**Thursday, 17 December 2015**

*Parliament met at 2.43 p.m. in Parliament House, Kampala.*

PRAYERS

*(The Speaker, Ms Rebecca Kadaga, in the Chair.)*

*The House was called to order.*

ADMINISTRATION OF OATHS

The oaths were administered to:

1. Ali Kirunda Kivejinja

**THE SPEAKER:** Hon. Ali Kirunda Kivejinja, we welcome you to the Ninth Parliament. On one side of the House are the members of the NRM, on the other are the members of the Opposition and the independents; all are colleagues in this House.

I am required to give you the instruments of office. I hand you the Constitution which should guide you in your work, and the Rules of Procedure to help you work within the committees and plenary. You are welcome to sit on the right hand side of the House and carry out your duties. *(Applause)*

COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable members, I welcome you to this afternoon sitting and I would like to thank members for the tremendous work we did yesterday. We have some two Bills which we would like to finish today. I am appealing to you to prepare yourselves. But in relation to the National Budget Framework Paper, I appeal to the Government to pay special attention to the issue of water. I do not know whether you Members have the same problems I do; everywhere I go, people are asking for water, and when I talked to the permanent secretary for water this morning, he told me that the allocation for water has remained three per cent of the national budget and that in the last two quarters, no money was released for water for the whole country.

I would like to appeal to the Members to prioritise water; if we have enough water there will be fewer sick people in this country. The situation is very critical! Thank you.

2.50

**MR JOHN KEN-LUKYAMUZI (CP, Rubaga Division South, Kampala):** Thank you very much, Madam Speaker. One of the cardinal duties of Members of Parliament is to check public expenditure and the appropriateness of taxes paid by the general public, and this is well articulated by the contents of Article 152(1) of the Constitution.

As I speak now, parliamentary and local government candidates in Kampala need the intervention of Parliament to save them from a new tax imposed on posters in various locations around Kampala.

These posters put across are not a luxury; they demonstrate the interests of people who have volunteered to compete for Government positions. As we speak now, in Kampala, there is no legal mechanism capable of passing any law including bylaws, so as to assess the appropriateness of the taxes.

I, therefore, appeal to the Government of Uganda to quash off the Jennifer Musisi imposed tax on posters; it is unexplainable in law, unconstitutional, illegal and it does not work in the public interest over the pending elections.

We are all competing in elections for the good of our country because we want to ensure that there is democracy in the coming government. I demand Government to explain this today. Anybody representing government should be capable of explaining the issue I am raising because it is constitutional. Thank you.

2.53

**THE GOVERNMENT CHIEF WHIP (Ms Ruth Nankabirwa):** I thank you very much, Madam Speaker. Kampala Capital City Authority is indeed an authority. It has councillors who sit in their council to make bylaws and regulations.

If the Executive Director of Kampala Capital City Authority imposed a law, it is upon the councillors to ensure that the council is called and the executive director is called to explain, before you come here to ask Parliament to intervene.

I think that the right procedure would be to first handle it at that level and after that you can seek the counsel of the Speaker or Prime Minister. I thought that since it is an authority with members elected to legislate for the authority let those members take it upon themselves to make sure that the mistake is corrected.

**MR KASIBANTE:** I thank you very much, Madam Speaker. First of all, what is happening in Kampala, the government knows. There is no council that can meet when the Office of the Lord Mayor is locked because the Lord Mayor is supposed to be the chairperson of that council.

Secondly, this Parliament passed an Act, the Access to Public Information Act. The basic information that every voter needs today is, who is standing where, and the voter must have access to that kind of information.

Now, the one to provide information must be Ms Jennifer Musisi *–(Interjections)-* I am mentioning the name because this is a one-woman’s show because there is no council that has ever met to pass such a resolution. It is just an action of the Executive Director of Kampala Capital City Authority to impose such.

I need clarification from Government on how the council can meet without the chairperson. I thank you very much.

**MR MWIRU:** Madam Speaker, I wish to contextualise what we are dealing with. I think KCCA levying Shs 5 million per Member of Parliament is exorbitant. It goes down towards running down the electoral process. That is the starting point. To contextualise it to our areas for those of us who compete in the municipalities, I think we paid Shs 150,000 – a levy under the Act. But to make it Shs 5 million, it becomes higher than the nomination fee and this shows that it is going to impact on a good candidate who paid the nomination fee but has no capacity to pay the Shs 5 million as they will not be able to pin up their posters.

For the information of the Government Chief Whip, there is a Minister for the Presidency and also in charge of Kampala Capital City Authority. I have brought it to your attention so that you go and sort it from outside there. There is a minister who was appointed by –

**THE SPEAKER:** Hon. Kwizera.

**MR KWIZERA:** Madam Speaker, I think Kampala is also in Uganda and when Members of Parliament are being nominated, they are nominated under our national laws and we paid nomination fees.

Suppose I am a candidate in Kampala and I put posters on my property, would I have to pay *–(Interjections)-* then that is illegal and should be challenged. Kampala is in Uganda and why should we, therefore, be mistreated or be treated differently? I thank you.

**THE SPEAKER:** Honourable members, I think that we need to address these issues. For instance, I was not here when you passed the Shs 3 million nomination fees, but I can assure you that there are people in this country who tried and failed to raise it. I was not in the Chair but if I was, I would not have allowed it. I think that Shs 3 million is exorbitant – yes, it is prohibitive and makes it difficult for people to compete.

I recently received a delegation of women from Kampala and they said that they could not afford – how much is a poster? Each poster that you put up is Shs 500. What sort of democracy is this? That means that if you have 10 posters, then that is Shs 5,000 - this is a serious matter by the way! I do not know if you are acting for Kampala but we need to discuss these things.

The other one of the Shs 3 million of course has gone. It was high and exorbitant. Let us not make it impossible for other Ugandans to access public offices. Can we have the gender minister?

3.00

**THE MINISTER FOR GENDER, LABOUR AND SOCIAL DEVELOPMENT (Mr Wilson Muruli Mukasa):** Madam Speaker, I wish to rely on my memory. When I was still in charge of Kampala Capital City Authority affairs, putting up posters in designated areas was one way of raising revenue for the Kampala Capital City Authority. This has been the case and this was decided by the Kampala Capital City Authority Council*.* The matter that hon. Ken-Lukyamuzi is talking about probably has been construed by the city authority as one way of raising revenue. When you put posters in particular areas *–(Interjections)-* others pay Shs 5 million depending on the area *– (Interruption)*

**MR KASIBANTE:** Order.

**THE SPEAKER:** Point of order.

**MR KASIBANTE:** I thank you, Madam Speaker. What the minister is talking about is business adverts. For example, you are advertising chapati or a carnival – those are called “outdoor adverts”. What we are discussing are not business adverts; we are talking of leaders telling voters that, “I am standing for this area, please look at me.” It has nothing to do with money. Is he in order, therefore, to continue mixing the two and yet they are different? I thank you very much.

**THE SPEAKER:** We need the minister for Kampala to come here and address this issue. I do not know where he is – Government Chief Whip, where is your minister?

3.02

**THE GOVERNMENT CHIEF WHIP (Ms Ruth Nankabirwa):** Madam Speaker, if you may allow me clarify on the Shs 3 million which was passed while I was here. Government’s proposal was Shs 1 million but an amendment was raised on the Floor of Parliament increasing it to Shs 3 million. We went to vote and Government’s position was defeated *– (Interjections) -* this is the true record. I stood here and tried to whip but I was defeated; even some of my ministers rebelled against me.

The Shs 3 million was a popular move by the whole House and it was unfortunate. We have learnt a lesson and we can make amendments anytime. I thought that I should clarify this.

The Minister for Kampala Capital City is not here and since hon. Muruli Mukasa has been standing in for him, I would like to use this opportunity to direct him to get in touch with the Minister in charge of Kampala so that this matter – first of all, if it is Shs 5 million, then it is on the higher side and then on the legal aspect, whether it is proper for the executive director to just bring any byelaw without going through the council, that is a matter which the minister can handle. And hon. Muruli Mukasa will take it up with the minister in charge.

**THE SPEAKER:** But at the end of the day, honourable members, I think we should remember that we are legislating for the whole country, especially those who are not here. So, we need to keep that in mind. Yes, hon. Ssempijja?

3.05

**THE MINISTER OF STATE FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (AGRICULTURE) (Mr Vincent Ssempijja):** Thank you, Madam Speaker. I just want to add to what my whip has mentioned here – that on that day I was present here. For me, I voted against the Shs 3 million and I remember hon. Kiyonga also voted against it. I remember very well that even the position of that Shs 3 million was brought by a member from the Opposition side *-(Interjection)-* hon. Otto. I was there with him *-(Interjection)-* he said Shs 10 million but as a compromise, Parliament decided on Shs 3 million.

I had imagined in the case of Kampala that maybe they thought about the cleanliness of the city. The last time we were in Kololo – I was unlucky I did not get my papers on the first day, so I went back the following morning. What I saw was a total mess; the posters and what have you. There were tons and tons of wasted paper.

So, to me, I thought this was brought in the spirit of keeping Kampala City clean – that you have poured all these things there; please contribute towards cleaning the city. So, the amount of money *– (Interjections)-* I am talking about the spirit. So, to me it is about the principle. Thank you.

**THE SPEAKER:** Okay, honourable members, let us not speculate; let us get the Minister for Kampala or the representative to explain to us about that Shs 5 million and the cost of pinning posters because I had a delegation coming to me to complain that no one can sustain that campaign up to February because you pay Shs 500 per poster. That is what I was told and so I am bringing it to the House.

So please find your minister; we need him to give answers on this one. I do not know whether he is here today *-(Interjection)-* no, I have directed that he comes. Do you know where he is?

**MR MURULI MUKASA:** Madam Speaker, the minister is not in Kampala right now but at an appropriate moment, he will be available in the course of the week to give an explanation.

**THE SPEAKER:** Please, summon him if he cannot come today, he should come on Tuesday. Next item.

LAYING OF PAPERS

3.09

**MR WILLIAM NOKRACH (NRM, PWD Representative, Northern):** Madam Speaker, I beg to lay on the Table the reports and opinion of the Auditor-General on the financial statements for financial year ended 30 June 2014 as follows:

1. Parliamentary Commission
2. Uganda Law Reform Commission
3. Education Service Commission
4. Capital Markets Authority
5. Civil Aviation Authority
6. Electricity Regulatory Authority
7. Uganda Retirement Benefits Regulatory Authority
8. Uganda Road Fund
9. Public Procurement and Disposal of Public Assets Authority
10. National Environment Management Authority
11. The National Library of Uganda
12. Uganda Development Corporation
13. Cycle 6 of The Fredskorpset Exchange Programme Project
14. Uganda National Cultural Centre
15. Ministry of Finance, Planning and Economic Development
16. National Council of Sports
17. Uganda National Council of Science and Technology
18. Uganda Embassy in Juba
19. National Agricultural Advisory Services (NAADS) Programme
20. Makerere University Business School
21. Uganda Global Fund to Fight Aids, Tuberculosis and Malaria Project – HIV Component in the Ministry of Health

**THE SPEAKER:** Thank you very much, Commissioner. All are committed to the Public Accounts Committee for expeditious perusal and report back.

BILLS

COMMITTEE STAGE

THE UGANDA DEVELOPMENT CORPORATION BILL, 2014

Schedule 2

**THE CHAIRPERSON:** Honourable members, yesterday we considered the bulk of the Bill other than schedule 2 and we had required the Government to give us information about the property under the Uganda Development Corporation (UDC). I do not know whether they are ready.

**MR WAKIKONA:** Thank you, Madam Chairperson. We went back and compiled a list of the items to be contained in schedule 2 and we got 15 items that I will read as follows:

We have undertakings in which Uganda Development Company Ltd has interests and will be vested in the corporation:

1. Soroti Fruits Ltd, we have 80 per cent shares.
2. Luweero Fruits Ltd, 100 per cent shares.
3. Kalangala Infrastructure Services Ltd, 47 per cent ordinary shares.
4. Uganda Commodity Exchange Ltd, 20 per cent.
5. Lake Katwe Salt Company Ltd, 100 per cent shares.
6. Kira Motors Corporation, 96 per cent.
7. Kigezi Highlands Tea Ltd, we just have equipment running the tea estate.

Part B

We have got undertakings in which it is proposed for the corporation to acquire the interests of Government:

1. Amber House Ltd
2. Embassy House
3. Development House
4. Munyonyo Commonwealth Resort
5. Nile Hotel Ltd
6. Phenix Logistics (U) Ltd
7. Tri Star Apparels Ltd *-(Interjection)-* can you listen carefully please. I said undertakings in which it is proposed for the corporation to acquire interests. We shall tell you the percentage after acquiring them.
8. Apollo Hotel Ltd.

Madam Chairperson *-(Interruption)*

**MR WAFULA OGUTTU:** Madam Chairperson, we do not have that list. We want to see the list which he is reading. We do not know where he is reading it from.

**THE CHAIRPERSON:** He is going to lay it at the Table, proceed.

**MR WAFULA OGUTTU:** Is that how we shall access it, Madam Chairperson?

**THE CHAIRPERSON:** I understand it is on your iPads.

**MR WAFULA OGUTTU:** It is not.

**MR WAKIKONA:** Maybe it delayed, but it is already processed.

**MR WAFULA OGUTTU:** Honourable members want access to that list.

**MR WAKIKONA:** Madam Chairperson, the list which was under UDC when it was formed until today was held by UDCL. We have tried our best to get people of UDCL to produce that list but we have not.

It is under the ministry of finance. I request, Madam Chairperson, that you use your authority to summon UDCL which is under the ministry of finance to produce that list which we have not managed to access. Thank you.

**MR MWIRU:** Madam Chairperson, then I would wonder whether it is procedurally right for us to proceed and pass this in the schedule.

The PERD Act in the first schedule listed 119 enterprises as those which had been slated for reform and divesture. What we are asking for is that if you go to the website of ministry of finance, those companies are there. As a member of the Legal and Parliamentary Affairs Committee, I even have a copy which was dealing with those assets.

I am only wondering whether it is not procedurally right for us to include all assets which were for UDC as at the time so that when we pass them under the schedule, those which we have dealt with, once an inventory is brought to show that this one was dealt with, this was sold to, for example, hon. Rebecca Atengo and the money was put at this place, then we will know that that one was dealt with.

That is the only way out, but we need a better way to proceed; we put the entire list in the schedule so that we can deal with it in future when we know those who took and did not pay. That is the only way we shall make them to account. However, the minister of finance should come back with an inventory to show because the third statute of the PERD Act in the first schedule has all the assets. I would seek your guidance on that.

**THE CHAIRPERSON:** Honourable members, of course the people are anxious to know what has happened to the divested assets and so on but if we put them now under this schedule, it means they go under Uganda Development Corporation. Some of them belong to different people and then you say, “Now you are under there.” I think that is not the right way to go.

What I would propose is that we ask the minister of finance to come here on something we have been asking; where are the proceeds from the PERD, the divestiture exercise. They should come and explain to us where the proceeds are? Table the list and tell us what we still have and what we do not have. However, I do not think it should be part of this schedule.

**MR WAFULA OGUTTU:** Madam Chairperson, I would like to propose that the ministry of finance brings us an inventory of all assets and their status which was owned by Government and basically those that were owned by UDC.

We should have it tabled here so that we are sure and with an explanation of what categories. I have a list here which is quite exhaustive but I am not going to table it because it is just something we did investigation on. However, I would like the minister of finance to do that.

**THE CHAIRPERSON:** That is what I have been saying.

**MR WAFULA OGUTTU:** I think, Madam Chairperson, you were saying that they should come and explain what happened to the proceeds, but that is not all.

**THE CHAIRPERSON:** We are also interested in the proceeds.

**MR WAFULA OGUTTU:** The proceeds yes, but we also want to know what went where.

**THE CHAIRPERSON:** That is exactly what I was saying. That we shall summon the minister of finance - we have this list - and they come and explain one by one including the proceeds. You know when we were making the PERD law we said that the proceeds would be used to facilitate investment. I do not know whether any Ugandan has ever got money out of that divestiture fund. We made that law here. Therefore, let us dispose of this one, but we are going to ask the minister to come and explain.

**MR BALIDDAWA:** Thank you, Madam Chairperson. We are talking about those assets that were divested but I would also be interested to know, where do we put these assets where Government currently has some interests, for example, Uganda Telecom and Uganda National Housing Corporation?

**MR WAFULA OGUTTU:** I do not think the minister should attach any schedule of names because we can pass it with a few attached names of companies. Either we have all or we have nothing.

**THE CHAIRPERSON:** No you cannot have what does not belong to you.

**MR WAFULA OGUTTU:** Madam Chairperson, let the Government tell us what belongs to us and that is what we should put in the schedule because there are some companies, from the information that we have, that want to steal *-(Interruption)*

**MR MWIRU:** Madam Chairperson, what hon. Wafula is raising is pertinent. When you look at the Expropriated Act, it lists properties that were dealt with as expropriated. Therefore, whenever someone comes, they normally hold the Act and say this property was not in the Act, therefore, it does not form part of the expropriated property.

In essence we are saying that if we want the law, we can pass it without schedule 2 so that we know that if somebody does not account today, tomorrow even if you have our property since we have the list we shall force you to account or the ministry of finance before we pass the Act, should come with an inventory to show that these are the properties which we had out of the 119 as they were; we sold 80 and got 80 billion and this is where we invested it and then the rest forms part of the schedule. Thank you.

**THE CHAIRPERSON:** Therefore, you are saying that we should create the corporation and give it nothing? We just create and leave it there?

**MR MWIRU:** Madam Chairperson, the reason is simple. When you look at the Expropriated Properties Act, it listed properties as those which were expropriated. When people come with the list within the Act and say “this property was not in the Act and therefore, it does not form part of the expropriated properties” - that has actually been the point of litigation.

In that regard, if we put a few in the Act, someone who gets the list of properties will say, “This one does not form part of the properties because even when Parliament made the law this is what was there.” Therefore, we are trying to avoid that kind of thing from occurring.

**MS KIIZA:** Thank you, Madam Chairperson. I would like the minister to guide me on Part B item no.4 where the minister is saying that, “Undertakings in which it is proposed for the corporation to acquire the interest of Government”.

If I may recall, Madam Chairperson, this House put money into Munyonyo Commonwealth Resort. At the time we put money, the impression was that Government was buying shares in the hotel. I am now surprised that until now we are just thinking of getting interest and following up the interests. I do not now know what happened to the money that we invested in Munyonyo.

**THE CHAIRPERSON:** Honourable members, almost every financial year this House has made recommendations that Government should secure an interest in the Commonwealth Resort. They have brought it here. I do not know what else we want them to do. We have been asking for this. We have been demanding that Government secures an interest in Commonwealth Resort.

**MS OSEGGE:** Madam Chairperson, I think what hon. Winifred is saying is that it would now be incumbent upon the minister to tell us. This is because at this point we should know, according to the money that we contributed, what our interest is. However, as it is we have put our money there, but we do not know what we own. It is not just about declaring it; we need to know what it is that we own.

**MR MWIRU:** The PERD Statute classified these assets into clusters. It said in the first cluster, we should own 100 per cent. In the second one, we should have majority. If you look at the second cluster being brought by the minister, he has put Nile Hotel Limited. However, he does not tell us today as we pass it in the schedule what the shareholding of Uganda is in Nile Hotel Limited. The PERD Statute clearly created clusters and it was showing that if you are dealing with these properties, the country must have this shareholding.

