for this?

THE DEPUTY SPEAKER: Hon. Okeyoh and then Hon. Leku.

5.54

MR PETER OKEYOH (NRM, Bukooli Island County, Namayingo): Thank you, Mr Speaker. I want to thank the committee for the two reports.

Anyone who went through the school system and studied General Paper or Social Studies

(SST) must have known that the cheapest means of transport is water, followed by railway, roads and then air. So, if the Government is getting this loan to facilitate the rehabilitation of the railway line, I would say this is highly supported and I urge colleagues to support it.

THE DEPUTY SPEAKER: Thank you. Next time, do not add *boda boda* –(Laughter)

MR OKEYOH: On the Standard Gauge Railway, actually Uganda is far behind. I have already talked about the Meter Gauge Railway. The Standard Gauge Railway, which is already implemented in Kenya and Tanzania - The committee report clearly indicates that Uganda should move faster and in tandem with its sister countries. Therefore, I urge the Government to move faster to implement the Standard Gauge Railway. Thank you.

THE DEPUTY SPEAKER: Thank you. Hon. Leku and then Hon. Ochai

5.43

MR JOEL LEKU (NRM, Terego West County, Terego): Thank you, Mr Speaker. I remember in the last Parliament, a Member from eastern Uganda, who is now a minister said because of traffic jams, they now have problems of having "morning glory". Sometimes, Mr Speaker, we stay around and go to bars because we cannot go back home as the traffic jam is intense.

As we move on to discuss this loan, which I fully support, there are Ugandans outside there who are watching us and they will want to know which roads are in this loan. I request that we lay down the roads so that we know it is a road from this place to this so that people understand that their road is going to be worked on.

Secondly, Mr Speaker, compensation has remained an issue in Uganda. Most times, the people who implement these projects run around and buy land along these roads where they are going to do road works. They start doing some work along there so that when the compensation comes in, they reap much

bigger. Some of these officials are Government officials. So, as Parliament, we should move forward and make a ruling that from this day to this, any work you do there will not be compensated.

THE DEPUTY SPEAKER: Thank you, honourable.

MR LEKU: We also have cities, which are still in the offing and I will request that tomorrow, once this is cleared –(*Member timed out.*)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, I want to put it on the record that traffic jam cannot stop you from praying because the Member has clearly talked of “morning glory”, which means morning prayers. (*Laughter*) Issues of glory are issues to do with God. I want the *Hansard* to capture it very well. You can pray in your car or from your workplace. I want it to be captured on the *Hansard* that way.

5.46

MR MAXIMUS OCHAI (NRM, West Budama County North, Tororo): Thank you, Mr Speaker. I am not going to talk about the morning glory. Mine is basically on the sustainability of this project’s intervention.

Mr Speaker, on the second motion pertaining to the Greater Kampala Metropolitan Area Urban Development Program, I want to observe that the committee did a thorough loan appraisal to the extent that they found the financial viability of the loan to be highly concessional and to the extent that they found, from the cost-benefit analysis, that the program is likely to be highly beneficial.

I fully support the recommendations that they issued, particularly the recommendation to the effect that we need a new city. To me, this is long overdue. Within the East African Community, we have a case of Tanzania where the old capital city was relocated to another place. Why not us? I believe we can do the same.

I come from Tororo, particularly where the metre gauge railway passes. That is the West Budama North Constituency. I welcome the idea of refurbishing the metre gauge railway to the extent that it will open up opportunities for trade in the area given that, that place is income-poor. Our people will have the opportunity to produce their products and then sell them to other areas using the railway line. I therefore support the motion that we have the loans approved and ensure that the interventions are highly sustainable through a robust –(*Member timed out.*)

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, in the public gallery this afternoon we have a delegation from the Human Resource Managers Association of Uganda and they include:

- i. Mr Ronald Kibuuka Bbosa - President,
- ii. Ms Shamim Walusimbi - Vice President and
- iii. Mr James Walusimbi - Director of Programs.

They have come to observe proceedings of the House this afternoon, particularly the presentation of the Human Resource Management Professional Bill. They were here even yesterday. Please join me in welcoming them. (*Applause*)

I am now going to make a very unpopular decision. On the next item, I will start from here. We have had a substantive debate. Honourable minister, Hon. Basalirwa will open for us on the next item.

