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PARLIAMENTARY DEBATES

(HANSARD)

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THIRD SESSION - FIRST MEETING

TUESDAY, 5 SEPTEMBER 2023



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 25TH SITTING - FIRST MEETING

Tuesday, 5 September 2023

Parliament met at 1.58 p.m. in Parliament House, Kampala.

PRAYERS

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

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, I welcome you to this afternoon sitting. Last week, we had a number of items that were referred to today and that was on ministerial statements. I am happy I am seeing one minister present.

Over the weekend, our security agents foiled a suspect terror attack at Rubaga Miracle Centre at Pastor Kayanja's church, in Kampala. We were fortunate enough that no one died.

I want to thank and commend our security personnel for that vigilance. I also want to ask Members and the public to avoid being in congested areas and to be vigilant wherever you are so that we do not fall victims.

Honourable members, in the spirit of the East African Community and *Ubuntu*, the South Sudan national men's basketball team, that is, the Bright Stars, has qualified for the World Cup 2024, that is, Olympic Games, in Paris.

I want to congratulate my colleague, Rt Hon. Jemma Nunu, for the remarkable achievement they have got as a country. Please, join me in congratulating them. *(Applause)*

Honourable members, we have not been having matters of national importance. On Thursday, we will not have any item on the Order Paper. I want to ask the Prime Minister to request all her ministers to be here to respond to Members' issues. We will not have any other item. From the Communication from the Chair, we will go to matters of national importance until we finish. Let it be a Members' day. So, we want the ministers to be present to answer issues that have been raised by Members.

2.03

THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (GENERAL DUTIES) (Ms Rukia Nakadama): Madam Speaker, much obliged.

THE SPEAKER: Thank you. Yes, Hon. Luttamaguzi.

2.03

MR SEMAKULA LUTTAMAGUZI (DP, Nakaseke South County, Nakaseke): Thank you, Madam Speaker. Your Members are part of the team, which is concerned with national food security. Last week –

THE SPEAKER: Is that a reaction to my communication?

2.04

MR SOLOMON SILWANY (NRM, Bukooli County Central, Bugiri): Thank you, Madam Speaker. I want to thank you for –

THE SPEAKER: Hon. Luttamaguzi, you will bring that up on Thursday.

MR SILWANY: Madam Speaker, thank you for the Communication to the august House this afternoon. My concerns relate to the scares of bomb blasts that are happening. The Government should assure us on the security, especially in places of worship where people get crowded. What happened at Pastor Kayanja's church - they arrested someone who was going to plant a bomb; some of us who love football go to watch it in public places. I would request that the Government gives us, maybe, the way we can do it in a safe way, and assure the House –

THE SPEAKER: Honourable, you cannot be told that - it is not something that is planned – anyhow, there is an alert. And we are saying you need to be vigilant instead of asking yourself, “Who is the Government?” You are Government, yourself. As a leader, you need to advise people outside there to be vigilant; this is what is happening. The word should come from you. If you become the “doubting Thomas” yourself - you are supposed to be the one to inform your locals to be vigilant, and to tell them that this and that is happening. We are happy the security is alert.

MR SILWANY: Much obliged, Madam Speaker.

2.05

MS SANTA OKOT (PPP, Aruu North County, Pader): Thank you, Madam Speaker. In line with the security issues, something serious happened in Apaa, over the weekend where seven people were killed. It was on Friday. The attackers came from somewhere unknown. We have got security around that place, but we are wondering where and how these attackers passed to come and kill people in Apaa.

Madam Speaker, this is not the first time. It has been happening several times, only that this time it has made many of us, especially us from Acholi Sub-region, very scared. The President –

THE SPEAKER: Hon. Santa, I want to advise you that is a very serious issue; I mean the Apaa

issue. I saw the dead bodies. I want you to raise that issue; we need the Minister of Defence and Veteran Affairs, the Minister of Internal Affairs and the Minister of Security, in the House on Thursday. They should come with a response on issues of Apaa.