I think in the schedule the minister is trying to bring, he should address his mind to the PERD Statute because the statute clearly classified these properties. In class two where Nile Hotel falls, there were 80 companies or enterprises and we are supposed to have majority shares. If you want to include it in the schedule, you say Nile Hotel where Uganda holds this much shares - so that we know as we pass it in the schedule whether we own the majority shares as per the PERD Statute or not. It cannot be a blanket thing of pushing away the law, out of Parliament. I think that is important for the minister to learn.

**THE CHAIRPERSON:** Minister, what do you say about the shareholding?

**MR WAKIKONA:** Madam Chairperson, what I have presented here is what I have got. *(Laughter)* I am not going to guess shares of things decided when it was UDCL. That is why I was saying if we get UDCL and the ministry of finance they will state exactly whether they did it or not *– (Interruption)*

**MR MWIRU:** Madam Chairperson, I am wondering whether it is in order for my good friend the minister to mislead this House. The PERD Statute created clusters in these properties. In the first cluster where Uganda is supposed to have 100 per cent, there are eight companies. They included Civil Aviation Authority, Cotton Development Authority, Social Security Fund, Uganda Tea Authority, Uganda Tourism Board and Uganda Revenue Authority. For any agency formed as a result of the sectoral reform, we are supposed to have 100 per cent by law.

When you go to the next cluster where we are to have majority shares, if you are to put it as a schedule even as we deal with it now, you must show that in Nile Hotel, Uganda holds majority shares which is, say, 56 per cent and the other person is holding this much. You should put it in the schedule. This is why we are saying it is statutory guidance.

However, the statute guided that as long as you are dealing in these 80 enterprises, Uganda must have majority shares. It is by law and not his opinion or what he thinks. I am wondering whether he is in order to deviate from the PERD Statute which clearly lists the companies and shows what we must have as a country.

**MR RUKUTANA:** Madam Chairperson, we cannot make a law in anticipation. When we say “undertakings in which it is proposed for the corporation to acquire the interest of Government”, it is something which you are just anticipating. Once we enact this schedule it will be part of the law. You cannot legislate in anticipation. We either have them or we do not have them. *(Applause)*

**THE CHAIRPERSON:** In that regard, do we abandon Part B and go with Part A?

**MR RUKUTANA:** If we are sure that Government has an interest in these, we specify and say “undertakings in which the corporation will have interest”. It will make sense to specify the extent of the interest we have.

**MR MWIRU:** Honourable Attorney-General, what would happen? You know for a fact that when you look at the Expropriated Properties Act, it lists properties which were expropriated. However, there are others which had not yet come to the attention of Government and up to now they have never come in the Act. The challenge you have is people coming and claiming those properties saying these ones were not expropriated and, therefore, they are our properties.

Therefore, how are you going to deal with others for which he has no information yet when you go to the first schedule in the PERD Statute those properties are there? We ought to have got an inventory to show that this is the status quo. He is not going to look for these properties. The properties are just in the Act of Parliament which is the PERD Statute. Let him just look at the statute and get the status of each so that when we are making the schedule, we pronounce ourselves basing on the schedule and the inventory.

**DR BITEKYEREZO:** Madam Chairperson, I am looking at the ministers of trade and that of finance - they are herdsmen with cows who must know which ones are pregnant, which ones have delivered, as well as which ones have delivered bulls and cows. We are Parliament of Uganda with ministers. Good enough, the Attorney-General was even a Minister of State for Finance in charge of Privatisation. They know where Ugandans’ things are; the offices are not yet burnt.

Madam Chairperson, I was of the view that since these ministers are still alive, can’t we give the minister two days to go and bring for us the list of things that belong to us and the interests that we have? It should be in writing because he knows how to write. Even if it is in Arabic, we shall get an interpreter so that we are very sure.

Minister, be very careful. People are watching us -*(Laughter)-* they are saying, “These parliamentarians are there seated. They do not even know what they own.” That is why people on radios say we are not brilliant.

Madam Chairperson, I would like to move a motion that we stop here until the minister brings us what we need and we go to another Bill because we are wasting time. We cannot keep fooling around. That is nonsense. We cannot accept it.

I am serious on this one. Let us bring things for Ugandans to know so that we conclude very well.

I thank you very much.

**MS TAAKA:** Thank you very much, Madam Chairperson. The Minister of Trade and Industry is categorically saying he does not know those companies which are still under Uganda Development Corporation Limited (UDCL) which were falling under the Ministry of Finance, Planning and Economic Development. They should bring the whole list, as Ministry of Finance, Planning and Economic Development, showing which properties they were holding under UDCL. We need to know and at the end of it - we are acquiring, as UDC, all the assets of UDCL and UDCL should stop operations.

In a nutshell, we need everything with all the inventory books and then we shall sort it out. Therefore, we cannot take some properties in bits. We need to hold them holistically so that we know what we have and then when we form this UDC, it will be complete. Thank you very much.

**MR OKOT OGONG:** Madam Chairperson, we have the Government of Uganda. It is fully composed of ministers, a judiciary and parastatals. I wonder why a whole government cannot come out with a clear record of what they own and the interests they have in these various companies.

It is a vote of no confidence in these ministers. You cannot come to Parliament right now and pretend. This is pretence that you do not know what we own and what we have interest in. The percentage is not even there. They are now telling us to just put the names. That is not good at all.

I would like to agree with my brother that the minister should go back. We give them up to Tuesday next week and failure to come with a proper list we shall invoke our Constitution and retire those ministers *-(Laughter)–* yes because they will have shown lack of competence. Therefore, we only give them up to next Tuesday and then we get *–(Interjections)-* they can use the weekend and pray on Sunday so that they get all the records. *(Laughter)*

**MR SSEMPIJJA:** Madam Chairperson, the Members should not fire the ministers. If I read the mind of my comrade, the Minister of Trade and Industry, and when I looked at the papers he brought, he also agrees with everybody that we should have a list, but he did not have that full list at hand.

Madam Chairperson, I am suggesting that we agree to the proposal from the Members that we should be given two days to get the full list. It is because he brought a list but it was not complete.

To me, therefore, there is no conflict. Madam Chairperson, I would like to beg the House that we are given time to go and get the full list.

**MR RUKUTANA:** Madam Chairperson, we can maintain this list by looking at what we passed in clause 33. Instead of saying “in which it is proposed”, we say “undertakings in which the corporation will take over Government interest” and then we list them. Once we say “Government interest” at the time somebody is looking for the Government interest, he will be able to ascertain it.

**MR MWIRU:** Madam Chairperson, the Attorney-General owes it to this country. When Parliament passed the third statute, it classified properties; there were those Uganda was to hold a 100 per cent, there were those which Uganda was supposed to have majority share in and there were those which the Act authorised you to divest. However, there were those which the Act did not authorise you to divest.

Therefore, for you to tell us that we deal with the partial list which has come *–(Interjections)-* it is because the list is there in the first schedule of the third statute. If you divested or sold off one which did not fall in the category of those to be sold, that should form part of the schedule because that would be unlawful. The Act clearly gave four classes of properties. It authorised Uganda to hold 100 per cent in the first class of 78. It came to the 80, so Government must have 100 of the majority share.

It holds the others totally easy to sell them off. Therefore, you might have sold those ones which the Act did not allow you to sell. If anybody dealt with them outside what the Act says, it falls outside the Act.

I would expect you to treat us with respect as Members of Parliament and you address your mind to this law. What will guide, in the interest of the country *–(Interruption)*

**MS KABAALE:** Thank you, Madam Chairperson. I have been listening attentively. I am very happy this Bill did not pass yesterday because we would have serious problems. We cannot have a country with only this property; it is worrying.

If Uganda owns only this property, it is worrying. *(Laughter)* Honourable minister, we would like you to take it in good faith -

**THE CHAIRPERSON:** Honourable members, we are taking a lot of time. I would like to draw your attention to clause 33, which we passed. It says that all property, rights, assets, liabilities and obligations of UDCL, existing immediately before the commencement of this Act, are transferred to the corporation.

The question is: Which are those properties, rights, assets and liabilities so that we know what we are fulfilling under clause 31? Therefore, either we get the schedule out or if we are to keep it, we must identify what would be vested in clause 33.

**MS KABAALE:** Okay *–(Ms Cecilia rose\_)-* you will take my time. You will be allowed to speak *– (Interruption)*

**MS OGWAL:** No, I will give you information in just a few seconds. Madam Chairperson, while we agreed that we need to have inventory of these properties, it is also important that we should know the status of the property. I am saying this because I happen to know about the Soroti Fruits Limited. There is nothing there; it is just a fence. If there is anybody who has seen any machinery or any investment in Soroti fruit factory, please tell us. However, it is just a wall fence.

The second one is Katwe Salt. It is just empty. Therefore, we may think we are inheriting something when actually there is nothing. That is the information I would like to give. When you come, also tell us the value of the property you are passing on to us.

**MS KABAALE:** Thank you, Madam Chairperson. I would like to inform this House that the strength of a government depends on its assets. I am interested in trade and business. Property is very important. We would like for the minister and this House not to take it lightly.

You might find that the minister might be innocent here, but when the people who gave him this list have hidden around 60 per cent of what Uganda owns. It is, therefore, better that we get at least two days off and we get all this property. Otherwise, by next year, you will be exposing most of Uganda’s property to the market of people who are not contributing to this country. Thank you.

**THE CHAIRPERSON:** Okay. Honourable members, under Clause 33, we are dealing with the property rights, assets and others of the Uganda Development Company Limited. That is one category.

However, we are also dealing with the assets and liabilities of the Uganda Development Corporation. We must, therefore, distinguish which of those are for the development company and what involves the development corporation before we do the schedule.

**MR RUKUTANA:** Madam Chairperson, we passed subclause (2) of 33. The minister shall in accordance with clause 4(1) by statutory order list other property, rights, assets, liabilities and obligations.

If it is true like Members are arguing that there are so many other properties which are not included here, under this clause, the minister will by statutory order list them. We should list those that we know and we give leeway to the minister to list those ones which we do not know yet. This is because I am told they are so many. However, we can pass the law and allow the minister to list them later.

**MR MUWUMA:** Madam Chairperson, the Attorney-General is just helping the House to get confused. I am sorry to state this. As we are legislating, we cannot from the onset begin projecting that the minister will come. That is for the future. As of now, before we pass this law, we need to have these details of the schedule.

Like Members have proposed, I am of the view that instead of the Attorney-General wasting the time of this House, let them take the two days that Members are comfortable with. Then on Tuesday, we can start on that note when the minister of finance is here and the minister of trade is set. Then we can go through it. I submit.

**THE CHAIRPERSON:** Honourable members, the consideration of this Bill is deferred. I invite the minister to move a motion for the House to resume.

MOTION FOR THE HOUSE TO RESUME

3.48

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE) (Mr David Wakikona):** Madam Chairperson, I move a motion that the House do resume and the Committee of the whole House reports thereto.

**THE CHAIRPERSON:** Honourable members, I put the question to the motion.

*(Question put and agreed to.)*

*(The House resumed, the Speaker presiding\_)*

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

3.49

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE)** (**Mr David Wakikona):** Madam Speaker, I report that the Committee of the whole House has considered schedule 2 of the Uganda Development Corporation Bill, 2014 and has deferred the matter until further notice.

MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

 3.49

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (TRADE) (Mr David Wakikona):** Madam Speaker, I beg to move that the House adopts the report of the Committee of the whole House.

**THE SPEAKER:** Honourable members, I put the question to the motion.

*(Question put and agreed to.)*

*(Report adopted)*

BILLS

SECOND READING

THE IMMUNISATION BILL, 2014

3.50

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Speaker, I beg to move that the Bill entitled, “The Immunisation Bill, 2014” be read the second time.

**THE SPEAKER:** Is the motion seconded? It is seconded by several members of the House. Justify it.

**MS OLERU:** Madam Speaker, the object of the Bill is to reduce morbidity, mortality, disability due to life threatening situations in children, women of reproductive age and other target groups and to strengthen the public health through improved access to immunisation services.

**THE SPEAKER:** Can I invite the chairperson to give us a report?

3.52

**DR MEDARD BITEKYEREZO (NRM, Mbarara Municipality, Mbarara):** Thank you so much, Madam Speaker. I would like to give you the report of the Committee on Health on the Immunisation Bill, 2014. Before I read it, I beg to lay on the Table the minutes from the meetings, which we had with various stakeholders on this Bill.

The Immunisation Bill, 2014 is a Private Members’ Bill which was moved by hon. Huda Oleru.

The committee scrutinised the Bill and hereby presents its findings and recommendations. We had meetings with the Ministry of Health, Sabin Vaccine Institute and United States Aids Agency for International Development -

**THE SPEAKER:** The Members can read those ones.

**DR BITEKYEREZO:** When you look at the existing laws on immunisation, they are inadequate and scattered in various Acts and subsidiary legislations. Most provisions on immunisation of children and women of reproductive age against immunisable diseases apply to particular districts.

Once again, the existing legislation on immunisation contains some provisions that do not reset the current developments in the area of public health. The diseases covered include small pox, plague, Asiatic cholera, yellow fever, Cerebrospinal meningitis, typhus, sleeping sickness or human Trypanosomiasis. However, others are left out.

Enforcement measures are inadequate such as penalties for parents and other caretakers who do not take their children for immunisation. Those who propagate false information on immunisation and also strengthening the participation of all stakeholders involved are not included in the current legislation.

Madam Speaker, you have heard some people going on radios to de-campaign immunisation. This legislation will cater for those ones. This is so that they can stop telling lies about immunisation including what they do not know.

The committee observed the following:

Let me go to compulsory immunisation on page 3.

Immunisation is one of the best investments a country can make for the health and vitality of its population and it is among the most successful public health interventions in preventing morbidity, mortality and health care costs.

The committee observed that despite the Government’s efforts to provide the vaccines required for compulsory immunisation, some parents are still reluctant to take their children for immunisation. This needs to be dealt with. The committee is also concerned about the different sects of people that are de-campaigning immunisation.

This has led to the accumulation of unimmunised children causing outbreaks which end up affecting other children. The committee recommends that for compulsory immunisation to succeed, Government should provide the vaccines in a timely manner and ensure that they are well stored so that they do not lose potency; that is efficaciousness.

The role of the State in vaccination

The committee observed that Uganda’s immunisation coverage performance – that is on page 4 - has varied over the past years fluctuating from high to a low coverage, an indication of a vulnerable system.

The immunisation programme registered progressive improvement between 2000 and 2004 as routine vaccines achieved above 20 per cent coverage by 2004. The main contributing factors at the time were GAVI support, Sustainable Outreach Services (SOS), the Reaching Every District (RED) Approach and EPI, and IDSR - that is Integrated Disease Surveillance and Risk Response.

The committee further observed that for compulsory immunisation to be possible, there is need for the law to focus on the roles of the state. For example:

1) Providing vaccines and all the attendant materials in a timely manner.

2) Ensuring that the vaccines are kept safe and efficacious at all times through providing an efficient cold chain system.

3) Ensuring that immunisation cards are available at all times.

4) Ensuring that immunisation records for each child are easily retrievable in case of damage or loss.

5) Ensuring that a parent keeps the immunisation card for each child for at least 15 years.

6) Ensuring proper monitoring and care in case of adverse effects following immunisation.

The committee, therefore, recommends that Government puts emphasis on conducting awareness campaigns all over the whole country to ensure that all citizens appreciate the benefits of immunisation and the dangers of lack of immunisation.

On page no.5, I will talk briefly about immunisation financing and administration fund. The committee was informed that immunisation programmes cover around 70 per cent of the eligible children but costs of immunisation have been rapidly rising.

Vaccinating a calf costs around $30 to have it fully immunized. The committee was also informed that Government of Uganda funded 55 per cent of the routine immunisation services in 2009/2010 and 2013/2013, while external donors: GAVI, WHO and UNICEF contributed a substantial portion of the operational costs.

The committee further observed that limited funding of immunisation programmes have impacted negatively on its performance and, therefore, there is need for strategies to address the gap in order to ensure continued delivery of quality immunisation services.

The committee also observed that sustainable financing of immunisation is a critical issue, especially given the fact that there are many new and expensive vaccines that are coming up, for instance, the Human Papilloma Virus for vaccination of girls from getting cancer of the cervix and the Rotavirus vaccine, which prevents children from getting viral diarrhoea.

The committee strongly recommends that there is need to create an independent body that shall be in charge of managing the immunisation funds. Government should also ensure sustainable financing for immunisation so that in case donors withdraw like they almost withdrew when we were passing the other Bill which I do not want to talk about –*(Laughter)-* our children are safe.

There is an issue of protection of health workers from immunisable diseases. The committee noted that the Bill does not provide for the protection of all health workers, who by virtue of their work are exposed to a number of job-related vaccine preventable diseases like Hepatitis B, for which we gave money and up to now there are some problems. The committee recommends that the Bill should also provide for the protection of the health workers.

On page 6 on the schedule of diseases for which immunisation is compulsory, the committee observed that the schedule of diseases for which immunisation is compulsory is incomplete. There are new vaccines that have been approved and these include the Pneumococcal Conjugate Vaccine (PCV), the human papillomavirus vaccine and the rotavirus. The committee recommends that the schedule of the Bill should be amended to include these new compulsory vaccines.

Madam Speaker, I do not want to be wordy today. As for my colleagues, the best gift we can give to the children and mothers of this country this year is a law that is going to give vaccines to our children so that when we are all gone, we leave a population that is disease-free. I beg to report, and I thank you very much.

**THE SPEAKER:** Thank you very much, honourable Chairperson and the Committee on Health. Honourable members, the report has been signed by the necessary minimum of one-third of the members, you are therefore free to debate.

**MS OGWAL:** Madam Speaker, I would like to appreciate the report which has been presented to Parliament this afternoon and you know that when you called us, we sacrificed a lot to be here. However, I am surprised that while this very important subject is being presented on the Floor of Parliament - and the Clerk did us a favour that since yesterday, the Order Paper has been circulated very early. Therefore, all the ministers, regardless of whether they are upcountry or around, are supposed to know the subject which is coming up.

The subject of immunisation is a very important one as it affects all of us. I am surprised that there is no minister of health who is in the House. I know that the Deputy Prime Minister is here, but what can he do with health? He is not running the Ministry of Health?

Madam Speaker, there are more than two ministers in that sector and right now as you are presenting this matter, we cannot talk to ourselves. You, the Speaker, however serious the matter is, cannot help us. You can only provide us with the money – you cannot help us.

You yourself put aside Shs 10 billion for vaccination of hepatitis B, but up to now, we have not seen any tangible report. Madam Speaker, please help us. What are we going to do? Are we going to discuss this matter in the ears of the Prime Minister? He is overstretched and we really do not know what would be the outcome of the wonderful deliberations and debate we are going to engage in on this subject.

**THE SPEAKER:** Honourable members, this is a Private Member’s Bill and I think that if we are interested in the lives of the children of Uganda, we should not delay because the ministers are not here. Let us proceed. However, if the chief whip could locate where the ministers are –

**DR BITEKYREREZO:** Madam Speaker, I would like to inform the House that today, my Committee on Health was meant to meet the Minister of Health on the Budget Framework Paper here. We were informed by a commissioner from Ministry of Health that the Minister in charge of Primary Health Care, hon. Sarah Opendi, has gone to handle issues of cholera in Busia District. It was very understandable.

The Minister in charge of General Duties went to Kabale to officiate over a very powerful function. The full Minister, Dr Elioda Tumwesigye, was attending a ground-breaking ceremony for Aga Khan Hospital and did not come. I suspended meetings because there was no way I could talk to a commissioner without talking to the permanent secretary and the minister because these are the people that we are giving the money. I beg to report.