MR MUSASIZI: Mr Speaker, let me take this opportunity to appreciate the Committee on National Economy for the good report and the good work they do always.

However, I have one area where I wish to provide the House with additional facts. On the recommendation that Shs 30 million be taken away from the grant element, I wish to provide the following facts: Out of the 48 million,

only 10 percent is for capacity building, 35 per cent is for retooling, and 55 per cent is for discretionary activities. What are these activities? Is e-Governance, in other words, system development –(Interruption)

THE DEPUTY SPEAKER: Hon. Nambooze -

MS BETTY NAMBOOZE: Mr Speaker, we all know what the word “only” means but to say that 10 percent of a budget going for capacity building is little money, as being reported by the minister, is very misleading. We depend on these ministers to make decisions. Is it really okay and good information to this House when a minister tells us that 10 percent of the funds we are trying to procure through loans that are going to be paid back by our grandchildren is little money for capacity building? Surely, Mr Speaker?

THE DEPUTY SPEAKER: The minister is providing information and we express our opinion on the information he has given us by either accepting or rejecting it but we cannot stop him from giving us information because this information is not only his, it is information from the Government.

MR MUSASIZI: Mr Speaker, can I finish?

THE DEPUTY SPEAKER: Please.

MR MUSASIZI: I want to, first of all, thank you for your wise ruling. This money will go for:

1. Feasibility studies and detailed designs for the roads, markets, and drainages in the areas where we are going to do the roads.
2. Physical planning for all the nine entities.
3. Own resource revenue improvement through property evaluation, etc.
4. Waste management practices.
5. Asset management and sustainability. 2

6. Traffic management systems.

7. Environmental impact assessment.

Mr Speaker, I pray that the House –(Mr Ssewungu rose)

THE DEPUTY SPEAKER: Honourable colleagues, I do not want us to open a debate on these issues. The committee did a thorough job and the minister feels that he should give extra information. I do not know whether he gave this information in the committee and the committee verified and felt satisfied with their recommendation.

Honourable minister, did you bring this information to the committee?

MR MUSASIZI: Mr Speaker, from my experience, we normally work with the committee up to the last minute. Even up to this stage where we are in the Committee of the whole House, when there is extra information that we need to provide, we always do so.

THE DEPUTY SPEAKER: I now put the question to the motion for a resolution of Parliament to authorise the Government to borrow up to UA 125.6 million (the equivalent of Euro 147.69 million) from the African Development Fund and UA 50 million (equivalent of Euro 59 million) from the African Development Bank, and Euro 25.9841 million from the Corporate Internationalisation Fund of Spain for the refurbishment of the Kampala-Malaba Metre Gauge Railway Project be adopted.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Thank you. Clerk, extract a resolution and communicate it.

I now put the question to a motion for a resolution of Parliament to authorise the Government to borrow up to Special Drawing Rights (SDR) 374.8 million (equivalent to USD 518 million) from the International Development Association (IDA) of the World Bank Group and receive a grant of Special

Drawing Rights (SDR) 34.8 million (equivalent to USD 48 million) from the International Development Association of the World Bank Group and also borrow up to Euro 40 million (equivalent to USD 42.66 million) from Agence Francaise De Development (AFD) to finance the Greater Kampala Metropolitan Area Urban Development Program be adopted.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Thank you. Members, we have adopted the recommendations of the committee as provided for in the report. Thank you.

MOTION SEEKING LEAVE OF
PARLIAMENT TO INTRODUCE A
PRIVATE MEMBER'S BILL ENTITLED,
"THE PUBLIC FINANCE MANAGEMENT
(AMENDMENT) BILL"

THE DEPUTY SPEAKER: Honourable members, usually, we give our colleagues a chance so we do not take a lot of time. I want both of them to be captured. Hon. Muwanga Kivumbi, let us start with yours.

5.56

MR MUWANGA-KIVUMBI (NUP, Butambala County, Butambala): Mr Speaker, thank you for this opportunity. I am moving a motion seeking leave of the House to introduce a Private Member's Bill entitled, "The Public Finance Management (Amendment) Bill", moved under Rules 56, 121, 122 of our Rules of Procedure of Parliament.