2.07

MR JONATHAN EBWALU (Independent, Soroti West Division, Soroti City): Thank you very much, Madam Speaker. Security issues affect all of us. By now, the Minister of Security and the Minister of Defence and Veteran Affairs should have updated the country on what is happening but we are only reading this in the press.

I request, Madam Speaker, that you give the Minister of Security an ultimatum to report and brief Parliament on what is going on, because the issue of security is paramount.

Secondly, Madam Speaker, - and I am going to raise this with a heavy heart - sometimes I get a little uncomfortable. Whenever politics heats up in the country, the Government comes with the issue of the bombs being planted everywhere. I want to say this -

THE SPEAKER: Hon. Jonathan Ebwalu, you want to say it is politics at play? Sit down! Hon. Ebwalu, let us not promote this kind of politics in the House. Terrorists are terrorists. There was a bomb blast at the gate here - majority of Members in this House belong to National Resistance Movement (NRM). Do you think that Government would target its own Members?

MR EBWALU: Madam Speaker, I did not raise this because I belong to the Opposition, or because I am NRM.

THE SPEAKER: First, withdraw that statement.

MR EBWALU: In the interest of peace in Parliament, I withdraw it.

THE SPEAKER: No, I want it withdrawn unconditionally. Withdraw it!

MR EBWALU: I withdraw it, Madam Speaker.

THE SPEAKER: Okay, sit down.

2.09

MR GEOFFREY MACHO (Independent, Busia Municipality, Busia): Madam Speaker, I really want to appreciate that your communication is always spot-on, when it comes to current matters that affect the country. As a Member of Parliament from Busia Border Point, I want to say that security is key.

Madam Speaker, I, therefore, have a request that the Minister of Defence and Veteran Affairs, together with the Minister of Internal Affairs, do more deployment of police officers because as I talk, in Busia, many routes have no officers. We have complained and made several requests but no answer.

THE SPEAKER: Government, that is a very serious matter; you need to deploy.

MR MACHO: I also would like to inform the Minister of Energy and Mineral Development that Busia has a lot of load shedding, yet it is a porous border; darkness is a cause of insecurity and it is a big problem. Thank you, Madam Speaker.

THE SPEAKER: Hon. Dr Abed Bwanika, do you have a procedural issue?

MR SSEMUJJU: Thank you, Madam Speaker.

THE SPEAKER: Do not get annoyed when I name you, "Mr Procedure".

MR SSEMUJJU: No problem. Madam Speaker, rules are very protective of the presiding officer but also a bit restrictive. The procedural issue I am raising -

THE SPEAKER: Which rule?

MR SSEMUJJU: The one that does not allow the presiding officer to debate. So the procedural - can I raise the procedure and then say the rule?

We have had army generals, some former Members of this House, including the late Gen. Pecos Kutesa, who was an MP in the last Parliament and the Hon. Gen. Matayo Kyaligonza. They have written books explaining how they were throwing bombs in Kampala. Why shouldn't a Member of Parliament ask if they are not the ones doing so? They have confessed, to having thrown bombs in Kampala in their books.

THE SPEAKER: Which books are those?

MR SSEMUJJU: The one for Gen. Pecos Kutesa is titled: "*Uganda's Revolution: 1979-1986.*"

THE SPEAKER: Are we still in 1979?

MR SSEMUJJU: We are talking about same people who were throwing bombs and now the ones in charge of security.

Won't it be appropriate for those army generals to come here, maybe through a minister and explain to Parliament if they have abandoned those bad manners of throwing bombs, which they have done and confessed to?

If you allow me, tomorrow I will bring copies of those two books, one by Gen. Pecos Kutesa and another one by Gen. Kyaligonza.

In the one of Gen. Pecos Kutesa, he said that his role was to make sure that people in Kampala go to sleep at three; and they are now the ones in charge of security.