4.04

**THE THIRD DEPUTY PRIME MINISTER AND MINISTER FOR EAST AFRICAN AFFAIRS (Mr Kirunda Kivejinja):** Thank you very much, Madam Speaker. I would like to give information which is as fresh as I am in the House. The minister and the permanent secretary this morning joined the President and the Aga Khan in handing over 60 acres at Nakawa, to build a university teaching hospital. He had not gone for graduation and I was on that occasion *- (Interruption)*

**MS OGWAL:** Madam Speaker, I just wanted the latest -

**THE SPEAKER:** Hon. Ogwal, we do not interrupt maiden speeches.

**MS OGWAL:** I agree but because of the seriousness of this matter, if any minister was going to be absent, the Speaker should have been informed. Maybe the Speaker could help us; did you get any information, a telephone call, a letter to say that the ministers were going to be so busy in hospital with the President and nobody was specifically assigned the duty of taking over this matter? Have you been informed?

They know the procedure and I believe that the latest minister ought to have known that when a minister is going to be away, the Speaker should have been informed. The Speaker would have even withdrawn this subject from the Order Paper because she knows that it is not just about debating it; it is about debating and implementation.

Madam Speaker, is it therefore in order for a Member who has just entered the House to cover up the weaknesses of the minister without acquainting himself of how this House has been frustrated by the low performance of the ministers?

**THE SPEAKER:** Honourable members, the Business Committee sat several weeks ago and it included the Prime Minister. We agreed that we shall interrupt the recess of the Members to come back to deal with the National Budget Framework Paper. In furtherance of that, I requested the Electoral Commission to suspend parliamentary campaigns so that Members could be here to complete this work. Therefore, Prime Minister, what excuse do you have? This is something we agreed upon together.

4.06

**THE SECOND DEPUTY PRIME MINISTER AND DEPUTY LEADER OF GOVERNMENT BUSINESS (GEN. MOSES ALI):** Madam Speaker, I accept the concern of our colleagues but we cannot undo the situation we are in now. The ministers are not here, we are faced with a Bill, and you had already ruled that notwithstanding all these shortcomings, we should continue debating to save the children of Uganda. That will not stop ministers from being informed of our decisions because we have no time. If we do not take a decision now, it will show that we are really not concerned. Procedures and others do not help our children; I concur with your decision, let us debate this problem notwithstanding all the shortcomings.

4.08

**MS JOVAH KAMATEEKA (NRM, Woman Representative, Mitooma):** Thank you, Madam Speaker. I would like to thank the committee for the concise report on a matter that concerns all of us and the future of this nation. I would like to pay tribute to hon. Huda for tabling this Private Member’s Bill.

I rise to support the recommendation of the committee that Government should conduct awareness campaigns to ensure that all citizens appreciate the benefits of immunisation and the dangers for lack of it.

Madam Speaker, immunisation has been with us for so long that people have taken it for granted and that is why we have an increase of cases of immunisable diseases. It is incumbent upon Government to take it upon itself to always remind the citizens about the need for immunising all of our children against these diseases so that we have a healthy population.

We are aware of the negative cultural practices that hinder some of the parents from taking their children for immunisation, and we should have these continuous campaigns to sensitise all of them to ensure that the children go for immunisation.

There is also increasing misinformation from some religious bodies that have false teachings against immunisation that sick people should not be taken to hospital, they should not swallow drugs. There is need for continuous sensitisation of the masses against these practices. I am sure that once Government does this, we would have fewer cases of these immunisable diseases.

Madam Speaker, there is a recommendation that there should be a separate body to handle immunisation funds. I am not so sure that the problems that we have now is because of lack of a body. We need increased funding for immunisation to go to the Ministry of Health.

I feel that having separate bodies for each and everything also increases the cost of administration. Therefore, if we could allocate sufficient funding for immunisation and make sure that whatever is allocated goes to immunisation and to the right activities including raising of awareness, I think we would achieve the same results without necessarily creating a separate body. Thank you.

4.12

**MS MARGARET BABA DIRI (NRM, Woman Representative, Koboko):** Thank you, Madam Speaker. I would like to thank hon. Huda for bringing this Private Member’s Bill on immunisation. The issue of immunisation is very important.

If every mother, father and guardian knows that we can prevent a number of diseases and a number of deaths of children, we would not have required a law. We would just bring it voluntarily. However, because of ignorance and carelessness, we feel we are forcing our people to immunise their children by law.

If we immunise our children, we avoid disability. In the developed countries you cannot see blind people who are young; there are only older persons. The other disabilities are sometimes caused by accident; it is because they have embraced immunisation. Therefore**,** it is important that we pass this law and to pass this law, we need all the commodities required like the personnel to do the immunisation, drugs and the cold chain because we may create the law, but if all these accessories are not here, it will not help.

I, therefore, call upon our Minister of Health and Government to ensure that we have all the drugs, personnel and equipment in place so that our work is to ensure that the parents bring their children for immunisation. Let us embrace immunisation so that we avoid deaths of children and disability. I thank you very much.

4.12

**MR JOSHUA ANYWARACH (Independent, Padyere County, Nebbi):** Madam Speaker, I have no doubt in my mind that we need this law.

My first caution; in the US, they are discussing the frequency of administering vaccines on children. The more frequently you administer vaccine for the same immunisable disease, the more the children are exposed to conditions like autism. This is even worse in Italy and parents of such children have even taken their governments to court.

My second caution is that as we make this law, we should have the institutional framework and the capacity of our scientists so that they check on the following things:

1. The quality of the vaccine,
2. The lifespan of the vaccine, and
3. The effectiveness of the vaccine given the profit maximisation tendency of the pharmaceuticals.

Madam Speaker, a law that we make now must not only be so biased and vested with a lot of sweeping statements on negative cultural and religious practices, but must be based on scientific questions, findings and facts because any mistake on a child cannot be corrected. I know of children under the circumcision policy of Government who have lost their manhood because of the defects caused by circumcision. The circumciser is paid Shs 30,000 to Shs 45,000 for every cut and there is a rush to circumcise, which rush can cause errors. All these things come to our country and our people are left to wonder about – my child is now permanently not going to function which may even affect the child’s productivity.

My precaution here is – I thank hon. Huda for leading this very nice move to pass the law, but then *– (Member timed out.)*

4.17

**MS BEATRICE ANYWAR (FDC, Woman Representative, Kitgum):** I thank you very much, Madam Speaker. I would like to thank the committee for this passionate presentation.

As a mother and as mothers countrywide, we are appreciative of this move because at the end of the day it is the mothers of this country that go through the pain of seeing their own helplessly dying or in pain.

I wish to emphasise that the accessibility of this immunisation should be of great concern. Many times we have even had drugs in the stores lying idle without reaching the beneficiaries. We hope that this time around we shall see children in the rural setup equally accessing this immunisation. We should intensify the sensitisation.

Notwithstanding the religious feelings, I think that the target should be the mothers who should appreciate the benefits of immunisation.

I am also concerned that most of the time these kits need to be kept in certain conditions like refrigeration which, if you look at our country, we do not have power or the alternative in the rural setting. The kits are transported from some place to another and this has an effect on the quality of the kit. We would like for this to be put into consideration and we ensure that the kits are put under the desirable conditions so that we are not giving out poison, but something that will save the lives of the children.

The other concern is that many times when we have massive immunisation in our country, there are people who will volunteer to do this in the villages and they will travel long distances on foot, but they are quite very disappointed that when they offer this service, even the little allowance that is due to them and can assist them in moving from one point to another is not paid.

If we want this thing to be effective this time, let us also consider those village health teams that walk across the areas knowing that they will at least have some little refund to make them move.

I would like us to encourage the scientists to continue doing research on the existing immunisation drugs, and to also get some drugs to immunise the children against some of the new diseases so that we are on top of issues. Like for my case, we have funny diseases among our children like the nodding syndrome which is a puzzle as nobody is getting to the root cause of it.

If our scientists are facilitated to carry out research, they would help us as a country and probably have a lot of these medicines for immunisation to reduce on the expense on treatment because we would have gone to the preventative aspect of it. I thank you, Madam Speaker.

4.21

**MS LYNDAH TIMBIGAMBA (NRM, Woman Representative, Kyenjojo):** I thank you so much, Madam Speaker. I thank you, hon. Huda Oleru, the brain behind this Bill.

Honourable colleagues were talking about the rumour of the results of immunisation being poor. I remember in 1989 when the rumour was spread that all children immunised in that year were supposed to die and I was also supposed to die. I believed that in the following year I was going to die. So, as we legislate on this Bill, we should ensure that people who spread such rumours will be penalised.

I also request for a penalty for parents who deliberately refuse to immunise their children because of some background information hidden among them. As we look forward to massive immunisation, I also look forward to private clinics providing the service for free like it is in Government hospitals because at a certain point, they are paid for.

The immunisation points are still a distance from the parents. I therefore request that the committee should consider the immunisation points being nearer to the parents such that we can fight the diseases that can be fought in the country. I thank you so much.

4.23

**MR FELIX OKOT OGONG (NRM, Dokolo County, Dokolo):** Madam Speaker, allow me thank Members who brought this Bill. When you talk about immunisation, what comes into my mind is the role of the state in providing health and medical services to its citizens. Last week, I stood on this Floor to talk about Hepatitis B, which is an immunisable disease and yet it is affecting our people.

Madam Speaker, you are now saying you are making it compulsory and I do agree that it should be compulsory. However, as far as I know the Constitution, it is the right of the state to do it and it is our right to be immunised. I informed this House last week that I am burying a number of our people on a daily basis – dying of Hepatitis B. Now we are making this law to compel Government to immunise our people and also to compel our people to go for immunisation.

The problem is not our people because they are willing to go for immunisation, but the services are not there; the vaccines are not there. My people are currently looking for a vaccine against Hepatitis B but they cannot get it moreover they are even too poor to afford it and now we are here in Parliament, passing a law. Why don’t we just pass money? We could say, “Today, as Parliament, we are going to allocate eight percent of our budget to immunisation” and money will be available and people will be immunised.

However, we are now here calling on people to go for immunisation yet our people are ready and willing. Even if it were declared today, they would fill all the health centres in this country. We do not need to force them, but instead we need to urge our Government to facilitate the process –*(Member timed out.)*

**THE SPEAKER:** Half a minute for you, hon. Okot Ogong.

**MR OKOT OGONG:** Madam Speaker, as I wind up, I want to appeal to my serious Government – because as NRM we are serious members and we are ready to take our country to the next destination from 2016 to 2021. Therefore, I would like to appeal to my Government that as we go towards 2016, let us provide more money towards the vaccination of our people, especially against hepatitis B.

4.27

**MR FRED BADDA (NRM, Bujumba County, Kalangala):** Thank you, Madam Speaker. I would also like to thank hon. Huda Oleru and the committee for bringing up this Private Members Bill and I really support the Bill. However, to a certain degree, I disagree with my honourable colleague, hon. Okot Ogong, who says that just appropriating money and delivering vaccines will be enough. I think we must be aware that some of our communities are still entangled in superstitious mentality and sensitisation alone cannot be enough to convince many of these people. Therefore, at a certain point, we need to put a law to somehow force them to take children for immunisation so that we have healthy communities.

On another point, I would like to implore my honourable colleagues; since you already know that many of these vaccines are a product of biotechnology – and remember we have a Bill on biotechnology and biosafety. In order to keep these vaccines safe and to be produced and imported in a safe way, we really need to make sure we put in place the biotechnology and biosafety law. You remember my honourable colleague here said that we do not need only to push and sanction people who are reluctant to vaccinate their children, but we have to ensure that the procedures are proper, the process is well done and the safety of the vaccines is taken into consideration, and we cannot do that when we are handling a biotechnology product.

Therefore, as soon as possible, after passing this law, we will also need to pass the biotechnology and biosafety law. I thank –*(Interruption)*

**MR DENIS OBUA:** Madam Speaker, the information I would like to give this House through hon. Badda’s contribution is that 99 per cent of products that are used as vaccines for immunisation are products from biotechnology. Therefore, I would like to support him. This is because it is useless for us to talk about passing an immunisation Bill into law when we are importing almost 99 per cent of all these products, which are products of biotechnology moreover we have a Bill lying before this Parliament.

4.30

**MR TERENCE ACHIA (NRM, Bokora County, Napak):** Thank you, Madam Speaker. As this is going to be compulsory immunisation, my point of concern here is on the penalty. It says: *“A person who, without lawful excuse, contravenes section 3(i), (iii), (iv), 4(i) and (v) of this Act commits an offence and is liable on conviction to a fine not exceeding 12 currency points or imprisonment not exceeding six months or both.”*

Now, my point of concern is this: How do we track these people who have not been immunised? What mechanisms have been put in place for us to find these people? How can we keep track of the children who have not been immunised? That is my point of concern.

4.32

**MR MILTON MUWUMA (NRM, Kigulu County South, Iganga):** Thank you, Madam Speaker. I want to salute the private member who moved this Bill and also the committee for the good work done. This Bill is timely; I recall that in eastern Uganda we have been struggling with cults – we were in Mbale the other day engaging with the so-called religious leaders who are operating cults. In Iganga, we have been battling with them. So, I feel by us coming up with this law, we are going to tame the situation. This law requires serious support and backing.

Madam Speaker, before Gen. Aronda passed on, we arrested very many cult operators in Busoga subregion who were totally opposed to such programmes as this but when it came to parading them in the courts of law, they were challenging us by questioning under which law we were charging them. They therefore emerged heroes because we were just charging them for sabotaging Government programmes. Therefore, the courts of law had a challenge as much as they were concerned. I thus appeal to whoever has reservations to support this law.

The other issue is about compelling Government and stakeholders to provide the necessary drugs and vaccines that are supposed to be used to immunise our children. When they were launching the pneumococcal vaccine, it was done in my constituency and we did a lot of mobilisation because there was a lot of excitement. To date, people are asking when our girls are going to be immunised against HPV. This law will also help us to enforce and compel power centres to ensure that we provide these drugs. I thank you very much, Madam Speaker.

3.34

**MR HASSAN FUNGAROO (FDC, Obongi County, Moyo):** Thank you very much, Madam Speaker. The Rt Hon. Prime Minister and the special elder recognised here. First and foremost, there is the issue of compulsion; why do we want to make it compulsory for immunisation to be done in this country? Immunisation, safe motherhood, safe circumcision and many other such programmes, which are science oriented and sponsored from outside, must be critically examined by our scientists. Today you are saying compulsory immunisation, tomorrow you will be forced to say compulsory family planning and next time you will be told compulsory safe motherhood.

What is very important for us to do, therefore, picking from the contribution of my colleague, hon. Anywarach, is that we must make the provisions available to foster immunisation and encourage people to go for immunisation other than saying it is compulsory. If you look at the debate about population, the people in the West complain about the large number of children in Africa. Now, if immunisation is to prevent children from dying, it means it is increasing the number of children in Africa which is a problem for those people in the West. Therefore, behind this move of immunisation, there could be a plan, I suspect, to kill the children of Africa. *(Interjections)* Why are they so mad about immunisation in Africa? *(Interruption)*

**MS AMODING:** Madam Speaker, I am a mother and many mothers are listening to the honourable colleague make such a contribution, which is not only full of contradiction but also not scientific. Is he in order to mislead the people that are listening in and the public that we are talking to that this vaccine or the vaccines that are being applied in this nation are not properly applied? I think the honourable member is making an allegation which is not substantiated and so I wonder if he is in order?

**THE SPEAKER:** Honourable members, to the best of my knowledge, the immunisation programme is a programme of the Government of Uganda. It is not an imposition from anywhere. You are out of order.

**MR FUNGAROO:** Thank you very much, Madam Speaker, for your wise ruling. However, as I sit down, God has given me the brain to think and suspect. Thank you very much.

4.36

**MR GERALD KARUHANGA (Independent, Youth Representative, Western):** Thank you very much, Madam Speaker. The United Nations Convention on Rights of the Child particularly Article 6, which in material respect is substantially reflected in our Constitution, provides that the state shall have the obligation of taking into concern the survival and development of a child. This also encompasses the development of a child as far as talents, mental and physical abilities are concerned. Now, if we are ensuring that the children of this country access this particular right, then they must be all the children of Uganda.

That takes into account the aspects of discrimination. Discrimination can be structured where we have places that we call hard-to-reach areas like Kalangala and so many others and because of that, the health facilities are not so well placed. So, even when we pass a wonderful law like this one - and we indeed appreciate our colleagues for coming up with this proposed law - we also have to take serious decisions particularly when we are passing the budget. Indeed, all Ugandans irrespective of where they are placed, born and live should access this right. It is an important right, one that we must allow every single Ugandan to access. We must do everything within our means. Therefore, I implore colleagues to take note whenever we are passing the budget and dealing with health. I thank you, Madam Speaker.

4.40

**MR BENSON OBUA-OGWAL (UPC, Moroto County, Alebtong):** Thank you, Madam Speaker. I would like to use the opportunity to thank hon. Huda Oleru for tabling this Bill and seeing it to this stage. I want to assure you that even as it is now, certain that you are not coming back to the Tenth Parliament, this is very historical. This Bill that you have really tabled will go down in history as one of your biggest contributions to this nation.

Madam Speaker, when we approach this Bill, we should have a very holistic and global picture of what is at stake. Immunisation is not a Ugandan thing but a global issue. This law is very much in consonance with what is happening around the globe. In considering this Bill, I am very aware - because I followed it from the word go - that every precaution has been taken to ensure that it conforms to international standards.

Even when the ministers are not here as it has been said earlier, I am also fully aware that they are in support of this Bill one hundred per cent. Their absence here should not cause us any worry. What remains is for us to go into the nitty-gritty of this Bill and ensure that we expeditiously pass it.

I would like to allay the fears of some Members, especially hon. Anywarach, that diseases such as autism, ADHD and others have been attributed to vaccines. This is not true. Just do some simple research and it will show you that CDC has conducted very extensive research and they concluded their findings in 2013, which show that autism has nothing to do with vaccines.

Madam Speaker, permit me to also add that the Government of Uganda owes it to its citizens to ensure that vaccines are universally accessible. I am very privileged to be a member of the Uganda National Immunisation Technical Advisory Group which advises the Government on immunisation. It is a very independent panel composed of experts. I am there by virtue of the fact that I am a sociologist, but the rest of the people are experts in the field of immunisation and medicine. A lot of care has been taken to ensure that every single vaccine being introduced to Uganda is absolutely very safe. Therefore, there should be no worry.

On that note, Madam Speaker, it is my prayer that we shorten this debate so that we go and pass this brief, but very historic Bill, and we go on to another very historic Bill, which is in the offing soon after here. *(Applause)*

**THE SPEAKER:** Thank you. Honourable members, other than one contributor who was hesitant, the majority are really in support of the Bill. I would, therefore, like to put the question that the Bill be read for a second time.

*(Question put and agreed to.)*

BILLS

COMMITTEE STAGE

THE IMMUNISATION BILL, 2014

Clause 1

**THE CHAIRPERSON:** I put the question that clause 1 do stand part of the Bill.

*(Question put and agreed to.)*

*Clause 1, agreed to.*

**THE CHAIRPERSON:** We shall defer clause 2 until the end.

Clause 3

**DR BITEKYEREZO:** Madam Chairperson, in clause 3 – immunisation of children - we propose an amendment to subclause (5) to substitute “10 years” with “15 years”. The justification is: To ensure that the immunisation card is kept until a child completes primary school.

**THE CHAIRPERSON**: Honourable members, the question is that clause 3 be amended as proposed.

*(Question put and agreed to.)*

*Clause 3, as amended, agreed to.*

Clause 4

**DR BITEKYEREZO:** Clause 4 is about the production of immunisation cards before admission to day-care centre, pre-primary or primary education. We would like to insert a new subclause immediately after subclause (2) to read as follows: “A person responsible for admission of a child under subsection (1) shall keep a copy of an immunisation card of every child who is admitted to day care centre, pre-primary or primary education.”