"WHEREAS Article 79 of the Constitution of the Republic of Uganda, 1995 empowers Parliament to make laws on any matter for the peace, order, development and good governance of Uganda;

AND WHEREAS Article 94 subsection (4)(b) of the Constitution of the Republic of Uganda, 1995 and Rule 121 (1) of the Rules of Procedure of Parliament permit a Member of Parliament to introduce a Private Member's Bill;

AWARE that Sections 25 and 26 of the Public Finance Management Act, 2015 makes provisions for supplementary expenditure and contingency funds, respectively;

RECOGNISING that Article 156(b) of the Constitution of the Republic of Uganda, 1995 empowers the Government to lay before Parliament supplementary estimates showing sums required or spent in respect of any financial year if it is found that:

1. *The amount appropriated for any purpose under the Appropriation Act is insufficient or that a need has arisen for expenditure for a purpose for which no amount has been appropriated by the Act – (Member timed out.)*

THE DEPUTY SPEAKER: Please switch on the microphone, honourable.

MR MUWANGA KIVUMBI: ...or

- b. *any monies have been expended for any purpose in excess of the amount appropriated for that purpose or for a purpose for which no amount has been appropriated by that Act;*

FURTHER RECOGNISING that Section 25 of the Public Finance Management Act restricts the Government to expend not more than 3 per cent of the total approved budget of a financial year without the approval of Parliament;

NOTING that Section 26 of the Public Finance Management Act establishes a contingency fund, which is replenished every financial year with an amount equivalent to 0.5 of the appropriated annual budget of the Government of the previous financial year;

CONCERNED that the criteria for approving supplemental expenditure has continued to be abused, resulting in the distortion and undermining of the Government planning and budgeting thereby encouraging fiscal indiscipline in the management of public resources;

FURTHER CONCERNED that the expiry of the appropriation to the contingency fund under Section 26, subsection (10) of the Public Finance Management Act negatively affects the Government's timely response to natural disasters since there are no funds readily available to urgently respond to natural disasters;

FIRMLY CONVINCED that there is need to amend the Public Finance Management Act to prescribe a criterion for approving supplemental expenditure by Parliament and to enhance the Government's ability to respond to natural disasters;

NOW, THEREFORE, be it resolved that Parliament grants me leave to introduce a Private Member's Bill entitled, "The Public Finance Management (Amendment) Bill", a draft of which is attached hereunder".

I beg to move.

THE DEPUTY SPEAKER: Thank you. Is the motion seconded? It is seconded by Hon. Yusuf Mutembuli, Hon. Cecilia Ogwal, Hon. Kirumira, Hon. Lillian Papanu, Hon. Maximus Ochai, Hon. Amos Okot, Hon. Rauben, Hon. Byanyima, Hon. Oseru, Hon. Gorreth Namugga, and Hon. Linda.

Thank you, honourable. Please speak quickly to your motion. I will not mention each and every one of you. I will be picking around three to four seconders.

MR MUWANGA KIVUMBI: Mr Speaker, the objective of the Bill is to amend the Public Finance Management Act to enhance the Government fiscal discipline, prudent planning and management of public funds by prescribing a criterion for approving supplementary estimates by Parliament and to harmonise the provisions relating to supplementary estimates under the Public Finance Management Act with Article 156, subsection (2) of the Constitution of the Republic of Uganda, 1995 and existing legislation.

Sections 25 and 26 of the Public Finance Management Act, 2015 make provisions for supplementary expenditure and contingency funds, respectively. Section 25 provides for supplementary expenditure and allows the Government to spend no more than 3 per cent of the total approved budget of the financial year, without approval of Parliament.

The provision obligates the Government to lay before Parliament for approval, supplementary estimates showing the sums spent within four months after the money has been spent.

On the other hand, Section 26 of the Public Finance Amendment Act establishes the contingency fund, which is replenished every financial year with an amount equivalent to 0.5 per cent of the appropriated annual budget of the Government of the previous financial year. This contingency fund is used to respond to natural disasters.

Section 25 of the Public Finance Management Act contravenes Article 156 subsection (2) of the Constitution of the Republic of Uganda, 1995 in so far as it limits supplementary expenditure that may be incurred by the Government without parliamentary approval to only 3 per cent of the total approved budget of the financial year.

This statutory limit has the effect of infectiously amending Article 156 subsection (2) by imposing a restriction on the Government's power to propose and implement a supplementary budget.