THE SPEAKER: So, what is the procedure matter?

MR SSEMUJJU: It is whether you should not allow them to make a statement and we ask them these questions that we are asking you because this matter came about through your communication. We do not want to be asking the Speaker; we want to be asking those people.

THE SPEAKER: First, the Members you are talking about are not Members of Parliament, and we cannot discuss people who are not in

this House. You are even disturbing the peace of the dead because one of them died.

2.13

DR ABED BWANIKA (NUP, Kimaanya-Kabonera Division, Masaka City): Thank you, Madam Speaker. Terrorism is a serious issue. We are hearing of several bomb threats around the city.

In the past when we faced this issue, security used to come up with guidelines, especially on how people can stay safe in public places. I want to implore security to come up with those guidelines to help our people be safe, especially in public places in the face of terrorism.

THE SPEAKER: Thank you. Security needs to come up with guidelines for people to follow, especially in crowded places like churches, markets, shopping malls and bus parks.

2.14

MR ALEX RUHUNDA (NRM, Fort Portal Central Division, Fort Portal City): Thank you, Madam Speaker. The bedrock of our country is peace and security. It determines the development and all activities that develop a nation.

Therefore, it is proper to know what the saboteurs in this country will target making this country insecure so we do not have peace and our economy collapses. This is not a small matter because the rate at which these terrorists are being identified is alarming.

We benefit a lot from tourism; when we had COVID-19, we lost a lot of income as a country. Now, when we keep talking about bombs in Kampala, and about people not going to public places, we scare away tourists. This is going to hurt our economy, which is already being affected by inflation and the rise of fuel prices.

We need to be cautious about this matter and not create serious alarms so that we are able to maintain. Otherwise, when the press goes everywhere talking about how insecure Kampala is and that people cannot go to public

places, at the end of the day our businesses are going to collapse and it will hurt our economy. I raised this issue because it is extremely sensitive to our economy.

2.15

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Madam Speaker. I add my voice to yours to congratulate the people of South Sudan for their basketball team. It is important for every nation to focus on a particular sport that it should be known for.

Our netballers have been doing well too. How I wish, as a country, we could focus on them so that they too can find their way to the World Championships and hopefully even win.

However, you have clearly mentioned that Thursday will be our day yet there are things that cannot wait. For example, the Ministry of Education and Sports issued a calendar for schools to open. The third term is supposed to officially open on 18 September 2023 as per the school calendar issued by the Ministry of Education and Sports.

However, schools have issued their own calendar. There are schools that are opening on the 9th and 10th, over the weekend. What is going on in this country that even when there are clear guidelines with school terms known, the holidays are cut short - are schools being motivated by money?

I want to ask the Ministry of Education and Sports to explain what is going on, and why should schools not follow the school calendars that are issued by the Ministry of Education and Sports. I thought that could not wait since schools are opening over the weekend. Thank you.

THE SPEAKER: When are the students supposed to report?

MS OPENDI: On the 10th, but officially as per the school calendar, it is 18 September.

THE SPEAKER: Is Thursday 10th?

MS OPENDI: No, they are opening on-

THE SPEAKER: Honourable minister, you will respond on Thursday. Do not just respond to what has been said; come up with a comprehensive report to that effect.

2.17

MR MOSES ALEPER (MRM, Chekwii County (Kadam), Nakapiripirit): Thank you, Madam Speaker. I just want to react to your communication on security.

By its very definition, security is a state of being free from danger and threat. When we heard of the threats on the security within big gatherings in this city, I think everyone stood quite alert and felt what it was.

Of course, when you know that someone wants to cause some injury or pain to the other, it definitely makes you think that it can lead to the loss of lives. I just want to react by echoing that, these types of security threats are normally raised in some parts of this country very far from Kampala.

I implore every Ugandan that these bomb threats are just like any other security threat. Even if they are mentioned in Kasese, Nebbi or other parts of the country, they should be treated with utmost attention.