The justification is that we want to ensure that an inventory of the status of immunisation of the children admitted to day-care centres, pre-primary or primary education is well maintained.

**THE CHAIRPERSON:** Honourable members, the question is that clause 4 be amended as proposed.

*(Question put and agreed to.)*

**MR ANYWARACH:** Madam Chairperson, I would like to raise a procedural issue that we do not even have copies of the Bill on the iPad. The network is down.

**THE CHAIRPERSON:** No; I think your iPad is faulty. I put the question that clause 4, as amended, do stand part of the Bill.

*(Question put and agreed to.)*

*Clause 4, as amended, agreed to.*

Clause 5

**DR BITEKYEREZO:** Regarding tetanus immunisation for women under clause 5(1), we want to substitute for word “woman” appearing in line 1 with the word “female”. This is to ensure proper grammatical usage.

Two, we propose to insert a new subclause immediately after subclause (2) to read as follows: “Notwithstanding subsection (2), an educational institution to which a female child from the age of 15 to 17 years attends school shall be responsible for ensuring that the female child is appropriately immunised against tetanus in accordance with the third schedule.”

The justification is: To ensure that educational institutions join in ensuring that a female child in the age bracket of 15 to 17 years receives tetanus immunisation.

**THE CHAIRPERSON:** Honourable members, the question is that clause 5 be amended as proposed.

*(Question put and agreed to.)*

*Clause 5, as amended, agreed to.*

Clause 6

**DR BITEKYEREZO:** On immunisation against Human Papillomavirus (HPV), we propose to insert the words “in accordance with the fourth schedule” at the end of the provision. This is to ensure clarity.

**MR KABAJO:** Madam Chairperson, I have one issue with this particular provision which says that a parent of a child from the age of 10 to 12 years shall ensure that the child is immunised against human papillomavirus. You say “ensure” but I do not see this vaccine among the vaccines which will be provided by the Government freely; what about a parent who cannot afford to pay for this vaccine?

**DR BITEKYEREZO:** Thank you very much, Madam Chairperson. In our proposal, the vaccine against human papillomavirus should be given freely. What we are trying to say is that parents should ensure that the girl children are vaccinated.

**THE CHAIRPERSON:** Honourable members, the question is that clause 6 be amended as proposed.

*(Question put and agreed to.)*

*Clause 6, as amended, agreed to.*

Clause 7

**DR BITEKYEREZO:** In clause 7 - free provision of vaccines - we want to rephrase the provision to read as follows:

“Free provision of services and other related services

The state shall provide free vaccines and other related services to every Ugandan required to receive vaccination under sections 3, 5 and 6.”

The justification is: One, to broaden the provision and ensure that even the auxiliary services to the immunisation process are also provided by the state; and two, the inclusion of section 6 under clause 7 is to ensure that the HPV vaccine is also provided by the state at no cost.

**THE CHAIRPERSON:** Honourable chairperson, wouldn’t it be better if you said “free provision of immunisation services and other related services”. Here you have said “free provision of services and other related services”.

**DR BITEKYEREZO:** We should say “free provision of immunisation services and other related services”.

**THE CHAIRPERSON:** Honourable members, the question is that clause 7 be amended as proposed.

*(Question put and agreed to.)*

*Clause 7, as amended, agreed to.*

*Clause 8, agreed to.*

Clause 9

**DR BITEKYEREZO:** Clause 9 is about penalties. We propose to rephrase the entire provision to read as follows:

“(1) Subject to sections 7 and 8, a person, who without lawful excuse contravenes sections 3(1), 5 or 6 commits an offence and is liable on conviction to a fine not exceeding 12 currency points or imprisonment not exceeding six months or to both.

(2) A person who contravenes section 4(1) commits an offence and is liable on conviction to a fine not exceeding 12 currency points or imprisonment not exceeding six months or both.”

This is to avoid unfair prosecution especially where non-compliance with sections 3(1), (5) or (6) is as a result of failure on the part of the state to provide vaccines and ensure accessibility.

**MR SSEMPIJJA**: Madam Chairperson, I would like hon. Bitekyerezo to clarify why we are making this law. The most important thing is to make it compulsory for compliance; do you think “not exceeding 6 months” is really strong enough considering what we know? What is the justification?

**DR BITEKYEREZO:** Thank you so much, hon. Ssempijja. Madam Chairperson and honourable colleagues, we had meetings and we thought about a mother who has not taken a child for immunisation. If you talk about putting a mother in prison for more than two years because she has not taken a child for immunisation, again there are going to be some other children at home who are not going to be catered for.

For some of you who have never been to prison, sleeping in prison for only one night, Madam Chairperson, is very painful. (*Laughter*) We thought then as a committee that if we could put this person in prison for about six months, it will be enough to put sense in the person’s mind. We were, therefore, trying to make a law that can be applied to the people, more so, mothers. We would not want to put mothers in prison for long. I thank you.

**THE CHAIRPERSON:** I hope when you are imprisoning mothers, you also take the fathers. (*Laughter*) Honourable members, the question is that clause 9 be amended as proposed.

(*Question put and agreed to.*)

*Clause 9, as amended, agreed to.*

*Clause 10, agreed to.*

Clause 11

**DR BITEKYEREZO:** Clause 11 is on information about other vaccines. We propose to rephrase the entire provision to read as follows: “The minister may issue guidelines regarding the accessibility to and administration of vaccines for other immunisable diseases of public health interest.” The justification is that we want to broaden the provision.

**THE CHAIRPERSON:** Honourable members, the question is that clause 11 be amended as proposed -

**DR BITEKYEREZO:** We would like to insert two new clauses under part IV of the Bill.

**THE CHAIRPERSON:** Are they under clause 11?

**DR BITEKYEREZO:** Yes.

“Misleading information about vaccines

(1) A person shall not make, cause to be made, or publish any misleading statement or information regarding the use or effect of any vaccine.”-

**THE CHAIRPERSON:** Chairperson, part IV is after clause 12. Let us deal with clause 11, continue to clause 12 and then go to part IV.

I put the question that clause 11 be amended as proposed.

*(Question put and agreed to.)*

*Clause 11, as amended, agreed to.*

*Clause 12, agreed to.*

Clause 13

**THE CHAIRPERSON:** We are now under part IV; this is where you wanted to bring the new clauses. Honourable members, I put the question that clause 13 stands part of the Bill.

*(Question put and agreed to.)*

*Clause 13, agreed to.*

Clause 14

**THE CHAIRPERSON:** He would like to introduce some new subclauses. Are they under clause 13? Okay, they will come at the end. The drafting people will know where to place them in the sequence.

I put the question that clause 14 do stand part of the Bill.

(*Question put and agreed to.)*

*Clause 14, agreed to.*

*Clause 15, agreed to.*

*Clause 16, agreed to.*

**THE CHAIRPERSON:** Now you can move.

**DR BITEKYEREZO:** Madam Chairperson, under miscellaneous, we would like to insert two new clauses under part IV of the Bill to read as follows:

“Misleading information about vaccines

(1) A person shall not make, cause to be made or publish any misleading statement or information regarding the use or effects of any vaccine.

(2) A person who contravenes this section commits an offence and is liable, on conviction, to a fine not exceeding 48 currency points or imprisonment not exceeding two years or to both.”

The justification is to ensure that any person who uses wrongful propaganda against any vaccine, like hon. Fungaroo, is held liable. *(Laughter)*

We also would like to insert the following:

“Protection of health workers against immunisable diseases

 A health institution shall ensure that every health worker who by virtue of his or her occupation may be exposed to an immunisable disease is immunised against the disease free of charge.” The justification is: To offer protection to health workers who are more susceptible to immunisable diseases by virtue of the nature of their work.

We would also like to insert a new part immediately after part III - immunisation fund. Madam Chairperson, this comes in bearing in mind that we have had problems actually with donors, more so when we make some laws that in a way offend them; and we still have a conviction that as a country there are some things that we shall not eat because culturally we do not eat them.

“Establishment of the immunisation fund

(1) There is established an immunisation fund.

(2) The fund shall be housed in the Ministry of Health.

Object of the fund

The object of the fund is to purchase vaccines and related supplies, cold chains and funding of immunisation outreach activities.”

We have even put the sources of funds.

“Sources of funds

The monies of the fund shall consist of-

(a) monies appropriated by Parliament for the purposes of the fund;

(b) donations; and

(c) money received by the fund by way of voluntary contributions.”

We have also put a provision for administration of the fund.

“(1) The fund shall be administered and governed by an immunisation board.

(2) The board shall consist of the following-

(a) a representative from the ministry responsible for health who shall be the chairperson;

(b) a representative of the Ministry of Finance, Planning and Economic Development;

(c) a representative of the Ministry of Education and Sports;

(d) a representative of the Ministry of Local Government;

(e) a person from the National Medical Stores;

(f) a representative from the private sector;

(g) a representative from health development partners;

(h) a representative from the civil society organisation.

(3) All members of the board shall be appointed by the minister on the recommendation of their respective institutions.

(4) The minister shall, in making the appointments to the board, take into consideration gender equity.”

We have put a provision for vacating office of the members of the board and meetings of the board on page 11.

Madam Chairperson, we would like to also have a secretary to the board who will be designated by the minister. The secretary will be responsible for taking all the minutes. We would like to have annual reports, plus audit reports because it is going to involve some money, so that nobody embezzles it.

The justification:

* To ensure that all funding to immunisation is in one place.
* The creation of the immunisation fund will create better bargaining power for the fund.
* The creation of the fund will also create greater confidence to the donors who may still want to give us some money.

We would like to also insert a new clause under part IV to read as follows:

“State obligations -

**THE CHAIRPERSON:** Chairperson, you talked about the secretary but you have not actually presented a proposal. You just talked about the secretary – “The minister shall designate…” All those you did not include to be put on record.

**MS KAMATEEKA:** Thank you, Madam Chairperson. Unfortunately, I did not hear what you said to the chairperson. However, I am seeking clarification. I support the creation of the fund. However, when I look at the composition - Ministry of Education and other sectors - I wonder if this fund cannot be managed by the permanent secretary.

My worry is about increasing the cost of administration. You have these people who have to sit several times and draw all these allowances and yet these funds could go into the provision of the service. The honourable minister is mentioning benchmarking. Can’t we have the fund in place but being managed by the permanent secretary?

I am sure right now there is an arrangement in the ministry under which funds for immunisation are managed. We could, therefore, strengthen that administrative arrangement without creating a board to manage the fund. I am seeking clarification from the chairperson as to whether this is possible.

**MR KASULE:** I want to also argue in favour of the proposal she is making. You said we should create a fund and then the fund is housed within the ministry; how then will other ministries get to be part of the funding of the health ministry. Given that the fund we are trying to create is appropriated by Parliament for Ministry of Health and then you invite the Ministry of Education and the PS; what are we trying to create?

I think this is an abnormal fund. Since you have not created a body and this immunisation is taken care of by the Ministry of Health, why would we create a special fund within the ministry that already brings here their BFPs for appropriation before Parliament?

**DR BITEKYEREZO**: Madam Chairperson and colleagues, as a doctor, the challenge I have when I chair the Committee of Health and then interface with the Ministry of Health is that there is some information that trickles to us from that ministry. Some of it is not good, and I am going to be very diplomatic in this one.

We have been challenged by submissions from the ministry by technocrats in the Ministry of Health. Let me give you an example. When hepatitis B was killing people in this country, people came to meet us and they told us that vaccination of Ugandans against hepatitis B to them was an unfunded priority. However, they gave us a budget which included too much money. It talked about seminars in hotels. You can imagine people were dying but someone was budgeting for a seminar in a hotel. He was not budgeting for a vaccine to stop people from dying.

In our view, with my colleagues on the Committee of Health, based on the information we got from interfacing with people from even the ministry, they felt that we should just create an organisation with this ministry to manage this specific fund. If we do not do it, they would put it in seminars.

Madam Chairperson, I have had exchanges with the Ministry of Health even on hepatitis B money. We gave them the money and the following morning they wanted to use up Shs 1.5 billion as running costs. They had even included teaching nurses on how to inject people. I asked them which nurse in this country has been trained and she cannot give a vaccine or an injection. I can give an injection and you can even give an injection as long as you know that they are going to push it in the vascular muscle here. We saw that there was a problem and we said that was going to be a checkpoint for them to ensure that when you bring in very many stakeholders, they will meet once in a while to ensure that this money will not be misappropriated.

Madam Chairperson and colleagues, we thought about this thing I am talking about so that immunisation is not looked at as less of a priority. There is a saying in my culture that during the burial of the mother-in-law of hyena, somebody suggested that she should be buried very deep because our hearts are not the same. Therefore, in the ministry, there are some people with very good hearts for human beings but there are also others who are there as simple civil servants and they do not mind about what is happening in our constituencies.

As Parliament, therefore, we are saying nobody like a child or mother should die deep in the village when somebody is in a seminar. I am begging you *- (Interruption)*

**MR KASULE:** Madam Chairperson, I propose that we have a fund that is managed by the permanent secretary, confined in the Ministry of Health and ring-fenced for immunisation activities like research and others. It should not be mingled with other monies if that is the intention. Just ring-fence a fund for immunisation and the name can be suggested by anyone.

**THE CHAIRPERSON:** Let us hear from the mover.

**MS OLERU:** Thank you, Madam Chairperson. We really took time to see to it and decide that we must have a fund for immunisation, given what we have gone through. We are aware as a country that immunisation is still effective in Uganda because we are getting donor funds. We can give examples; when GAVI withdrew, we had a big challenge. So, if we had our own fund, even if they had withdrawn we would still not have gone through the ups and downs we went through. That is why we need to have this fund.

Another reason as to why we need to have this fund is because right now immunisation funds are just within the Ministry of Health; it is, therefore, up to the PS to see whether he will give us the money for immunisation or not. I want to tell you that for primary healthcare, monthly they release Shs 100,000 to run immunisation activities and every other activity. When we were doing research, we only realised that Shs 20,000 is given to a health centre to run immunisation activities and for the outreaches. What can Shs 20,000 do? We really need to accept this; let us have this fund.

In composing the body, we have decided to put somebody from the Ministry of Education and other ministries. This is because we know that the Ministry of Education is a key stakeholder on issues of children. Here we also have a proposal that parents of the children that could be admitted probably in primary school or pre-primary must be responsible. When they are admitting any child, the parent should bring immunisation cards.

Therefore, there are stakeholders that we cannot leave out. Let us not only look at the administrative costs; what is the impact for the women and children in this country? Thank you.

**MR OBUA-OGWAL:** Madam Chairperson, we pride ourselves in the fact that we are making steady progress. However, that comes with a catch. The day Uganda is struck off the HIPC and then we attain a middle income status, that very day Uganda will not be eligible for GAVI. That could easily happen in about four years if we are to believe in steady progress. We, therefore, need to really build our buffer of funds in preparation for that time.

To say that we are going to put such a fund in the ministry to be taken care of by the permanent secretary, to me is wishful thinking because it will not serve its purpose. We need to set up this fund and make it totally independent, just like we did with the Road Fund and I believe the other funds.

We need to prepare for the time when we become a middle income status country. I just want to caution us to look ahead. I think such a fund would even help us to liaise with GAVI to see how it is being used, even in the interim, before we become independent in the sense that I have been talking about. Thank you, Madam Chairperson.

**MR ATIKU:** Thank you, Madam Chairperson. I totally agree with the committee chairperson and the mover of the Bill. In the proposal, one of the sources of funding is Parliament, and just like hon. Obua-Ogwal has said, we are preparing as a country to begin facilitating this process ourselves. We are all aware that the immunisation processes in this country are about 80 per cent funded by donors and other partners; this kind of provision in a Bill or the law, therefore, guarantees our future operations.

Giving Parliament the mandate to allocate resources in this law guarantees or safeguards, or what Member called ring-fences, the fund. We would not even need ring-fencing because whenever we have a fund, even if the financial year ends, that money or the resources will remain in that fund and the board will take care of those resources; when there is need, the board will be able to take a decision. If we leave it under the permanent secretary, once the financial year ends then the money goes back to the central reserve. We will then have to appropriate it afresh and there will be other competing needs. I am, therefore, for the fund and I would like to appeal to colleagues *–(Interruption)*

**MR KASULE:** Madam Chairperson, maybe you can allow a few Members to sit and come up with something. However, the information I can give is that when you create a fund, you have to create a body that will manage it and they will want it away from the permanent secretary – to be independent and managed differently, or ring-fenced. It then needs a formulation - the fund and the body that will manage it - and then you bring it into the law. Otherwise, if you create a fund without a body to manage it, I think we will be wasting time.

**THE DEPUTY CHAIRPERSON:** Where is the body?

**MR ATIKU:** I would like to believe that when we passed the HIV/AIDS Bill, we created an HIV/AIDS fund. When the mover of this Bill was bringing this proposal, they did some benchmarking, comparing notes with other funds that this House has passed. I, therefore, would like to believe that the structure that is being proposed, particularly for administration of the fund, does not leave the permanent secretary totally out of the fund. We have the Road Fund; I am sure the PS of the Ministry of Works is part of that fund.

I, therefore, do not know where hon. Kasule’s fear comes from. My belief is that this structure is not coming out of the blue; it is something that is being practiced. Therefore, we should give the committee and the mover of the motion *-(Interruption)*

**MR BANYENZAKI:** Thank you very much, honourable member. I would like to support the Member’s view. There are so many boards that we have in many ministries and it does not stop the permanent secretaries of those ministries from playing an oversight role over those bodies. Members should, therefore, not be worried that when you create a board, then the permanent secretary has no oversight role.

I also agree that this is the only way that we can ring-fence that money because it is going to play a very critical role in immunising our children and in preserving their lives. Members should, therefore, not worry that when we create a board, the permanent secretary has no control over that money; he will have the control.

**THE CHAIRPERSON:** Honourable chairperson, please complete your proposals. You stopped at part IV but you did not talk about the vacating bit and meetings of the board; you went straight to the secretary to the board, but you did not even present the proposals.

**DR BITEKYEREZO:** Madam Chairperson, I can take you back to the proposal on vacating the office of members of the board. We propose as follows:

“A member of the board shall vacate office if the member-

(a) is continuously and persistently unable to discharge the functions of the office of a member of the board;

(b) ceases to belong to the institution which she or he represents on the board;

(c) misbehaves or abuses the office of a member of the board.”

Under meetings of the board, we propose as follows:

(1) The board shall meet at least once every three months for the purposes of discharging its functions.

(2) The minister shall by regulation provide for the procedure and conduct of the meetings of the board.”

Under secretary to the board, we propose as follows:

“(1) The minister shall designate an officer from the Ministry of Health not below the rank of a commissioner to be the secretary to the board.

(2) The secretary to the board shall be responsible for taking all the minutes of the meetings of the board.

(3) The secretary to the board shall perform all other duties and functions that the board or the minister may assign him or her.”

Under annual reports, we propose as follows: “The board shall, not later than three months after the end of each financial year, make and submit to the minister a report on the fund’s activities during that financial year.”

Under audit reports, we propose as follows: “The annual statement of account of the fund shall be audited within four months after the end of each financial year by the Auditor-General or an auditor appointed by him or her who shall be entitled to have access to all books of accounts, vouchers and other financial records of the fund and to require such information and explanation on them as he or she thinks fit.”

The justification is:

* To ensure that all funding to immunisation is in one place.
* To ensure the creation of an immunisation fund which will later create better bargaining power for the fund.
* Creation of the fund, which will also create greater confidence to the donors.