Section 25 does not prescribe the source of revenue to fund the supplementary expenditure of Government, resulting in the abuse of ministerial discretion.

In order to fund Government supplementary expenditure, the minister resorts to borrowing or budget suppression which not only distorts and undermines the credibility of Government planning and budgeting but also encourages fiscal indiscipline in the management of public resources.

On the other hand, Section 26 of the Public Finance Management Act does not make provision on how withdrawals from the contingency fund are initiated by the Vote that requires funding. The provisions of Section 26 also limit Government response to natural disasters since appropriations to the contingency fund expire at the end of the financial year.

Remedies proposed by the Bill

We propose to:

1. Set criteria for approving a supplementary estimate by Parliament, which the Government can no longer run away from.
2. Require the minister to confirm the source of funding to finance a supplementary budget before the supplementary expenditure is approved or incurred.
3. Make appropriations to the contingency fund to continue beyond the financial year in which they are made. Honourable colleagues, the way the contingency fund is right now is that if you budgeted Shs 76 billion in the financial year and the financial year ends, the contingency fund is emptied to zero. We are saying that we should let that fund keep growing so that at any time we are struck by a natural disaster, that fund is sufficient to respond to the natural disaster, rather than collapsing it to zero at every turn of a financial year.
4. Make provision for the initiation of funding by Votes from the contingency fund.
5. The other provision that we want to amend is to collapse the three per cent so that any approval of a supplementary comes before Parliament – and we are not even restricting the amount. Government can borrow as much as they want but they must first come to Parliament for approval. They should indicate to us only

two things: the source of funding (tell us where you are going to get the money from). When you tell us, we will approve the supplementary budget even on day one. However, this problem of abusing the budget on 1 July and changing the budget, which we have just approved, must be brought to an end.

I beg to move, Mr Speaker.

THE DEPUTY SPEAKER: Thank you. Honourable colleagues, you will bear with me. I know I am supposed to pick seconders and all that, but I also want to be fair to another honourable colleague who also has a Bill and the constituents have been coming here every day. Hon. Kivumbi has explained his reasons clearly. Allow me to pick the Government's response to this and you make a decision.

MR MUSASIZI: Thank you, Mr Speaker. The Public Finance Management Act is central to the operations of the Government. Whereas the Private Member may have significant issues of concern, which are also beginning to build in the operations of the Government, I pray to the Private Member to allow us time to go back and consult, with a view of coming up with the proposals to amend some of the sections of the Public Finance Management Act.

THE DEPUTY SPEAKER: Honourable Private Member, do you accept the prayer?

MR MUWANGA KIVUMBI: No, Mr Speaker. They have had all the time -

THE DEPUTY SPEAKER: Okay, thank you. No, you have given your answer. I now put the question that this House grants leave to Hon. Muwanga Kivumbi to introduce the Public Finance Management (Amendment) Bill.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Congratulations, honourable member. *(Applause)* Leave is granted. Go and prepare and work very closely with the Government.

MOTION SEEKING LEAVE OF
PARLIAMENT TO INTRODUCE
A PRIVATE MEMBER'S BILL
ENTITLED, "THE HUMAN RESOURCE
MANAGEMENT PROFESSIONALS BILL"

6.09

MS MARGARET RWABUSHAIJA (Independent, Workers Representative): Thank you very much, Mr Speaker. I stand to move a motion seeking leave of Parliament to introduce a Private Member's Bill to regulate the human resource management professionals. The motion is moved under rules 56, 121 and 122 of the Rules of Procedure of Parliament.

Mr Speaker,

"WHEREAS Article 79 of the Constitution of the Republic of Uganda empowers Parliament to make laws on any matter for peace, order, development and good governance of Uganda and;

WHEREAS Article 94(4)(b) of the Constitution and Rule 121 of the Rules of Procedure of Parliament empower a Member of Parliament to move a Private Member's Bill;

AWARE that Uganda's social and economic development is dependent on the quality of the human resource it possesses and, therefore, requires a skilled, competent and motivated workforce in order to realise her development plan through the achievement of organisational strategic plan;

NOTING that Uganda's human resource is critical in pushing her agenda towards delivering on her commitments under the United Nations Sustainable Development Goals, Uganda Vision 2040 and the National Development Plan III –

THE DEPUTY SPEAKER: Procedure?