Therefore, whether it is a bomb threat or whatever threat, as long as it is a threat to the life of an individual, it should be treated quite seriously the way the attention has been given to this particular one. Thank you.

THE SPEAKER: Honourable members, in our Constitution, the national objectives and directive principles of the state policy, on national unity and stability; "All organs of the state and the people of Uganda shall work towards the promotion of national unity, peace and stability." So, it is our responsibility to ensure that we work towards peace and unity in the country.

2.20

MR HENRY KIBALYA (NRM, Bugabula County South, Kamuli): Thank you, Madam Speaker. We need to appreciate your commitment to making sure Ugandans are safe. In Kampala, they are lucky that communication is easy and near; the police and army officers are just next door. Either you will hear a police officer or an army officer.

The areas we represent are upcountry and nobody knows the intentions of these people. These people may know that there is tight security in Kampala and they migrate to Bugabula. And tomorrow you hear a different story. Nobody knows where they are and nobody knows their movement.

The challenge is that the police officers in our areas are not facilitated. I have a police post but the officer in Charge does not have a motorcycle. There is nothing and she is alone.

The next police post is around 15 kilometres away. And there are no police officers. Through your office, can we have police come to the rescue of these people? Give motorcycles, put fuel.

You find somebody there and he or she does not know what to do next. Can we facilitate these people and see how best they can respond because these people can move from Lubaga and you will hear they are in Kamuli, in Bugabula South, and I will come here and begin crying? Before I cry, let the officers get facilitated-

THE SPEAKER: There is no order here; he has finished submission. He was about to cry.

2.21

MR GIDEON THEMBO (NRM, Busongora County South, Kasese): Thank you, Madam Speaker. I want to react to your communication on security. You were spot on because indeed, Ugandans are scared. But I want to thank the security, like you did, for the alerts and being spot on those hot spots.

Most of the speakers have given the impression that the scare is only in Kampala. I would like to report that even in Kasese, as I speak, the border market at Mpondwe has been relocated today because it is a Tuesday and a Friday market.

Security has taken precaution to relocate it because there was a bomb scare in the market. I would like to appeal to the security organs and the Government to widen the net.

Terrorists may not only be in Kampala; they could be in those areas where we least suspect them to attack. I thank you.

THE SPEAKER: Members, why don't you go to the Order Paper? Hon Avur, you will contribute on the next item.

2.23

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Madam Speaker, when I received the Order Paper, ordinarily I was expecting the Defence or Internal Affairs to have asked for space from the Speaker to debrief the nation. Where I stay, that side of Kampala, was literally paralysed yesterday.

You would expect that the Ministry of Defence and Ministry of Internal Affairs would be sensitive to move ahead of the Speaker and ask for space on the Order Paper.

When I did not see it, I was like, probably the Speaker will invoke her powers to afford them space to come and make a statement on such a very serious national matter.

When I heard the Speaker taking matters into her hands when there was a no-show from Cabinet, it speaks partly to what we lost in the Hon. Ssemujju's cynical submission.

Of course, the cynicism in his submission spoke a lot to the fact that he does not believe security believes they owe the nation an explanation when matters of this nature happen, and I think it is a very serious indictment for people managing our security to imagine that Parliament - the voice of the people - does

not deserve to know what is going on and ask particular legitimate questions.

As to whether they are handling, whether they are gathering intelligence or just running around and probably preparing the budgets. We demand that the Minister in charge of Security appears here and explains before Parliament adjourns.

What should we tell our voters when we leave this place? That somewhere, somehow the Speaker is just demanding and you people do not care? You had a Cabinet meeting and you never thought that somebody should come and brief Parliament on this subject and you have a Prime Minister here?