Under part IV, we propose to insert a new clause to read as follows:

“State obligations

The state shall devise measures to-

(a) provide every child with a serialised immunisation card upon first immunisation contact;

(b) put in place a system that enables medical practitioners to capture data on each immunisation card and to be able to easily retrieve the information in case of damage to the card or loss of a card; and

(c) put in place a system for replacing destroyed or lost immunisation cards.

The justification is to ensure that systems are put in place to create an enabling environment to achieve the object of the Bill.

**THE DEPUTY CHAIRPERSON:** Honourable members, the question is that new clauses be introduced as proposed.

**MR MWIRU:** Madam Chairperson, I have an amendment under the duties of the secretary. The secretary can only be assigned any other work by the board and not by the minister. I propose that we delete “the minister” because this is not a secretary to the minister. So, it should be “any other duty as may be assigned by the board” and we do away with “the minister”. Thank you.

**MR ANYWARACH:** Madam Chairperson, I am of the view that that whole amendment should be deleted. My reason is that we have an underfunded ministry, looking at a very sensitive area, and we want to put a fund whose management will be very expensive because it has very many people.

Madam Chairperson, you know the challenges the Uganda Road Fund goes through. We rejected the issue of funds the other time when we were making a law here and we were suggesting that there should be an NGO board fund. We rejected it because we thought it may be abused. Nothing stops any person in the ministry - Members, I would like to appeal to our conscience - or even a member of the board of this fund from abusing the fund as long as they do not make immunisation a priority.

Let us prioritise in terms of allocation. Let us give money for immunisation to the ministry directly without necessarily creating a fund. We are going to get ourselves in a situation where too many people are eating from the same fund in terms of social overhead costs. As Parliament, let us appropriate and give money straight to the mother ministry, on the vote of the mother ministry, and say, “this is for immunisation”. We are scared that money is being used for hotels, workshops; are we not the ones who appropriate the money? We can say we are reducing on social overhead costs or we budget and we want to prioritise A, B, C, D.

Mr Chairman, you are our very good friend and I think you love the children. The little that we put towards the children must go directly to the children. It is just like you and I; if you have a huge campaign team and you channel money through them, you are going to lose like you who has lost the election. I am not saying that you lost rightly but here *-(Interjections)-* They rigged you out. However, if you have money that goes effectively to do exactly what you want - Who is a permanent secretary? He is accountable to us under article 164 of the Constitution. Why should we get scared that the funds *–(Interruption)*

**MS OLERU:** Are you aware that immunisation does not even have a vote? How do you begin allocating money for immunisation when you do not have a specific vote that it will go to? Please, this is in good faith. If you know that in future you will be a father or you will have a wife, let us try to focus in the interest of Ugandans who are the majority. Thank you.

**MR MWIRU:** Madam Chairperson, to contextualise this does not mean that when you create a fund, people just use the money the way they want. Article 153 of the Constitution says all money should go to the Consolidated Fund but it creates exceptions - there is a fund which can go straight to the fund but the entity must produce a budget and it must be appropriated by Parliament. The difference is that you have a guarantee that this money is secure because it is in the fund. People do not use it the way they want because it is a fund. All expenditures of that entity are deployed from that fund.

**DR BITEKYEREZO:** Let me give more information. However, I would like to tell you that I was only rigged in one subcounty through ballot stuffing. I did not lose just like that; it was because of the chairman of the Movement of Mbarara, but I am a very strong man. I opted not to stand as an Independent because I feel the chairman was not a good man, and it is a principle of NRM.

Madam Chairperson and colleagues, I would like hon. Anywarach to know that the Ministry of Health is a very big ministry. I will tell you why we wanted to bring in these people. I am the chairman of the board of the AIDS Information Centre. When you come there, it is almost a voluntary service. We only give you Shs 100,000, which is not too much money. However, the checks we put in place are very important. This is not a money making board; it is there to check.

Let me inform you about what happened. After giving the Ministry of Health the hepatitis B immunisation funds, the first thing they wanted to do was to buy two cars at Shs 300 million. I said, “you want to buy two cars but you have so many cars”. If you went to the Ministry of Health, you will find so many cars parked there and some are even rotten but you see them buying new ones. I asked them, “Why do you want luxury when children are dying?” Imagine Parliament got this money from the budget! I chased them away about two times - hon. Bernard Atiku was there.

That is why we are saying, let us bring people from outside so that in case one or two people in the ministry want to cause chaos and divert this money, there will be a whistle blower who will say, “No”. Just imagine if you got an old person who is mature like hon. Kivejinja, you cannot eat money when he is aware; he will rebuke you because it is meant for children. That is why we want an educationist and one person from other sectors on that board to manage that money.

Colleagues, I am kindly requesting you to pass this because some of us know very well our colleagues in the Ministry of Health. We are trying to be diplomatic but if this board is not there, this money will be diverted. Please, help us.

**THE CHAIRPERSON:** Honourable members, I put the question that the proposals be amended as proposed.

*(Question put and agreed to.)*

*Clauses, agreed to.*

*First Schedule, agreed to.*

Second Schedule

**DR BITEKYEREZO:** Madam Chairperson, we propose to redraft the entire second schedule to read as follows:

“Diseases for which immunisation is compulsory.

Vaccine: BCG one

Targeted disease: Tuberculosis

Doses required: One

Minimum interval between doses: None

Period within which to administer the vaccine: At birth or first contact.

Administration: Intradermal, that is in the skin;

Site of administration: Right upper arm.

Vaccine: DPT Heb+Hib;

Targeted Diseases: Whooping cough, tetanus, hepatitis B and haemophilus influenza

Doses required: Three

Minimum interval between doses: Four weeks

Period within which to administer the vaccines: At six weeks or first contact after that age

Administration: Intra-muscularly

Site of administration: Outer upper aspect of the left thigh.

Vaccine: Polio

Targeted disease: Polio

Doses required: 0+3

Minimum interval between doses: Four weeks

Period within which to administer the vaccine: At birth or within the first two weeks (Polio 0) and six weeks or first contact after six weeks (Polio 1)

Administration: Orally

Site of administration: The mouth.

Vaccine: Measles

Targeted disease: Measles

Doses Required: One *–(Interruption)*

**MR ANYWARACH**: Madam Chairperson, I am not a medical practitioner neither a professional in the medical field. However, from the perspective of a lawyer, I would think what my learned doctor is reading would be what should go in the regulations. This is because you can never tell how fluctuations of diseases will manifest and we may take leave from what is stringently legally laid down here. Are we, therefore, proceeding rightly, Madam Chair? Thank you.

**MS KAMATEEKA**: Madam Chairperson, I think this House should have due regard for other arms of Government. If we were to take the proposals as read to us by the chairperson, we would really be overstepping the mark and going into the roles of the Ministry of Health. Therefore, I would like to support hon. Anywarach.

**MR KASULE:** Can I give information? Last week, we heard that instead of polio being immunised by a drop in the mouth, it changed to injections *-(Interjections)-* It was mentioned last week! Now, if we put it in the law, how will it be changed? Science changes all the time and we may have to come back and say, for example, that it is now an injection on the leg or a drop in the mouth.

**DR BITEKYEREZO:** What I am trying to tell you, honourable colleagues, is that this is practical and it is science that we are doing. We are trying to make sure that we give you what we have extracted from the World Health Organisation guidelines on immunisation so that nobody starts putting things that do not exist. When you look at the justification, we are trying to ensure that the second schedule effects the current trend of vaccines and their administration under compulsory immunisation.

**MS KAMATEEKA:** I thank you for the information. You correctly said that these are guidelines. I do think that this part should indeed be in the guidelines rather than in the main law. I thank you.

**MR YAGUMA:** If there is anything that is dynamic, it is science as said by my doctor friend. I think we should leave shifting these things for the time being so that the Ministry of Health, in consultation with UNICEF, will always give guidance to what should be done at any given time. I thank you.

**DR BITEKYEREZO:** Madam Chairperson, it seems the jargon has become very complicated for many. Let me concede and say that we give the ministry the chance to include schedules according to *-(Interjections)-* The schedule remains but the regulations and guidelines are put by the Ministry of Health in consultation with UNICEF and the World Health Organisation guidelines.

**MR ANYWARACH:** Madam Chairperson, I know that we are about to conclude this law, but there is something that I do not want to go unnoticed. When he mentioned that a doctor who is being exposed to immunisable disease will be immunised for free, I got scared. This is because we are making a law that will compel people to pay for immunisation irrespective of how expensive the vaccines may be. This clarification should be clear so that we go back very sure of what we are talking about.

**THE CHAIRPERSON:** Honourable members, let us first deal with the schedule. Are you speaking to the proposal in the Bill and withdrawing your amendments here, because it is slightly different from what we have here?

**DR BITEKYEREZO:** When you look at the old Bill, there are some diseases that are not put in the schedule. By amending the schedules, we were trying to make sure that we include diseases that are immunisable but are not here. I will advise that you just allow me to mention some disease conditions that should be put in the first schedule –

**THE CHAIRPERSON:** No, I think we have finished the first schedule and we are now dealing with the second.

**DR BITEKYEREZO:** So, we do not have any problem with the first schedule?

**THE CHAIRPERSON:** Yes.

**DR BITEKYEREZO:** It is okay.

**THE CHAIRPERSON:** Do we retain the proposal as contained in the Bill, because it is different from this one? Okay, I now put the question that the Second Schedule do stand part of the Bill.

*(Question put and agreed to.)*

*The Second Schedule, agreed to.*

Third Schedule

**DR BITEKYEREZO:** We would like to redraft the entire schedule and we insert an immunisation schedule for the tetanus toxoid vaccine with intervals that are listed. The justification is for clarity.

**MR KASULE:** Madam Chairperson, given the arguments that Members had earlier given, will it be possible for us to name the diseases and not the schedules as to when you immunize such that those ones can be altered as the science grows?

**MR KABAJO:** In the Bill we have drafted, it is stated somewhere that the minister may amend the schedules by statutory instrument. This means that when the science changes, the minister will accordingly make amendments and under the regulations, the minister can at any time alter the schedules as per the need and practical realities on the ground.

I had some questions in my mind why we were specifying that we must inject on the upper left arm. I was wondering, if somebody had had an accident and has no upper left arm, what happens? *(Laughter)* I think that for such practical considerations, the minister will make the appropriate regulations and amendments to the schedules. We, therefore, do not have to worry so much since we have allowed the minister to make amendments to these schedules as and when it is needed.

**THE CHAIRPERSON:** Honourable members, I put the question that the third schedule be amended as proposed.

*(Question put and agreed to.)*

*Third Schedule, as amended, agreed to.*

**DR BITEKYEREZO:** We would like to insert a new schedule immediately after the third schedule for the immunisation schedule for Human Papillomavirus (HPV) because it is not included. The vaccine in question is HPV. The justification is that it is for clarity and it has its mechanisms of administration. So, we want to make sure that we include the HPV with its schedules to ease the administration of the vaccine.

**THE CHAIRPERSON:** Honourable members, I put the question that a new schedule be introduced as proposed.

*(Question put and agreed to.)*

Fourth Schedule

**DR BITEKYEREZO:** We propose to delete the fourth schedule. The Justification is that it has been catered for under the amendment proposed under clause 11.

**THE CHAIRPERSON:** Honourable members, I put the question that the fourth schedule be deleted.

*(Question put and agreed to.)*

Clause 2

**DR BITEKYEREZO:** Clause 2 is the interpretation clause. Under the interpretation of pre-primary school, substitute the word “five” appearing in line three of the definition with the word “six”.

The justification is to ensure consistency with the Education (Pre-Primary, Primary and Post-Primary) Act, 2008.

**MR KASULE:** Madam Chairperson, I do not know whether we are concluding, but we have been reminded that pneumococcal was left out and yet we had amended the schedule.

**THE CHAIRPERSON:** Which one?

**MR KASULE:** Pneumococcal. Is it there in the amendment because we deleted the schedule in which it was?

**DR BITEKYEREZO:** I would like to inform the Member that when you go to the second schedule which we wanted to redraft, there is the PVC 10 which is the Pneumococcal Conjugate Vaccine (PVC), which is already in the redrafted second schedule. It is in the second schedule and that is why we even deleted the fourth schedule.

**THE CHAIRPERSON:** You withdrew this and what we passed is this. What we passed is this one which stops with measles. You withdrew and we passed this one. I think we have to re-commit.

I put the question that clause 2 be amended as proposed.

*(Question put and agreed to.)*

*Clause 2, as amended, agreed to.*

*The Title, agreed to.*

MOTION FOR THE HOUSE TO RESUME

5.44

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

**THE CHAIRPERSON:** Honourable members, I put the question.

*(Question put and agreed to.)*

*(The House resumed, the Speaker presiding\_)*

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

5.45

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Speaker, I beg to report that the Committee of the whole House has considered the Immunization Bill, 2014 and passed some clauses with amendments. I beg to report.

MOTION FOR THE ADOPTION OF THE REPORT FROM

THE COMMITTEE OF THE WHOLE HOUSE

5.46

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Speaker, I beg to move that the report from the Committee of the whole House be adopted.

**THE SPEAKER:** Honourable members, I put the question.

*(Question put and agreed to.)*

*Report adopted.*

5.47

**THE CHAIRPERSON, COMMITTEE ON HEALTH** **(Dr Medard Bitekyerezo):** Madam Speaker, I beg to re-commit the second schedule and to re-draft it as Vaccine BCG, DPT HepB+Hib but include PCV 10, which is Pneumococcal Conjugate Vaccine.

**THE SPEAKER:** Honourable members, the question is that the second schedule be re-committed.

*(Question put and agreed to.)*

BILLS

COMMITTEE STAGE

THE IMMUNISATION BILL, 2014

Second Schedule

**DR BITEKYEREZO:** Madam Chairperson, I beg to re-draft the entire second schedule as follows: I beg to include BCG, DPT HepB+Hib, polio, measles and also include PCV 10, which is the pneumococcal vaccine for pneumonia. The doses required are three; the minimum interval between doses is four weeks. We want to give it at six weeks or after first contact at that age. It is to be given intra-muscularly on the outer upper aspect of the left thigh. I beg to move.

**MR KASULE:** Madam Chair, I propose that we put a rider on the schedule saying, “and any other immunisable disease that could emerge”.

**DR BITEKYEREZO:** I concede.

**THE CHAIRPERSON:** But where are we going to put it? Okay, honourable members, I put the question that the second schedule be amended as proposed.

*(Question put and agreed to.)*

*The Second Schedule, as amended, agreed to.*

MOTION FOR THE HOUSE TO RESUME

5.49

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

**THE CHAIRPERSON:** Honourable members, I put the question.

*(Question put and agreed to.)*

*(The House resumed, the Speaker presiding.)*

REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE

5.50

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Speaker, I beg to report that the Committee of the whole House has considered the second schedule of the Immunization Bill, 2014 and passed it with amendments. I beg to report.

MOTION FOR THE ADOPTION OF THE REPORT FROM

THE COMMITTEE OF THE WHOLE HOUSE

5.50

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Speaker, I beg to move that the report from the Committee of the whole House be adopted.

**THE SPEAKER:** Honourable members, I put the question.

*(Question put and agreed to.)*

*Report adopted.*

BILLS

THIRD READING

THE IMMUNIZATION BILL, 2014

5.51

**MS HUDA OLERU (NRM, Woman Representative, Yumbe):** Madam Speaker, I beg to move that the Bill entitled, “The Immunization Bill, 2014” be read for the third time and do pass. I beg to move.

**THE SPEAKER:** Honourable members, I put the question that the Bill entitled, “The Immunization Bill, 2014” be read for the third time and do pass.

*(Question put and agreed to.)*

A BILL FOR AN ACT ENTITLED, “THE IMMUNIZATION ACT, 2015”

**THE SPEAKER:** The title is settled and Bill passed. Congratulations to hon. Huda Oleru and the Committee on Health for presenting this very important legislation on behalf of the children of this country. (*Dr Bitekyerezo rose\_)* Do you want to thank us?

**DR BITEKYEREZO:** Madam Speaker and members of the House, you know I am left with about five months to leave this House - *(Laughter) -* as Member of Parliament for Mbarara Municipality.I would like to thank you for giving us this opportunity to give a gift to the children, mothers and fathers of this country as we go back to our places.

Madam Speaker, I have watched very many children die in the hospital where I have been working. I am very sure, now that this Bill is passed, if we get vaccines and we give them to our people, our children will no longer die and the disease burden in this country will go down and the money we spend on treating patients for these diseases is going to reduce.

I want to thank hon. Huda Oleru. Hon. Oleru and I did not stand as Independents; we have opted to go and do some other things. However, if this Government thinks we can be useful, we are available and we shall come back. *(Laughter)* I am sending a message to hon. Kivejinja that hon. Oleru and I, the Chairperson of the Committee on Health, are readily available and we can come back as ex-officio Members if you think we are helpful. *(Laughter)*

We thank you very much and merry Christmas. Madam Speaker, may God reward you for what you have done for this country. Thank you.

**THE SPEAKER:** Thank you very much. Hon. Oleru? *(Laughter)*

**MS OLERU:** Madam Speaker, I take this opportunity to thank the Members and the committee for supporting me with this Bill. I also want to take a special opportunity to thank you, Madam Speaker. You are a mother and my mentor. When I developed the idea about this Bill, you are the first person I went to for advice. You told me to come up with a private Members’ Bill. You are here to develop us. I am very proud of you.

Even if I am not going to be in the next Parliament, you are my mentor, Madam Speaker, and I want to thank you. I know there are so many women in this country who admire you and who want to grow in their career. Although we are told that politics is not a career, after ten years in this House I believe it is also a career. Thank you very much for making us grow.

**THE SPEAKER**: Thank you very much. Honourable members-

**MR OKUPA:** Madam Speaker, I want to thank Dr Bitekyerezo and hon. Oleru for the excellent work they have done. I think in record time since they took office, it is one of the committees that has performed very well. I think they have passed three Bills.

Having been the chairperson of the Committee on Health, last week there was the issue of Abim that came up and I remember Dr Bitekyerezo had visited that place before. The fate of those nurses whom the CAO is terrorising - I remember when the doctor came here he did report to this House that the CAO had taken over the house of the medical doctor. This is the very CAO who is harassing the nurses who have tried to live under difficult circumstances.

I also recall in the Public Accounts Committee when a report was brought here, the same CAO failed to give an account for the Shs 900 million, which went missing in that hospital. The reason he gave when he was asked for the document was that termites ate the documents. (*Interruption*)

**DR BITEKYEREZO:** Madam Speaker and colleagues, I want to thank hon. Okupa for bringing up the issue of the nurses of Abim.

We went to Abim Hospital as a Committee on Health; by then, Dr Omona was our chairperson. We found that this hospital did not have a toilet and running water. The house meant for the doctor was occupied by the CAO. When we looked for him, he hid and refused to see us. The procurement officer of Abim District has never studied procurement at all but is a doctor they picked from somewhere to do procurement.

Madam Speaker, the nurses of Abim, if you look at what happened, were innocent creatures that just gave information in a wrong fora, struggling to see whether this hospital can work. If you go to Abim, you will find faecal matter everywhere. The theatre has bats hanging, and the bed for operations is not very good.

Madam Speaker, as I told you, some of us are getting out of this Parliament, but we urge those who are going to come back - and I pray that you come back - sincerely speaking, if we keep penalising nurses for speaking the truth innocently, we are behaving as if we are beating a mattress that has been urinated on and we are leaving the people who are urinating on it. *(Laughter*) That is why we are saying that the Parliament of Uganda should urge or tell the Prime Minister, who is the Leader of Government Business, to immediately go and rescue Abim Hospital.