MR SSEWUNGU: I am in full support of this Bill but I see that the Member is justifying the Bill before you have put the question to the motion. I don't know -

THE DEPUTY SPEAKER: The Member is presenting a motion. I have read through the motion; that is how she drafted her motion.

MR SSEWUNGU: Then she is very bright. *(Laughter)* Thank you very much, Madam Speaker.

THE DEPUTY SPEAKER: Now you have even called me "Madam". So, you are also very bright. *(Laughter)*

MS RWABASHAIJA: Mr Speaker, thank you for protecting me from my friend.

"... ACKNOWLEDGING that the human resource management function is pivotal in organisational strategic plan and maintenance of an effective, efficient and skilled workforce, which results in improved output and, ultimately, improved service delivery;

CONCERNED that at present, there is no legal framework that regulates the human resource management practice and, as a result, there is no regulatory body that sets and enforces professional standards and professional code of conduct for the human resource management practice;

FURTHER CONCERNED that the absence of a regulatory body has left the management of the most critical resource at the workplace to operate under varied professional standards with no professional referee, which has led to increased unprofessional conduct cases by human resource management practitioners and performance management challenges and endless industrial court cases;

CONSIDERING that the human resource management function has become dynamic in order to cope with the social, economic, legal, political and technical innovations at both the regional and international levels, there is a need to professionalise the Human Resource Management practices in Uganda through regulations to facilitate the registration of members of the profession, the setting of uniformed professional standards and their enforcement/establishment of the professional

code of conduct and the complaint handling mechanisms, among others;

NOW, THEREFORE, be it resolved that Parliament grants me leave to introduce a Private Member's Bill to regulate Human Resource Management professionals, a draft of which is herein attached."

I beg to move.

THE DEPUTY SPEAKER: Is the motion seconded? It is seconded by Hon. Ssewungu, Hon. Hillary Kiyaga, Hon. Muwuma, Hon. Aisha Kabanda Amooti and the representative of Mukono South. Thank you.

Honourable, can you speak to your motion quickly? This side also had Hon. James Kubeketerya.

MS RWABUSHAIJA: Thank you, Mr Speaker.

Policy and principles

The object of the Bill is to:

- (a) Regulate the Human Resource Management professionals;
- (b) Establish a Human Resource Management Institute;
- (c) Provide for the functions of the institute;
- (d) Provide for the establishment of the Council of the governing body of the institute;
- (e) Provide for the powers and functions of the Council;
- (f) Provide for the registration of members of the institute;
- (g) Provide for the disciplinary procedures for Human Resource Management professionals and for related matters.

Justification of the Bill

Mr Speaker, currently, there is no legal framework that regulates the Human Resource Management practice, despite the country's social and economic development, as I had already mentioned.

Whereas the Human Resource Management practice is at the centre of the organisation's strategic planning and realisation of the organisation strategy in Uganda, the Human Resource Management function is still placed in the hands of journalists and other unrelated disciplines.

In order to achieve an effective management of the human resource and ultimately the realisation of the country's development and organisation goals, Human Resource Management practitioners require specific expert knowledge, skills and attitude to enable them build sustainable competitive advantage.

Globally and regionally, the Human Resource Management function has become dynamic in order to cope with social, economic, legal, political and technical innovations. For example, the revival of the East African Community has created new standards, opportunities and challenges in the free movement of labour in East Africa. East African partner states call for the building and maintaining of competences of the human resource in order to cope with the competing demands for expertise and production. The role of Human Resource Management practitioners is critical in this effort, hence the need to professionalise the practice.

Remedies proposed by the Bill

The Bill is intended to produce a legal framework to regulate the Human Resource Management practice by establishing a regulatory body responsible for setting the required professional standards and professional code of conduct that will enhance service delivery in both Public Service and private organisations.

I beg to submit.

THE DEPUTY SPEAKER: Thank you, honourable colleague. As part of our practice, I now put the question that this House grants leave to Hon. Margaret Rwabushaija to introduce the Human Resource Management Professionals Bill.

(Question put and agreed to.)

THE DEPUTY SPEAKER: House adjourned to Tuesday, at 2 o'clock.

(The House rose at 6.18 p.m. and adjourned until Tuesday, 29 August 2023 at 2.00 pm.)