The Speaker must go out of her way to raise this matter for you? We are not fused; you are the Executive, we are Parliament. Are you sleeping on duty? That the Speaker must remind you that you owe the nation a very clear and unequivocal explanation. Without it, Hon. Ssemujju has every reason to draw from history, and the history of conduct of elements within our security to make inferences even when some of these inferences could be far-fetched.

Madam Speaker, I feel the front bench is sleeping on duty and I want to invite your prerogative to demand of them to brief Parliament before the House adjourns because it is very serious. What have they come to do? Beyond securing the nation, why are you here? To tell us what?

So, Madam Speaker - that my friend the minister for Children has come to brief us about children or that my friend of Trade is here for very serious trade. Trading in what? *(Laughter)* I believe that they are cheating us and they are taking the House for granted. I thank you.

2.27

THIRD DEPUTY PRIME MINISTER (GENERAL DUTIES) (MS Rukia Nakadama): Madam Speaker, I would like to assure the House that the Executive is not sleeping on the job. If it was doing so, you would not have

known what is happening in the countryside. It is because of the work that the Executive and Security is doing, that you were informed of what happened and what has been done, and that is how you came to pick that information.

On matters concerning security, it is supposed to be His Excellency, the President of the Republic of Uganda to guarantee the Minister of Security to come and give –

THE SPEAKER: Hon. Macho, when you “smuggle” yourself onto the microphone, you do not switch it on and say “order”. And because you switched it on, I will not allow you to speak. So, can we have the minister finish?

MS NAKADAMA: Thank you, Madam Speaker. So, like I was saying, it is His Excellency, the President of the Republic of Uganda, and the fountain of honour, to grant the Minister of Security to come and make a statement on issues concerning security and I understand he is aware. The Cabinet was briefed and I know a lot is being done around the Country to come and brief this House about the security matters.

Lastly, Madam Speaker, most of the security issues are not public. Like my colleagues are talking here, telling them how many security officers you have at a certain point; you are alerting people and showing them how vulnerable you are and how they can make their target. So, I think since they are security issues, we need to be vigilant and not expose our weak points. Thank you.

THE SPEAKER: Honourable members, what we are hearing out there about the bombs; whatever is said is like they are just speculating. Let us not just get up and defend what is not defensible. It is a good thing for you to come and tell this House: on such a day, this happened and these are the plans we have as Government.

Do not tell us your plans, but tell us we have plans to sort this out. We do not need too much from you, but you need to guide this House and by extension, you are guiding the nation. You need to tell the nation what is going on

outside there. We do not want to know how you handled the bombs or whichever, but tell us what is happening.

It is only in this House that the nation will be able to know what is happening in the country. I do not believe in that and we will not continue listening to Enanga alone. Because for me, I heard from Afande Enanga. Let the Minister come and give this House a report and tell us how we should live.

If the minister tells us that, “You should be able to leave Parliament by 6 o’clock we do not want you here” we will do that. We need to be guided as a country. Next item.

MINISTERIAL STATEMENT ON THE SPIKE IN THE PUMP PRICES OF FUEL

THE SPEAKER: Honourable members, last week, I highlighted a spike in fuel prices and its attendant effects on the prices of other commodities. And when you look at what is happening now, the cost of all commodities has gone high, and the cost of living –

MR NIWAGABA: Madam Speaker. You raised a pertinent matter to the Prime Minister, but you did not give a time frame.

THE SPEAKER: I need a report tomorrow.

MR NIWAGABA: Most obliged.

THE SPEAKER: I said Thursday is for Members. Let us have a report tomorrow on the issues of security. So, honourable minister, pursuant to Rule 52, I invite you to come and give this House your report and by extension, you are giving the report to the country on the mid-term and long-term measures that you are putting in place to ensure that we have fuel prices managed. Do we have a copy of your report?

2.33

THE MINISTER OF STATE FOR ENERGY AND MINERAL DEVELOPMENT (ENERGY) (Mr Sidronius Okaasai): I had actually submitted it officially.