That is why the minister of health is not here. If he had gone to Abim after seeing that thing, I would be the happiest person. Aga Khan is also very important but Abim is very important for the Ministry of Health because Mulago is already there and we have got so many universities. As we leave, let somebody travel to Abim from the Ministry of Health and see what is happening there. The nurses should not be penalised; they are innocent. They said the truth and then they were given funny letters. Those letters should be withdrawn because now, the careers of these nurses are tampered with. They cannot be promoted because they say they released information they were not supposed to. That is what we call an occupational hazard.

Madam Speaker, if this Parliament cannot safeguard these innocent women of Abim who are working and they do not have where to go for short calls - why should we keep quiet when things are going wrong? I am very happy hon. Okupa brought it up. Thank you very much, but I want this Parliament to help us. We should make sure that we save Abim Hospital so that whether Besigye, Mbabazi or President Museveni or even the Speaker visit Abim, they find it a very good hospital. If you get a problem in Abim, you should go to Abim Hospital and not be taken to die somewhere else. That hospital is not functioning at all. I thank you very much.

**THE SPEAKER**: Honourable members, I do not know why fuss is being made about these nurses who allowed people to see what is already clear. First of all, about one and half years ago, the district council of Abim travelled here to Parliament to complain that they had expected their hospital to be among those to be refurbished under the ADB and suddenly, at the last minute, it was deleted from the list; they came here very angry. That is why I sent the Committee on Health to go and find out what was happening and give us a report, which we debated here. We asked Government to rescue Abim Hospital; so, it is not a secret.

I do not know what the fuss is about. I do not know who does not know that there is no hospital there. I think, honourable members, we may need to, maybe on Tuesday, bring a motion to discuss that issue and make a resolution because they came here saying that there is no hospital. We cannot pretend that it is there.

**MR ANYWRACH:** Madam Speaker, I want to support your guidance. I remember when the council of Abim came here, for us in Nebbi we were being stampeded on and being told that the amount that was allocated under the same budget for renovating Nebbi Hospital would not be the same amount of Shs 9 billion but Shs 5 billion. They changed the design and everything and we complained in vain. We went to the ministry and their explanation was that there were other hospitals that would be served under the same amount and Abim Hospital was mentioned among them.

When I went to South Africa, I almost shed tears. They have a hospital functioning so well and yet it existed before 1900. Their system is perfect. Madam Speaker, if you go to the village where I come from, we hear that Mama Kits are being sent to Parombo Health Centre III, for example, but when you go there, you will not find any. Poor pregnant women have to buy them.

In most cases, condoms will arrive in a consignment for drugs and almost only a quarter will be drugs. People wait with their medical forms because they are told on a certain day to come for the drugs but there are no drugs. Prescriptions are made and then they tell you to go and buy. People will always sit around the health centres waiting. When the consignment arrives, people run with their medical forms of even two weeks ago and ask for drugs because they had not bought them. In two days, the drugs are gone.

This is, therefore, a wake-up call for Government. Instead of punishing our poor nurses, actually we need more nurses and midwives. Thank you very much, Madam Speaker, for that appeal.

BILLS

SECOND READING

THE CHILDREN (AMENDMENT) (NO. 2) BILL, 2015

**MS KAMATEKA:** Madam Speaker, considering that it is now 6 o’ clock and notice was given to this House that there would be Christmas carols today beginning at 4.30 p.m., I would propose that you give us a chance to attend the Christmas carols and we consider this Bill on Tuesday. Therefore, Madam Speaker, the procedural issue I am raising is, would it not be appropriate for us to adjourn until Tuesday?

**THE SPEAKER:** Honourable members, time is of essence and we want you to concentrate on the Budget Framework Paper. I do not want to call you tomorrow. All these Bills are important. I think let us receive the report and see what to do. *(Applause)*

6.05

**THE SHADOW MINISTER FOR YOUTH (Mr Bernard Atiku):** Thank you, Madam Speaker. I beg to move that the Bill entitled, “The Children (Amendment) (No.2) Bill, 2015” be read for the second time.

**THE SPEAKER:** It is seconded from both sides of the House. Please, justify.

**MR ATIKU:** Madam Speaker, the Children Act, Cap.59 was an attempt to codify Uganda’s then existing legal obligations under the national, regional and international human rights instruments, which it had ratified and needed domestication for enforceability.

The Children Act – then statute – provided for the care, protection and maintenance of the children, local authority support to children, establishment of family and children courts, child offenders, and defined a child to be any person below the age of 18 years old.

Although this was a good initiative in regard to providing a holistic approach for the rights of the child, there were a number of gaps that continued to pose challenges in enforcement of the provisions therein, thus negatively impacting the realisation of the rights of the children in the country. Specifically, there was concern over the omission of issues provided for in the optional protocols. One was on the use of children in armed forces and the other on the sale of children, child prostitution and child pornography, which were ratified by Uganda in 2002.

The other emerging aspects within the country context that have given rise to new challenges and gaps include but are not limited to the following:

1) Emerging forms of child abuse including child sacrifice, pornography and sex tourism which are not covered by the current provisions.

2) The non-specification of circumstances under which legal guardianship can be pursued and the rules of procedures thereof that have made it possible for the circumvention of adoption processes.

3) Responsibility for reporting incidents of abuse of children not explicitly defined, leaving it nobody’s business even among professionals such as social workers and teachers. This has contributed to continuing abuse of children with impunity.

4) A lack of sanctions for contravening provisions therein such as the operation of children’s homes without approval, employment of children in harmful labour and so on.

5) The right of children belonging to parents in special circumstances, including incarcerated parents or refugee parents, are not provided for in the current provisions of the Act.

Madam Speaker, it is against the above background that efforts have been undertaken by child actors to review the Children Act. This process commenced in 2004 when hon. Okot Ogong was still the Minister of State for Youth and Children’s Affairs in the Ministry of Gender, Labour and Social Development. For 11 years, the children of Uganda have been waiting for this Bill to come to Parliament.

Before I proceed, allow me to share with you a chronology of actions undertaken on the Children’s Act amendment between 2004 and 2015. The process of drafting the Bill was consultative incorporating views from key stakeholders especially child rights agencies, both national and international. A technical team comprising legal and social policy experts was constituted and they facilitated the drafting in liaison with the Parliamentary Counsel.

Drawing on the guidance by the Attorney-General, the team utilised recommendations of the report of the Law Reform Commission of 2010. In addition, the team also made reference to regional and international treaty provisions and recommendations made to Uganda as well as UN general comments on specific child rights issues.

The following documents were presented to the parliamentary Committee on Gender, Labour and Social Development as part of the documentation for consideration of this Bill:

1) Uganda Law Reform Commission Report on the Review of the Children Act, 2010;

2) Government White Paper on the report of the Commission of Inquiry into the Constitutional Review, 2004.

3) The report of the Committee on Legal and Parliamentary Affairs on the Government White Paper on Constitutional Review and political transition.

4) An extract of the *Hansard* of Parliament of Uganda, of Thursday, 15 December 2011.

*5) Hansard* of the Parliament of Uganda, of 20 November 2014.

6) Concluding observations of the Committee on the Rights of the Child on implementation of the Convention on the Rights of the Child, Uganda, 2005.

7) Concluding observations of the Committee on the Rights of the Child on the implementation of the optional protocol to the Convention on the Sale of Children, Child Prostitution and Child Pornography, Uganda, 2008.

8) Laws of Kenya, the Children’s Act, Cap. 141.

9) The Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption.

10) The UN Committee on the Rights of the Child, General Comment No.5, 2003, general measures of implementation of the Convention on the Rights of the Child.

11) General Comment No.8, 2006, the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment.

12) General comment No.13, 2011, the right of the child to freedom from all forms of violence.

13) General Comment No14, 2013, the right of the child to have his or her best interest taken as a primary consideration.

14) The joint general recommendation/General Comment No.31 of the Committee on the Elimination of Discrimination against Women, and No.18 of the Committee on the Rights of the Child on Harmful Practices.

Madam Speaker, the august House granted me leave on 20 November 2014 as part of activities to commemorate 25 years of the UN Convention on the Rights of the Child. The Parliament of Uganda observed a special session during which the Uganda Parliamentary Forum for Children (UPFC) presented a motion and Parliament granted me leave.

**THE SPEAKER:** Hon. Atiku, is all that necessary? You just needed to state the objectives of the Bill and we receive the report.

**MR ATIKU:** Madam Speaker, this was just the chronology. I thought it was important.

**THE SPEAKER:** Let us listen to the views of the committee because this is your proposal.

**MR ATIKU:** If you guide so, we can proceed to the conclusion.

I would like to acknowledge the support accorded to me and UPFC by the Office of the Speaker, Office of the Clerk, Legal and Parliamentary Affairs Department and all the Members of Parliament. I commend the parliamentary staff and the entire committee for the support despite the challenges. I beg to move.

**THE SPEAKER:** Thank you.

6.13

**MR JOSHUA ANYWARACH (Independent, Padyere County, Nebbi):** Madam Speaker, I beg to present the report of the Committee on Gender, Labour and Social Development on the Children (Amendment) (No. 2) Bill, 2011. I beg to lay on the Table a copy of the report and minutes of the proceedings.

Madam Speaker, the Children (Amendment) (No.2) Bill, 2015 was read for the first time on 19 February 2015 and it was referred to the Committee on Gender, Labour and Social Development in accordance with rule 118 of the Rules of Procedure of Parliament.

Background

The Children Act Cap. 59 was an attempt to codify Uganda’s then existing legal obligations under the national, regional and international human rights instruments which it had ratified and needed domestication for enforceability.

The Act provided for the care, protection and maintenance of children, local authorities support to children and establishment of family and children courts, child offenders and defines a child to be a person below the age of 18.

Madam Speaker, I would beg that in the interest of time, I go to the observations and recommendations.

The Convention on the Rights of Children

Uganda is a signatory to the Hague Convention on the Rights of Children. The convention provides that inter-country adoption maybe considered as an alternative means of child care.

The main objectives of the convention are:

1. To establish safeguards to ensure that inter-country adoptions take place in the best interest of the child with his or her fundamental rights as recognised in the international law.
2. To establish a system of co-operation amongst contracting states to ensure that those safeguards are respected and thereby prevent abduction, sale or trafficking of children.

The committee recommends that Uganda ratifies and domesticates the convention to secure recognition in contracting states of adoption and other rights of the child made in accordance with the convention.

Madam Speaker, the committee observed that over the years, there has been an unprecedented increase in the inter-country adoptions through the use of legal guardianship process and these adoptions are meant to be finalised outside Uganda. The financial incentives embedded in the facilitation of legal guardianship and adoption is making the process unethical with elements of child trafficking being increasingly associated with it.

Clause 13 of the Bill proposed to reduce the period of fostering and issuance of an adoption order from 36 months to 24 months.

The committee observes that the period of 24 months is still a long period compared to other neighbouring countries and this may act as a deterrent to prospective adoptive parents who are ready to offer vulnerable children a home and family to belong to.

Madam Speaker, we made comparison with very many other countries and jurisdiction. Fostering and residence are not requirements for grant of the adoption order; an applicant takes reasonable time to complete the process, including court attendance. For example, it takes an adoptive parent to complete the adoption in the following countries, an average time as follows: Kenya (three months), Brazil (six to eight weeks), China (two weeks), Ethiopia (one week), Congo (two weeks), Ghana (one to three months) and Peru (four weeks).

The committee recommends that the fostering period be reduced from 24 months to six months to provide reasonable period for adoptive parents to fulfil the conditions necessary for bonding and fostering.

The committee recommends that Government puts up necessary institutional arrangements to ensure that the process of adoption is ethical and does not put children in undue risk.

On local adoption, it involves both the adoptive parent and the child as citizens and residents of the same country. The committee observes that this phenomenon had not been fully embraced by Ugandans. The committee, therefore, recommends that Government should raise awareness on the existing laws on adoption so that citizens can be encouraged to adopt locally here.

On children homes, the committee observes that Government has only one children home, Naguru Reception Centre, which accommodates a large number of vulnerable children in the country and yet, receives minimal funding from the Government.

The other homes and institutions caring for vulnerable children are privately owned by either individuals, non-governmental organisations or as a programme of faith-based organisations.

The committee notes with concern that there is an increase in the number of private children homes in the country and the ministry responsible for children cannot account for their existence, yet, it has the mandate to approve their operations. The effect is that the majority of the children are being placed in homes whose standard of care is unknown and which are not being monitored by Government.

The committee was informed that most of the private homes have become potential avenues for trafficking children for financial gain by the unscrupulous business men and women.

The committee, therefore, recommends that Government through the Ministry of Gender, Labour and Social Development should adopt a decentralisation policy and programmes to establish many homes within the country in order to cater for the increasing number of vulnerable children as well as strengthening its efforts with the intention of upgrading the existing children’s home.

Madam Speaker, the National Council of Children (NCC) is a semi-autonomous institution which was established by an Act of Parliament in 1996 to co-ordinate, monitor and evaluate all policies and programmes relating to the survival, protection and development of the child and for other connected matters.

The committee notes that the council has not performed to its expectations due to a number of challenges including but not limited to underfunding. The National Council for Children is grossly underfunded by the Government. Government grants to National Council of Children can only barely fund staff salary.

NCC was created with the idea that it would be largely funded by the NGOs with minimum Government funding. This was due to the good will of UNICEF and other NGOs at the formative stages of the NCC, but this funding did not continue and was unlikely to be sustained. Even where some NGOs continued to fund NCC, the funds are often not for NCC’s core activities. NCC cannot be a true ombudsman when it is controlled or diverted through funding by organisations whose activities it is supposed to monitor.

Staffing

There is a high staff turnover at NCC mainly as a result of lack of funding, facilities and other organisational difficulties. NCC’s staff conditions and terms of services are no longer attractive to people of high technical qualification and experience.

Madam Speaker, lack of mechanisms for co-ordination at NCC has been noticed. NCC has no clear institutional mechanism to relate to and co-ordinate other organisations towards achieving and advocating for the rights of the child. NCC is mandated to relate with stakeholders in Central Government ministries, district local governments and NGOs. However, this has not been realised because NCC has to rely on periodic, unpredictable and unreliable meetings that NGOs organise to interact with the stakeholders.

We also noticed lack of a functional board. The committee further notes that the council has not had a functioning board since 2011. This has made it impossible for the council to implement its mandate.

Finally, therefore, the committee recommends that the National Council for Children be repealed and an authority called Uganda National Children Authority be established to act as a body through which the needs and problems of children can be communicated to Government and other decision-making institutions and agencies in Uganda. Madam Speaker and honourable members, I beg to report**.**

**THE SPEAKER:** I find your report a bit odd. You do not have a comment on whether we should endorse the Bill or not. You are just reporting. What does your committee say about the Bill from what you have said? You are not saying anything on whether we should support the proposal or not.

**MR ANYWARACH:** Madam Speaker, I, therefore, beg the House to consider the Bill for second reading and pass it expeditiously. *(Laughter)* Thank you very much.

**THE SPEAKER:** Okay, honourable members. You have now got the extract between the report and the Bill. It has been signed by the one third of the members. You are free to debate.

6.24

**MR PAUL MWIRU (FDC, Jinja Municipality, Jinja):** Thank you, Madam Speaker. First of all, I would like to make a technical observation on the object of the Bill. When the Bill talks about dealing with legal guardianship, it does not thoroughly come out to say that by providing for the remedies, they are in effect amending the Judicature Act. This is because local guardianship mandates from the Judicature Act. I think that was probably an oversight.

I would like to vehemently disagree with the committee when it comes to legal guardianship and adoption. I would like to seek for your indulgence, Madam Speaker, to speak for more time on that subject. This is because as a Public Accounts Committee, we have had the benefit of dealing with the value-formoney audit report on the subject matter.

Madam Speaker, you will realise that when it comes to adoption, the law as it stands is adequate. That is why it makes a provision for fostering a child for a period of three years. The person seeking to adopt the child must have stayed with that child for a period of three years.

What is happening as a result is that all these people who are dealing in child trafficking in Uganda have abandoned for adoption. They instead go for guardianship. Guardianship has no procedure and no condition. As a result, most of the children who have been taken out of the country as a result of guardianship under inter-country adoption are the ones who have ended up with kidney transplants and vices like homosexuality. For a committee to say that they have reduced the period is outrageous. This is because the reason as they have been dodging adoption is because it creates conditions.

Madam Speaker, you will be shocked that most of these people who are adopting these children jet in the country like today and the next day they visit these children’s homes, which the minister is not regulating; which in turn hands over the child to someone who the child does not know.

The principle even when you look at the UN guidelines; the welfare of the child in terms of identity is very important. We cannot say that the parents of this country are producing children whom we cannot take care of, and you are finding it convenient to pass them over to whoever wants to adopt them for other purposes.

I would like to end by objecting to the reduction of the period and see that the same should be maintained as it is in the Act. *(Applause*) When it comes to legal guardianship, it should be regulated in a way that this Act should amend the provision in the Judicature Act. Thereby transferring the period so that we create conditions; before legal guardianship is granted, someone must have fostered a child for at least a period of two years. This is because it is very important.

If we do not do that, you will realise that the law mandates the Uganda Registration Services Bureau to register any adoption which is granted within this country. The spirit is simple, that when it is granted, the country can monitor and know that a certain number of children have gone outside the country.

When you look at the value-for-money report which was presented by the Auditor-General, many had gone out of the country. There was no registration even with the Uganda Registration Services Bureau as required by law. Therefore, we could not trace them. The law requires that when this adoption law is granted, it is in the best interest of the child and the country must know how our children are faring wherever they have gone.

Madam Speaker, 50 per cent of the adopted children go to United States of America. Among them, it is only 11 per cent who are as a result of pre-health conditions. Majority of them go as a result of financial benefits, which is even illegal within the Act.

Therefore, for the committee to say that they even reduce the time to three months is to surrender the children of this country. In my opinion, it would be reckless. I would like to say that I am speaking to a matter, which is very close to my heart.

This is because if you interfaced with the officials from the Ministry of Gender, Labour and Social Development, you will realise that 41 per cent of these children who are adopted are from these babies’ homes. This means that these babies’ homes go and entice the parents to surrender these children to the homes.

It is only 35 per cent who are with both parents who also allow them to be adopted under the assumption that they are going for better care. This does not actually turn out to be the problem. It is only 24 per cent of these who are always with the petitioners.

In that respect, I would like to seek the indulgence of this House that as we are making this amendment, think about your children. Today you are here; tomorrow you may not. Therefore, have that in mind as you are passing this. I beg to submit.

6.30

**MS ROSEMARY NYAKIKONGORO (Independent, Woman Representative, Sheema):** Thank you, Madam Speaker. I just want to start from where hon. Mwiru stopped. This legal guardianship is bound to be abused. This is because these courts, judges and lawyers are bound to be corrupted to do anything in order to achieve what they want. These people have money. They use their money. They can even corrupt the courts in order to take our children to be abused. I, therefore, propose that if that clause is in our Bill, we should delete it.

I also want to note that they are proposing an authority. They are saying that the National Council for Children is underfunded. It does not have staff. Where is the money going to run the authority coming from?

We are creating authorities every now and then in every institution yet we have institutions that are there; we have departments. We just need to lobby for more funding for those departments to do their work because these are the same institutions that will be manned. They require budgets, human resources and many other facilities.

I believe the reason the ministry of gender perhaps under the National Council for Children is bringing out all those issues is because it is underfunded. As Parliament, it is our responsibility - that department is doing some great work in order to protect our children. We just need as Parliamentarians to ensure that we lobby for more funding and the sector continues working. Otherwise, we are creating authorities every now and then. Even in the previous Bill that we had, they are talking of boards. These are just expenditures. We just need to emphasise on managing the institutions and giving them more funding so that they can be well managed.