MR SSEMUJJU: Madam Speaker On the loans that we process in this Parliament, the President at one time said that they must be cleared. That is why the committee presented a report on the loans for infrastructure. The committee said we need a letter from the President. The Prime Minister said, just a while ago that the Minister of Defence, Security or whoever needs clearance and a letter from the President to come here and make a statement.

Can we now know if this Minister, who is about to present a statement and all the others that will follow have been cleared and have letters from the President to speak to Parliament?

MROKAASAI: Madam Speaker, I am going to make a statement on the spike in the petroleum product supplies in Uganda. As a background, Uganda is operating a liberalised fuel market. It means the supply and the demand determine the price of petroleum products in our country and this is by law. In our law of 2003, and also in our regulations of 2009, we liberalised the supply of petroleum products.

Secondly, 98 per cent of the petroleum products supplied to this country come through Mombasa Kenya. And we actually depend on the open tender system guidelines of Kenya. This arrangement was updated in 2023 if you recall. I talked about it when we had a spike in fuel prices in this country.

The other issue is that global factors actually impact fuel prices. As a country, we play a very little role in determining the fuel prices. The crude oil prices have actually gone up in the recent past. I will give you the details showing the oil prices as of July and August.

Also, Oil Producing and Exporting Countries (OPEC) which are the major suppliers of petroleum products, have pushed down their production. They determine the petroleum products that are come into the market. The crude oil from OPEC has actually been pushed down reducing the supply of the product.

I should also point out the issue of macroeconomic sentiments. Positive

sentiments in the global macroeconomic landscape have increased optimism about oil demand putting pressure on oil prices.

World oil demand has increased lately and reached a record level with the demand hitting 103 million billows per day in June 2023. In August, there was another peak in demand, which was driven by strong consumption during the summer season in Europe and the United States created a reduction of supplies and then prices.

This surge in demand is a significant factor contributing to rising fuel prices globally, not only in Uganda.

Also in Uganda foreign exchange rate fluctuations have influenced the fuel prices especially in our Country. The exchange rate against the dollar was Shs 3,615 per US Dollar in July 2023 and increased to Shs 3,725 in August; that rate has stayed that high. This has a direct impact on the price of fuel at the pump stations.

Oil Prices and Platts

The global oil market has seen a notable increase in oil prices, with the price of Brent crude oil per barrel surging from \$74.35 in July 2023 to \$82.45 in August 2023.

Additionally, refined petroleum product prices, guided by the Platts, have increased significantly. Diesel prices rose by \$135 per metric tons and petrol prices increased by \$67 in August, compared to July 2023. These price increases are directly affecting the cost of petroleum products imported into Uganda, which, in turn, influences domestic pump prices.

Platts serves as a global authority in the energy industry by providing essential benchmark pricing assessments, market transparency and insights for various energy products, enabling market participants to make informed decisions, manage risk and ensure fair and transparent energy trading practices.

Price taker status

As a net importer of petroleum products, Uganda is a price taker – we are not producing oil; we just take it. This means that when global oil prices rise, they directly affect prices at the pump in Uganda.

However, despite being a landlocked country, Uganda's fuel prices remain competitive and transit trucks often purchase their fuel in Uganda. The trucks that go through Uganda refuel their vehicles in Uganda before crossing into Kenya due to lower prices here.

I am going to give you, as Annex 1, the indications of how the fuel prices are across the region.

Impact of increased world oil demand and summer season in Europe and the United States

The surge in global oil demand to record levels, especially during the summer season in Europe and the United States, has put immense pressure on prices. Thus, high demand, driven by seasonal factors and increased economic activity, has contributed significantly to the recent spike in fuel prices worldwide.

In conclusion, the rising fuel prices in Uganda can be attributed to a combination of global factors, including deepening OPEC supply cuts, positive microeconomic sentiments, strong world oil demand, the seasonal impact of the summer season in Europe and the United States of America, foreign exchange fluctuations in our country and a notable increase in oil prices guided by the Platts assessments.