I also wanted to comment on the establishment of many homes. I think this is correct. Considering the whole country, when you look at those children across the country, they have to be brought to Naguru. People cannot manage to bring them. That is why children are thrown here and there.

Therefore, we would rather advocate for establishment of more homes across the regions such as western, eastern, northern and central such that we give adequate treatment to our children because these are children that belong to this country. Otherwise, I will not support the creation of the authority and even support the deletion of that legal guardianship.

6.33

**MS MONICAH AMODING (NRM, Woman Representative, Amuria):** Thank you, Madam Speaker. I will right away point out the technicality, which I think is in the report. You refer to a convention on the rights of children. I am wondering which convention you are referring to, because the UN Convention was ratified by Uganda. Therefore, you need to clarifyon that. I think the committee was referring to the Hague Convention in the Inter-country adoption, which we are seeing in other reports here. So, for purposes of the *Hansard,* you need to correct that.

Madam Speaker, the issue of legal guardianship in this country is a bit sensitive and very pertinent of course but whereas we may shy away from legislating on this issue, the courts of law have been progressive in developing legislation, per se, in that direction. There are already practices that courts of law have developed in this direction and so, it is only incumbent upon us to legislate on legal guardianship and provide it in the law, which we are doing right now.

However, the question that colleagues are raising in line with ethical issues that are embedded in there need to be looked at very carefully. If we look at inter-country adoption, I imagine that as Uganda, we should have first ratified that Convention because, when these children are taken out of the country, we do not know what happens to them.

The big question is, when they are taken out, who follows them up? Where are they taken? What happens to them? As a nation, we do not want to be vulnerable to other developed nations, which are in need of – who have an aging population and we hear from what is happening in the world with this advanced technology, is that there is a high demand for spare body parts.

Therefore, when we give away our children free like that, it looks like we are letting these people to identify a country where they can get spare body parts for their aging population. The caution for our country, therefore, is that we should have first adopted institutional mechanism on how to monitor this inter-country adoption.

Therefore, I would like to object seriously to the fact that the committee is proposing that we reduce from 36 to six months. Sincerely, this is a very short time for us to fast-track such a process. We need to go slow on the inter-country adoption and go with what is provided for because other conventions - our African Chatter on Human and Peoples Rights talks about using it as the last alternative.

As a country, we are moving into a well-developed nation. We are beginning to move into a middle income economy and so, we should be able to find local mechanisms to take care of our children. I imagine the mothers here, when they talk about a child, it is such a very special issue; somebody’s child ending up in wrong hands? The trafficking and the like; I mean that ending up in such a bad way and we have no ways to follow that up.

Madam Chairperson, I imagine for this particular provision, we needed to have first adopted that inter-country mechanism and put in place institutional mechanisms in Uganda, and also work with other countries to ensure that when our children are taken out, there is a follow-up mechanism; a reporting mechanism before we jump this queue. Otherwise, I imagine that there are people who are pushing for this to be fast-tracked in terms of legislation and yet as a country we are not yet ready for it. That issue as a Parliament, we should go slowly on it and even if we go to the legislative process now, we should put in place mechanisms first – I do not know what the procedure is - whether the ratification should have happened before we legislate. I will need some guidance on that. But can we as a nation legislate on something where we do not have international mechanisms in place?

Well, we may do so because as a country we have the liberty to legislate the way we want, but for this particular sensitive matter, I think that we need to give it some time and put in place institutional mechanisms.

The issue of the National Authority; I think that honourable members have a different view on the matter, otherwise, for me anything to do with children that ends up strengthening the protection on the rights of children is a welcome move. If the national council failed and we would like to strengthen the rights of children through an authority, which can oversee all these issues, there is nothing wrong with legislating an authority into place. We have not done anything in this direction with the rights of children yet we have done it in other sectors.

This is a new proposal which I imagine will strengthen protection oversight, monitoring and other details concerning children’s rights. We should not shy away from that and any money that needs to be invested in this Authority - our country should not shy away from that because the rights of children – this is a vulnerable group; they cannot speak for themselves; we have to represent their issues.

Therefore, I do not oppose that; I would like to support that proposal. I thank honourable members who moved this amendment, but let us go slow on some of the areas, which are sensitive. Thank you, Madam Chairperson.

**THE CHAIRPERSON:** Just to answer hon. Monica Amoding’s issue - the international conventions - once they are entered into by our Government, the Government is expected to bring them here for ratification and domestication, so that if we want, we enter reservations on some parts of them, and accept that we want them as our law. So, if it is not done, we are operating in a vacuum.

6.37

**OBUA HAMSON (NRM, Ajuri County, Alebtong):** Madam Chairperson, I would like to salute the committee and the private member who moved the motion. I did a simple Google search on the proposal of the establishment of an authority for the children of Uganda. Only two countries came. One is Grenada and the other one is Sri Lanka.

Madam Speaker, on issues of children, we are all concerned. I speak as a former representative of the children of Uganda during the Parliamentary mock debate, when this country and Parliament was promulgating the 1996 Constitution. I represented the children of Uganda in this Parliament.

I seem to be persuaded by the fact that instead of establishing an authority, there is need for us to do about three or four fundamental things.

One is to strengthen the National Council for Children of Uganda. *(Applause)* Two, ensure that there is human capital investment and three, is the question of ensuring increased funding. I think this Parliament and the country seem to be persuaded by the fact that it is only an authority that works *– (Interjections)-* yes.

We seem to be persuaded that one, there is a name *“Obua Denis Hamson* Authority, Obua will speak and move with an authority. I am equally persuaded by the fact that all the interest groups under the Ministry of Gender, Labour and Social Development, which we refer to as the people’s ministry, have councils.

There is the National Council for Children, National Council for Youth, National Council for Women, and National Council for Persons with Disability *–(Interjections)-* even if they are all not working; it is one of the primary responsibilities of this Parliament to do appropriations. Why don’t we appropriate resources to the National Council for Children? Why don’t we appropriate resources to the National Youth Council; the National Women Council; and to the National Council of Persons with Disability? It is our primary responsibility.

This is a common practice; it is a standard practice across the Commonwealth countries. I did a search on Google. Some Members were telling me that Kenya has an authority. But Kenya did not feature here. Instead the National Council for Children of Kenya is the one that featured under the laws of Kenya.

Honourable members, I think we should not be biting more than what we cannot chew. Let us bite what we can chew. All these challenges we are highlighting facing the National Council for Children are challenges –*(Interruption)*

**MS NYAKIKONGORO:** Thank you very much hon. Dennis Obua. I also think we cannot relinquish our responsibility as a ministry - as a Government, to just hand over the responsibility of caring and managing the affairs of the children to just an authority. What is wrong with *–(Interjections)-* no, an authority is outside the ministry. We would rather have *–(Interjections)-* it is, no *-(Interjections)-* I know what I am talking about. It is an independent authority and we would rather strengthen the ministry where the political head that is directly – a political head who is a minister that is directly responsible for all the messes that would happen to our children. So, this business of having an independent authority manned there then you come in and later go through other channels - I do not think that we are doing a service to the children of Uganda. Thank you.

**MR HAMSON OBUA:** Madam Speaker, I think this is a good proposal, but we must study before we pass. Otherwise, we are creating a Pandora box for the women of Uganda to demand for national authority of women; the youth of Uganda to demand for the national youth authority; the persons with disabilities to demand for the national authority for persons with disability.

I still support the strengthening of the National Council for Children such that it is rejuvenated, revived and revamped in order to handle issues of children in this country. Thank you.

6.45

**MS FLORENCE MUTYABULE (NRM, Woman Representative, Namutumba):** Thank you, very much, Madam Speaker. I would like to thank the committee and the mover of this motion for the job well done. And I have to assure my colleagues, Members of Parliament, that I am one of the happiest women today seeing that the Parliament of Uganda is delivering a Christmas gift to the children of Uganda. Thank you, very much.

I know that we have come a long way as Uganda Parliamentary Forum for Children, and Parliament has been supporting us. Thank you very much, but continue supporting us so that by the end of this day, this becomes an Act. I am extremely happy that the gaps in the current Children’s Act have been addressed - issues like protection, guardianship and corporal punishment.

I would like to comment on the setting up of the children’s authority. I support this idea of setting up the children’s authority because we have been talking about it. The reasons are that the Ministry of Gender, Labour and Social Development has got so many people to take care of. They have women, youth, children, the elderly, workers and the disabled. So, when you look at all those people, children are the most vulnerable. By the time they come to think about them, they have already exhausted the funds.

My colleague, hon. Hamson Obua, talked about strengthening and allocating more money. Why haven’t we been allocating this money before? And why didn’t you bring up that idea for all those years the national council has been existing? Now you are telling us that we are going to allocate more money and get more staff. But how would you get the staff; how do we strengthen the personnel when you do not have -*(Member timed out.)*

6.46

**MR TONNY AYOO (NRM, Kwania County, Apac):** Thank you, Madam Speaker. I thank the committee and I would like to start on the issue of the proposed National Authority for Children.

Madam Speaker, hon. Felix Okot-Ogong was the Minister for Youth and Children Affairs and in 2004, he wrote a letter complaining that National Council for Children should be restructured. But up to date, nothing has been done. The committee has raised issues of funding but the major issue here is not only funding.

The council is composed of members who are part time, coming from different ministries and the challenge has been they could not raise quorum to go for their meetings and for efficient coordination.

We need to take children’s issues separately. Yes, we have women, youth and persons with disability but they are adults; they can speak for themselves. But on issues of children, let us have an authority that will coordinate; that Government will be forced to fund together to ensure that their plight is looked into.

On the issue of fostering children and/or bringing it from three years to six months, this is going to be a disaster. If you want to adopt a child and you are told to take a child for two or three years, and you say that is too much. You want a quick one so that you go away yet you need time to stay with a child and see it study, and get used to you, so that when you adopt it. I think we go by the position that fostering is two years before the child can be adopted.

Madam Speaker, we need to keep our children here. I support the committee when it says that we need to strengthen the children’s homes. Very many leaders in this country did not come from royal families; they are people who gambled life. So, why don’t we strengthen keeping our children here, unless in extreme cases - because the committee also did not bring to us the tracking of children who have been adopted in terms of how they are living there and the contribution they are making back here in our country. We could be giving out people who would be presidents, doctors and/or Members of Parliament here.

Therefore, the period of two years is okay. We cannot go for three weeks. In other countries they are saying one week but how do you process that in one week? We cannot accept this.

Finally, the Government should strengthen funding of the children’s homes so that we can take care of our children. Our country is not going to be stagnant. We are going to develop and the economy is going to improve. In London for example, they do not allow fostering children because adoption is not there. You only take them to children’s homes, they are trained, educated and they become free citizens other than here now, we are thinking of sending them out. How sure are we that these people are going to be free from sex, molestation, homosexuality and all these sorts of abuses; we must go by this position. Thank you.

6.50

**MS ANN NANKABIRWA (NRM, Woman Representative, Kyankwanzi):** I thank the mover. Madam Speaker, what went wrong? We are discussing the question of children because of the increasing breakdown and the moral decay of our society.

Every child deserves the right - every child would want to live rightly with parents. No child would wish to be adopted. Today, there must be a strong correlation between children, youth, mothers and women.

The transition from a child to a youth is very important. Once not handled well we get children mothering children. These are the children who end up for adoption in the babies’ homes. Because mothers cannot take care of the children; and because men are running away from responsibility, that is why we find children in dustbins. Those are the children who end up in babies’ homes.

I would not want to support the idea of the authority. I have been in the National Youth Council for some time. The National Children’s Council was a sister organization together with the National Women’s Council.

We always argued to shift from the semi-autonomous status to a full autonomy, but one question that we had to understand at the time was that those councils still need the guidance of Government. The Government of Uganda has got a responsibility and obligation to take care of the children. We have got a Department of Children at the Ministry of Gender with a whole commissioner. If hon. Kassiano Wadri was here; he was a commissioner of youth and children.

We have got a full minister. I do not want to look at an authority; to do what? Are you going to elevate the National Council to an authority tomorrow? For what purpose? What are we standing for?

**MR TERRENCE ACHIA:** I thank you colleague for giving me the opportunity. Well, it is important for us to differentiate between the authority and the council. Now, which one has more power? The Authority is autonomous and should be able to command even the resources *–(Applause)-* and that is what we want; to strengthen this policy.

**HON. MEMBERS:** Tell her.

**MR TERRENCE ACHIA:** So, we should be able to create the Authority. If we are to stay with this policy, let us give an authority. I thank you.

**MS ANN MARIA NANKABIRWA:** I thank you colleague for the information. What I would like are services to the children and not “authority”. What I want is financing of NCC. Can we look at the budget of the National Council for Children?

The things must move together and whatever –*(Member timed out.)*

6.55

**COL (RTD) FRED MWESIGYE: (NRM, Nyabushozi County, Kiruhura):** I thank you, Madam Speaker. Whereas I appreciate the proposal of the committee, I don’t seem to appreciate that the proposed amendments are trying to secure the gaps. For example, what is in a name whether you call it a council or committee or an authority? What is lacking is Government strengthening the functioning of the committee by financing and supervising it. This is what we should be trying to ensure to close that gap.

Therefore, I do not approve and appreciate the Authority. Let us work and try to find the problems within the council like other councils and we cure them; period. For example, instead of encouraging foreign adoption, let us carry our own cross as a country. Why should we subject our children to foreign adoption and yet you know that culturally we have been adopting children without any legal guidance.

So, let us legalise and liberalise domestic adoption so that we know that when one takes over somebody’s child or an orphan, you have certain obligations, instead of trying to abandon our won cross to other people. I do agree with that.

The proposed authority - what does it depend on so that it can be funded by these foreigners who will come and take our children, which I do not agree with. Let us carry our own cross, honourable members. KCCA is different from what we are talking about *– (Interjections) -* no way! Let us encourage our own domestic regulations on homes and adopting our children instead of encouraging these voluntary things that have been going into our culture. Let us strengthen it. I thank you very much.

**THE SPEAKER:** I will give hon. Felix Okot-Ogong five minutes.

**HON. MEMBERS:** Like 10.

**THE SPEAKER:** No, five.

6.57

**MR FELIX OKOT-OGONG (NRM, Dokolo County, Dokolo)**: Madam Speaker, I am talking from a point of experience because I was appointed by His Excellency the President to look after the affairs of the children of this country and I did it very well.

I would like to talk today without doing any politicking. I do not want to even talk with emotion, but reason and responsibility.

When I was appointed to that ministry in 2003, I thought that I had been demoted. But when I went there, I found challenges that were real and I later went back and thanked the President for giving me the right position and told him that I needed to work and uplift the standards of our children in this country.

While there, I immediately realised that Members of Parliament do not understand the challenges that our children actually experience in this country. The first thing that I did while in office was to form the Children’s Forum in Parliament chaired by hon. Benson Obua to advocate for children and let Members know of the issues affecting our children.

The forum was tasked with making Members and the whole country know the challenges that we have.

I did realise that time that our children were going outside without any tracking system. There was no CCTV camera to monitor our children wherever they went and some of us have them in our homes. They come here and return with our children to America and nobody tracks or follows them. The children are left out there.

The second thing that I did was to instruct the Solicitor-General to ensure that we ratify and domesticate the Hague Convention because there are principles that are in the Hague Convention that will help us set up a system that would be protect our children so that our children are not taken outside the country and abused without follow up.

I gave the Solicitor-General a few days to report on whether there was any legal problem so that we interact with the Ministry of Foreign Affairs to ratify and domesticate it in our law so that we set up an agency which is monitored by the ministry because it was not there at that time.

I travelled to America and found out that they have a reporting system our Government could link to so that when our children are in America, there is always a reporting system in place. But this required us to domesticate the Hague Convention which we have not done. When I left the ministry, it ‘died’. Nobody is following that up.

Madam Speaker, I also realised that we have a council to which my brother, hon. Okuonzi was the Secretary-General. I summoned him to my office and he knows how I summoned him *– (Laughter) -* together with the chairman of the council. I told them I was not going to tolerate this ‘business as usual’ attitude and that they must be in charge and monitor our children.

In the meeting, I told them that I did not see them doing it because the council was so amorphous and it was for “To Whom It May Concern.” You would call for a meeting and quorum would not be realised and yet the chairman and the secretary-general are just there. I also told them that I would not tolerate this and asked them about what we can do.

I later wrote a serious letter calling for a meeting that will guide on how to strengthen the National Council for Children. We did discuss with all the stakeholders and agreed that the body must be strengthened. But how do we strengthen it?

My proposal to Cabinet was that we must have a commission. By that time, Cabinet told me that creating a commission would require amending the Constitution and that the best way to do it was to have an authority that would be given more power so that it can control.

Our country has been left to NGOs and they were the ones funding the National Council for Children that was being manipulated and controlled by outsiders. I said I could not tolerate this and advised that we must have an authority which will be funded by our Government so that we can control our issues here; we can monitor the ministry and we can control the NGOs who are everywhere. Without an authority, we are just not doing –*(Member timed out.)*

**HON. MEMBERS:** More time.

**THE SPEAKER:** Okay, two more minutes for the former minister.

**MR OKOT OGONG:** Madam Speaker, I would like to appeal to your own conscience - there are other people who think that we are doing this for anything but it is for our children.

I once made a statement that if trees of Uganda can have an authority, what about our children? *(Laughter)* If the roads in Uganda can have an authority, what about our children? *(Applause)* If Kampala can have an authority and our children do not have, then honourable members, what are we doing?

I would like to appeal to your conscience and reason so that we can do something for our children. I would like to inform you that I was a minister but this council was being manipulated and subdued by the ministry. The council could not talk or do anything – it was the minister and those people in the ministry to control it. They just tolerate them and they treat them like this. *(Laughter)* And I said, enough is enough. Let us do something for our children. *(Applause)* And when we have an authority, I want to inform Members that it is not going to be controlled by any person. The authority will be under the ministry; the ministry will just oversee it. The minister will appoint the executive director who will be under their control and direction.

Therefore, Madam Speaker, I appeal to reason and the inner conscience of the Members of Parliament to see this as the right thing for us to do. I am talking from the bottom of my heart because I have had experience with that ministry. Failure to do it, we are rendering our children to the winds of the situation in this country. Thank you very much. *(Applause)*

7.05

**MR PETER OGWANG (NRM, Youth Representative, Eastern):** Madam Speaker, I thank the former Minister for Youth and Children Affairs. I have a few observations, but I am only going to address one point. And the point of contention in the report is authority versus the council.

Madam Speaker, I am thanking the former minister because I have read a letter that he wrote to Dr Okuonzi, who is a colleague here now. He raised a number of issues, but if you looked at them, they all relate to finances.

The main issue here to us - as young people of this country - is that we have been agitating for a Ministry of Youth and Children. And if we are to talk about resources, why do we want a separate ministry? It is because Government is able to fund this ministry; allocate money directly to this ministry. Today we are coming up with a perennial disease, which is taking all our time; discussing issues of an authority.

I want to ask hon. Felix Okot Ogong a few questions: He said trees were given an authority. But what caused trees to be given an authority? The authority came because there was a lot of money in trees, isn’t it? How much does an executive director at the National Forestry Authority earn *-(Interjections) -* no, I am just giving similarities in some of these issues.

In your own document here, when you look at the forestry authority organogram, NCC has 40 staff members – according to this document. The authority is proposing 27 members of staff. But if you look at how much each of the 27 members of staff earns versus how much the 40 is earning – I want to address my question specifically to colleagues. When we are discussing issues of the authority, authorities come with a lot of financial implications. The money we want to put in those authorities, why don’t we put it in the council? That is my simple question. First of all, when we look at issues of children –

**THE SPEAKER:** Information from the committee chairperson.

**MR OGWANG:** Madam Speaker, I am informed and I know the chair here; let me give my own submission.

Madam Speaker, I am submitting on issues of authority versus NCC. My only appeal to you, honourable colleagues - we have been here for the last four years. Is it only today that we have realised that the children’s council needs money? What is our role? To appropriate –*(Member timed out.)*

7.08

**MRS FLORENCE EKWAU (FDC, Woman Representative, Kaberamaido):** Thank you, Madam Speaker. I also thank hon. Bernard Atiku and the civil society that has been passionate about this issue.