While Uganda remains competitive in fuel pricing, it is essential that we continue to monitor these factors as they come across over time.

With the measures put in place to ensure a steady supply of petroleum products and fair competition in the downstream petroleum subsector, my ministry will continue to monitor the subsector to ensure that Uganda's market gets a continuous supply of petroleum products through all the supply routes competitively.

We have two supply routes; the Kenyan one and the Dar es Salaam one. So, we shall continue monitoring to ensure that we have a security of supply.

Madam Speaker, I have an annex to show you that our prices are competitive in the region. I am going to talk about the prices in Dar-es-Salaam, the prices in various points in Kenya when the petroleum products enter Uganda and then the Kampala price.

Petrol

The Dar es Salaam the petrol price is Tshs 3,199, equivalent to Shs 4,514. On the Kenyan route. In Mombasa, the price is Kshs 100 -

THE SPEAKER: Is that an attachment on what is uploaded? The rules are very clear: when it is a statement, you must upload everything.

MR OKAASAI: I have it here. I signed it off and it was also in the copies I submitted to the Speaker.

THE SPEAKER: That you sent to the Speaker? Am I the one who scans it? I do not upload it.

MR OKAASAI: I sent it to the Clerk. Sorry!

THE SPEAKER: It is okay, you read it.

MR SSEWUNGU: Madam Speaker, we have only respected the minister, but he was referring to his notes, not reading a statement. In normal practice, the minister should be reading a statement and it should be flowing with what we have on our iPads.

However, since you are *–(Interjection)–* of course as you are, we accept that. *(Laughter)* Thank you, Madam Speaker.

THE SPEAKER: He is an old man. *(Laughter)* Honourable members, you will get the figures. You have heard what the minister said. You all know that in Uganda, the pricing is in a free market economy. Like what the minister said, the determinants are demand and supply.

When the demand outstrips the supply, prices are bound to rise. Now, the prices are up; it erodes our disposable income and worsens the living conditions of the people. The ministers' statement talked about the external factors.

The honourable minister was not looking at mitigating factors that we can bring on board. *(Applause)* The Government, being the regulator: what can we do in the immediate, medium and long term? You need to play your regulatory role as the Government and we need to have buffers, locally, for us to be able to manage these external shocks. We should not dance to the external shocks. We should have the buffers, locally, for us to manage it.

As the minister for energy, we need a stable supply. How we get stable supply is upon the Government. Yes, JB, then after JB – but you have finished - you are giving us what we do not have. Okay, give us the figures.

MR OKAASAI: I was reading through the Annex, which informs where we are. I was telling you that the price of petrol, even in Mombasa, is equivalent to Shs 4,769 – *(Interjections)*- this is current. In Nairobi, the price is Shs 4,851 –

THE SPEAKER: You, who is saying “No,” how much is the fuel?

MR MACHO: Madam Speaker, sometimes I get breakfast in Uganda and lunch in Kenya. The information I have just been given is that the cost of fuel is Shs 3,950 at the border of Busia.

MR OKAASAI: Madam Speaker, if I may continue, I am not going to answer him because it could be smuggled fuel yet I am talking of official fuel *-(Laughter)*– at Mandela's -

THE SPEAKER: Honourable members, the minister is still holding the Floor.

MR OKAASAI: Madam Speaker, fuel at Mandela's is equivalent to Shs 5,229 –

THE SPEAKER: What is Mandela?

MR OKAASAI: Mandela is closer to Busia. I have talked about Mombasa, Nairobi, Eldoret and Mandela, close to the border. When you compare Mandela's with the price in Kampala, which is Shs 5,200 – that is the current petrol price. It shows that *-(Interjections)*

THE SPEAKER: What is the exact cost of fuel?

MR OKAASAI: It is Shs 5,200. *(Interjections)*

THE SPEAKER: Hon. Opendi, what is the cost of fuel? You fueled today. The minister would not know because he uses a fuel card.