I was Shadow Minister for Ministry of Gender, Labour and Social Welfare but got to realise that this ministry has 0.3 percent of the entire Budget – that is what you vote for them every financial year. But the same ministry has five ministers – the overall minister; the Minister of State for Gender; Minister of State for Labour; Minister of State for Special Interest Groups, where the disabled and the elderly fall and Minister of State for Youth. All these five ministers have to be facilitated. They all also have commissioners but imagine all of them eat into the 0.3 per cent of the Budget that you always allot to them.

So, by the time you take the welfare of these ministers and you think about having an authority pinch into their money, then we are going to leave the needs of the children to charity.

Madam Speaker, it is upon this background that I think we could try the authority and see what it would do. The authority would coordinate the roles that are supposed to be played; they would closely monitor what is happening at the ministry; they would monitor the children’s homes and adoption agencies; and they would also liaise with the adopting countries.

But it is also a requirement that before you go into the ratification in regard to the Hague Convention, you should have this authority bouncing and in the law, so that you are able to tell this country that you have the interest of the children at heart.

I am one of those who do not want anything to do with additional expenses and the burden, but if you leave this money to the national council, tell me whether this ministry that is struggling for the 0.3 percent of the National Budget is not going to pinch into that money. They will not function and all this money will end up being additional costs and expenses. It is upon this background that I urge this House – you Members, these children are suffering. Try the authority this time and we see what will happen.

Secondly, I am commenting on the fostering period, in the comments that the committee gave – *(Member timed out.)*

**THE SPEAKER:** Okay, half a minute to conclude that point.

**MRS EKWAU:** Thank you, Madam Speaker. The committee report is saying that you are reducing on the fostering period because our neighbours have a shorter time and so people are going to adopt from our neighbours, leaving our children. So be it! It is very painful when you are at the airport and you see someone carrying a child that looks like one that will never come back to Uganda; a child whose body organs are going to be transplanted.

Madam Speaker, let the fostering process be as hard as squeezing water from a rock so that we are able to monitor what happens to our children. It is very painful to have a child and go through a process. Then you get someone who is willing to just walk away with a child and you do not know where that child is going? Let the fostering period not reduce to six months; let it be very hard a process so that by the time ones completes it, a neighbour would have tapped the authority or anyone else concerned that wherever a particular child is going is not for the good of the child.

So, Madam Speaker, I am very passionate about this. Let us try what is within our means, as Parliament - let us play our part and give room to point fingers to these five ministers who are struggling over the 0.3 per cent of the national budget. Thank you. *(Laughter)*

7.13

**MR ELIJAH OKUPA (FDC, Kasilo County, Serere):** Madam Speaker, I have heard colleagues here asking and saying, “What have you been doing? Why are you talking about the authority today?” I think since I came to this Parliament - I was the first treasurer in the UPFC here and that is when we started talking about children’s issues. That is how we ended up creating divisions in the ministry from one or two ministers to five. We have done that, but we are still seeing the same problem. Where is the problem? The problem is within the ministry.

When hon. Felix Okot-Ogong tried and failed, we changed his name to that of the minister for childish affairs. This was because he had failed. (*Laughter*)

This was with pain because after he tried to make changes to improve, he was being squeezed or screwed by the people within the ministry, as he was trying to turn serious; and he failed, and left the ministry.

Therefore colleagues, we have seen in this country where things have failed and they have tried authorities and some things are being done. We tried the roads and it has worked. There were potholes everywhere; we created UNRA and there was an improvement. When we had problems with UNRA, you see what has happened now because the officials in UNRA are not tagged to these bureaucratic public service regulations. Disciplining and removing somebody under public service is like squeezing water from a stone. But with authorities, you are given contracts and if you do not perform you are fired. What have we done to Kampala City Council? They were not even collecting tax revenue. How can a council fail to collect tax? It was until we empowered and made it an authority, you have seen the wonders Ms Jennifer Musisi is doing.

Look at the Uganda Revenue Authority. That time it was still called the Income Tax Department at the Ministry of Finance and how much were we collecting? We were part of the pioneers to start URA and you can see where it is today. We are funding over 75 per cent of our budget. But it was after we had had bureaucracy in the finance department, we had to try other ways; we have done so well. What about life? Why are you not talking about life; children are about life, posterity and the future of this country.

Therefore, colleagues this issue of the funding in the ministry - if we are going to increase - you know there are budget ceiling problems in ministries;you cannot increase budget funding - maybe you guys in Cabinet can remove the ceiling per ministry.

We tried to increase money for the National Council for Children, and it was swallowed up because we were beyond the ceiling. Let us move it out to where we shall be able to give you the powers and appropriate separately; we shall then be able to defend and protect our children. We have also seen weaknesses in that ministry and I think the honourable ministers who are here can help us - (*Member timed out.)*

**THE SPEAKER:** Okay, half a minute to complete your submission.

**MR OKUPA:** Madam Speaker, we have talked about human trafficking in regard to our sisters who are suffering *-(Interjections)-* can you listen to us, hon. Okot Ogong? How many times have we talked about trafficking in people’s issue? We even blacklisted some companies, but the ministry has continued renewing their contracts. For how many times shall we need to talk? They cannot even fire the commissioner in-charge of those things in that ministry.

With an authority, we would be able to deal with those people who defy the resolutions of this Parliament. Madam Speaker, you made a ruling here about trafficking of girls to the Middle East, but it has continued under the same ministry. How can we trust the same people with our future generation? Time is now Members to act and save this country. May God bless you.

7.17

**MS KEVINAH TAAKA (FDC, Busia Municipality, Busia):** Thank you very much, Madam Speaker. I want to share my experience with the Members. When we got a district in Busia, I was the secretary for gender and at the same time - we even had something in the Constitution that when the chairman is a man, then the vice must be a woman who should be the secretary for children too.

However, as gender, the children were supposed to fall under my docket, but the vice-chairman became a man and then the secretary for children affairs. And whenever there was a workshop, he would go, but anything about children activities, he would tell me not to bother about children and that he was not interested.

Therefore, you might find that in the ministry of gender - or whoever is heading it - is not or may not be interested in children affairs. Therefore, if we can have an authority that deals with specifically children, we would go ahead and prosper with it.

Madam Speaker, who is a child? All these Members and/or whoever is a human being must have been a child at one time. So, when you are serving children, you need to ensure that they are served with special status because if you bring food you leave everybody grumbling for that food like it is at the ministry of gender; children are bound to be very vulnerable and will not get enough food.

Madam Speaker, 78 per cent of our population are the youth and out of that, 57 per cent are children. Therefore, we are talking about 57 per cent of the Ugandan population being bundled up there and they cannot speak for themselves.

I really recommend that if we had an authority, it would plan very well for us. It does not mean that if it is an authority, we are throwing it outside. No, URA is still under the ministry for finance; it is supervised by that ministry.

And so, if we create the children’s authority, it will be under the ministry of gender, only that it will deal specifically with issues to do with the children and, therefore, the ministry will not be overloaded as such. It is a sort of delegation of powers to the authority.

The authority will look at issues of trafficking in persons as it has been happening to our children. We even talked about our girls in Malaysia who are trafficked and nobody knows what is going on. I think the authority will be in a better position to deal with such issues.

7.20

**MR BENSON OBUA (UPC, Moroto County, Alebtong):** Madam Speaker, I want to thank hon. Bernard Atiku for taking this bull by the horns and bringing us this far.

If we must give our children a Christmas cake, in form of this Bill, then let the icing on the cake be the authority – *(Applause)* - because minus that we would be doing a hollow thing here and we would be giving our children what they do not really deserve.

Madam Speaker, having been in this Parliament for ten years, my greatest passion has been for children. I would like you to also know that before I came to Parliament, all the greater part of my work had been for children and youths, the last one being working for a child-centred organisation, Plan Uganda, and UNICEF. Therefore, some of these things that we are talking about are very dear to my heart.

Madam Speaker, you should also take trouble if there was time, to talk to all the secretarygenerals of the National Council for Children (NCC). We are privilege to even have one in this House and I wish he could talk for himself. You will find that this NCC has been lying back, seated somewhere in a dingy corner in the Ministry of Gender, Labour and Social Development, incapacitated and doing totally nothing. Let us imagine they did not want to do anything, but they have been denied that opportunity to do what they are supposed to do.

Madam Speaker, I implore this House to give the authority a chance so that we can see the difference. We are zeroing on the fact that the NCC has been crippled because of lack of resources - the authority is going to do so many other things including coordination of all the agencies. It is also going to play a sort of “ombudsman position” which should also oversee the ministry itself to a large extent because this ministry has been the source of failure for many things.

Therefore, we want an authority, which is even going to sit outside that office, be independent or semi-autonomous but be able to bite. Otherwise, all that we are discussing here will come to nothing. I do not know why the ministry wants to hold onto this NCC.

My colleague, hon. Evelyn Anite, tried to lobby me before we came here. She was trying to convince me that she is now the able minister who is going to do things. How sure is she that she is even going to be the Minister of State for Children’s Affairs again in the next government, let alone even being a minister at all? Let us not trivialise these things. Let us create an authority for our children. There are many other aspects of this Bill that we are supposed to be discussing. It is unfortunate that we have all zeroed on the issue of the authority and inter-country adoption alone.

7.25

**MS SAMUEL SSEMUGABA (NRM, Kiboga County West, Kyankwanzi):** I would like to thank you, Madam Speaker and the mover of this Bill, hon. Bernard Atiku, as well as the committee, for the work they did. I would like to talk about one thing - the authority.

Madam Speaker, I highly support the establishment of the children’s authority because I know it will be a body corporate; it will co-ordinate these activities. It will play a very big role which the ministry has failed to do.

If we are to save the children of Uganda, let us agree that we establish an authority because we have established many. These children are the leaders of tomorrow; we have to build on them. Let us all agree that we establish a children’s authority under this Bill we are discussing today. Thank you.

7.26

**DR JEREMIAH TWA-TWA (NRM, Iki-Iki County, Budaka):** Thank you, Madam Speaker. I stand to support the presentation made by the committee. I am here to support the creation of the authority. *(Applause)* Honestly, if we are amending the Children’s Act and we do not give it an authoritative and vibrant body to bite, then this House should stop the amendment because it would be as good as useless.

The ministers who are actually putting up a spirited fight that the authority should not be created need to know that if one is at the bargaining table sharing a cake and they want to take more, it may be wiser to divide up themselves so that they are allocated individually.

If we create an authority, which will actually still be under the ministry, they will get more; we want the authority to function.

Issues of children are scattered into various sectors; health, education and so forth. We need a body which will co-ordinate all these and actually make them accountable for their actions on behalf of the children. As of now, that is not possible.

The authority would also be in position to check both the NGOs and Government for their actions. Therefore, the way to go is to create an authority so that we can have the issues of children well-focused on and answered in this country.

7.28

**MR MILTON MUWUMA (NRM, Kigulu County South, Iganga):** Thank you very much, Madam Speaker. I would like to thank the Members for the passion they have exhibited towards this amendment that we are making. I needed to speak maybe when the Minister of State for Youth and hon. Ogwang were here. It is unfortunate that they have exited.

What I wanted to put across is that one of the reasons the ministry of gender never wanted this private Member’s Bill to be tabled here was in regard to the reasons we are advancing. It is now that we are taking them on that they are again moving the other way round saying the authority will not work. It is because they are seeing that, in one way or another, we are putting things right. We are just letting you, honourable minister, to account to Ugandans.

I wanted to address the MPs representing the children and youth of Uganda - we are all Members representing children and mothers, but the others came on that ticket of children and youth. By us creating this authority we are, in one way, helping them to account – to show that we managed to create an authority instead of a council that we got in place. *(Applause)* It is unfortunate that they are again the ones turning around to oppose this thing. I am surprised and I wanted to appeal to them to get saved. Yes, they came with a position of maintaining a council, but let them get saved and say an authority will transform things. It is an appeal that we are making to them.

Madam Speaker, I would like to implore Members to appeal to those who have reservations - it is good that they are exiting one by one *-(Laughter)-* they have seen the majority side is pushing for an authority to put things right.

Someone asked me, what have you been doing all along? What have you been waiting for? To them they have been part of the House but they failed to provide resources. It is because of that the House is saying that one way of making things better is by creating this authority to help us address issues affecting children. This is an appeal to all of us to support this cause.

Madam Speaker, without being selfish, I would wish to move a motion that having exhaustively reflected and debated the pros and cons regarding this report and the Bill, a question be put so that we move to the committee stage. Thank you.

7.30

**MR EPHRAIM BIRAARO (NRM, Buhweju County, Buhweju):** Thank you very much, Madam Speaker. I thank the mover of the motion and the people who have spoken to this motion. I will first begin with the period that is being proposed for the process of adopting of this legal guardianship case.

Madam Speaker, our LC courts and ordinary legal Courts of Judicature here take time. If a mother and father have got a fight in between them, it takes them time to even allow the father to take guardianship of the child. I hear in some places, they say the child must first attain say, seven or 12 years to go to another person’s care. So, why should we now expedite and even propose six months for a foreigner to take guardianship of that child? I think I support the period of not less than 24 months.

My second observation is in regard to the authority versus the council. Madam Speaker, we have had many authorities to deal with other things, but not human life. *(Applause)* Why should we hesitate to have an authority for our children? Briefly, I support that the authority be formed as soon as we can. *(Applause)*

Third, the African tradition especially the tradition from which I come, takes us time to allow a child to even sleep in another person’s home even when they claim to be relatives. That is why I am saying that for anyone to come and adopt or take legal guardianship of any child from Uganda, they should have first stayed here long enough, we should get a track record of that person as well as the reason why that person wants that child. There is no reason for a hurry. If you know you want to help that child, why the hurry? Take time, be disciplined and let us look at the reasons for which you want to take care of the child so that we get to know your intent and the mechanism of monitoring the fate of that child while in your hands. Madam Speaker, I beg to move.

7.33

**MR EDDIE KWIZERA (NRM, Bufumbira County East, Kisoro):** Madam Speaker and honourable members, thank you very much. I am a student of management and I would like to talk in that capacity.

Honourable members, we have formed so many authorities but there are reasons why authorities are being formed. To a larger extent, authorities are formed for selfish reasons and they do not, in the end, achieve what they intend to do.

Secondly, when you talk about an authority for children, you are actually moving a vote-of-no-confidence in the minister. We are talking about policy management for children which is a preserve of Government.

Therefore, if Government is allowed to form an agency or authority, you are abdicating your functions and duties. If you cannot get resources as a Government and you are forming an authority within Government that will increase your begging capacity from donors, which is very dangerous.

It will be against the children’s rights that you cannot look after your children and you expect other people to do that for you. We have authorities, which are even now not being funded. They are limping. We have National Forestry Authority, which is going to court and the National Oil Authority, which has failed to take off. There are so many authorities.

Therefore, honourable members, let us not look at authorities, but the availabilities of resources. I call upon Government to put resources in the National Council for Children. Honourable members, I thank you so much.

7.35

**MS CECILIA OGWAL (FDC, Woman Representative, Dokolo):** Madam Speaker, I would like to thank you for giving us this opportunity to talk about issues of our children.

Before I make my contribution, I would like to thank the Minister of Gender, Labour and Social Affairs for being physically present in the House when we are talking about this matter. Earlier on, we were very depressed that we were talking about very serious issues when the minister wasn’t here. I am very proud of you; being a woman sometime is of value. *(Laughter)*

Madam Speaker, we also need to congratulate ourselves, as a country, because hon. Bernard Atiku who brought this Bill is the fruit of a vibrant Opposition. We need to thank God for that because you are presiding over a Parliament, which can give you viable and acceptable alternatives. This is very important.

Madam Speaker, for those who doubt, particularly students of management *-(Laughter)-* I thank God I left being a student a long time ago and I am now a consultant in management -(*Laughter*) - I can only say that the modern strategy and the best method of management is really specialization. One has to specialise and focus on specific issues in order to get the results. If you spread out as a general manager and you are doing nothing, you cannot bring out the results that you want. That is to help those who are still students; you need consultants to put you on the right track. (*Laughter*)

Madam Speaker, this is a serious matter. I have read the report of the committee. If anybody cares to read the background of the committee’s report, you realise it highlights the gaps and areas of concern. Really, if you are a mother or if one day you would like to be a mother or father and you read those gaps and challenges, you will ask yourself why we are opposing the creation of this authority.

Why are you opposing an idea that will make the management of our children better? It is a very depressing background, which has come out.

Madam Speaker, I would just like to come out with two positions: First, I believe that this law, if we pass it to create an authority - we will have at least come up with some cure. We would have done something better than the past. We do not have to go into debates; we have talked and we have got the facts in our hands. I support that.

Secondly, Madam Speaker, we should be mindful of the fact that there are homosexuals. They have tried the front door of doing it in the open way and found it a bit difficult. It is because of our culture and the fact that the whole community still does not condone such practice. Therefore, they are trying all other means to make sure they still get a leeway in order to get onto our children because if they plant the culture of homosexuality in a child, they would have succeeded. So, it would be wrong for Ugandans, at this stage, to surrender our authority over our children in the hands of strangers.

Madam Speaker, yesterday, I read a story in the papers, which made me roll tears. It was a story where a woman of 23 years sexually molested a boy of 5 years. This is happening because some people are sick and we cannot, therefore, just - why was this 5-year child being molested? It is because a child cannot defend himself or herself. Those who are thinking the youths are the same as children need to grow up. A youth, at least, can defend themselves but a child cannot.

Therefore, we really need extra effort to protect a child - and this is from my heart as a mother. I believe, for us not to take serious thought on how adoption can be done, we are really showing that we do not care about our children.

As a person with a business background - before you take over a business, you are given time to research on and make sure that business has nothing hidden. Why would I surrender a child to somebody whose background I do not know? I do not know the social character but background of this person and I give him a child? Really, we would be surrendering our responsibilities, as a country. I hope that does not come from Parliament.

I urge you, Madam Speaker and the House, to take the issue of adoption seriously. I would like to insist that it should not be less than 24 months so that we have more time. Two years may not be enough but not less so that at least if by two years we have not come to the conclusion, we still can continue to investigate. We are not abandoning the concept of adoption, but let us give ourselves time.

I would like to thank you, Madam Speaker, for this matter. It is not a matter that we are disagreeing on. I do not see anybody dissenting; even the student of management has understood what I have said. *(Laughter)* I thank you, Madam Speaker.

**THE SPEAKER:** Honourable members, several members have contributed. Now, I would like to put the question that the Bill be read for a second time.

(*Question put and agreed to.*)

**THE SPEAKER:** Honourable members, I have looked at the proposals and realised that it might require about an hour to deal with the amendments and the new proposals. We also expect the minister to address us before we go to committee stage.

Therefore, I want to adjourn the House to Tuesday. We shall use the first one hour to complete this Bill. Thereafter, we shall concentrate on the National Budget Framework Paper. Thank you very much, for your contribution. The House has been adjourned to Tuesday at 2.00 p.m. Honourable members, in the meantime, please continue with your Budget Framework Paper. Work on it tomorrow, Saturday, Sunday and Monday.

*(The House rose at 7.33 p.m. and adjourned until Tuesday, 22 December, 2015 at 2.00 p.m.)*