MS OPENDI: Madam Speaker, over the weekend I was in Tororo. I took fuel at two different petrol stations at Shs 5,300 a litre. That is at Total and Shell.

THE SPEAKER: Honourable members, it does not matter how much fuel is, but what we know is that the fuel prices have gone high. That is a fact. The issue is, what is our plan as Government – immediate, medium and long term?

MR OKAASAI: Madam Speaker, we shall continue assuring the country and monitoring the supply – *(Interjections)* - what my ministry is responsible for is to assure - since these are global issues.

THE SPEAKER: Yes?

MS NALUYIMA: Thank you, Madam Speaker. The minister has presented to us what is happening and it is the usual talk whenever prices rise. You have also just told him once again that we are aware of the issues of global prices and forces of demand and supply. You asked him, “What is the way out? What have you planned?” This is about issues like reserves; mention anything, it is what we are expecting. Right now –

THE SPEAKER: First of all, we need to find out what happened to our reserves in Jinja, Hoima and others. Do we have fuel in them? If you do, that should be the immediate buffer that we have.

MS NALUYIMA: Wouldn't it be procedurally right that the honourable minister goes back and brings for us a comprehensive statement showing what we are going to do for the country to move on? It should be directing us in the way you have just mentioned; short term, medium term and long term responses and solutions.

Last time, the Prime Minister mentioned that whoever was to have a price above Shs 6,000 or Shs 5,000 – at least the petrol stations were able to reduce a little. Right now, he is not giving us a solution. Therefore, are we proceeding well when the minister is unable to give us a solution right now?

THE SPEAKER: Honourable minister, your role is not only to keep monitoring but to ensure stability and assuring the country. Yes?

MR SSEWUNGU: Madam Speaker, the Committee on Government Assurance and Implementation interfaced with the minister – he knows it very well - and gave a number of issues. We have a report well prepared. If it is within your mandate, Madam Speaker, you would give us room tomorrow –

THE SPEAKER: Did you say if it is within my mandate?

MR SSEWUNGU: Within your mandate, Madam Speaker, not “if.” I am a senior legislator here and cannot make a mistake. *(Laughter)*

THE SPEAKER: Honourable members, it is under item 8 on the Order Paper, “The motion for adoption of a report of the Committee on Government Assurance and Implementation of Government Assurances to stabilise fuel prices.”

Hon. Joseph Ssewungu is suggesting that we debate the report together with the assurances of the minister. All that the minister has is an assurance to the country that “we shall reduce prices”. Let us look at that report together with what the minister has presented. Motion?

2.57

MR IBRAHIM SSEMUJJU (FDC, Kira Municipality, Wakiso): Madam Speaker, I am moving a motion, under rule 59, that Parliament rejects the statement by the minister. You have, as the presiding officer, guided further that a Government worth its name should come here and explain what happened to the reserves. What are the solutions to the citizens who are suffering with the fuel? Not just downloading material from Google, then you come and tell us how external factors –*(Laughter)*- Madam Speaker, the motion that comes without notice under this rule is that this Parliament rejects this statement and orders the minister to return with a statement that gives solutions to the fuel crisis that we have in the country. *(Applause)*

THE SPEAKER: Honourable members, the minister had not finished. He had good ideas in his statement; external factors causing the prices to increase. The only things that the minister does not have in his report are solutions and a way forward; how to mitigate the effect of prices.

However, since it is a motion, is it seconded? I put the question to that motion.

(Question put and negatived.)

THE SPEAKER: Honourable minister, we are going to have a debate tomorrow on your report together with the committee report. It will be the first item.

MR OKAASAI: Most obliged, Madam Speaker.

THE SPEAKER: Thank you. Next item.

MINISTERIAL STATEMENT ON THE HIGH COST OF SCHOOL FEES IN SOME PUBLIC SCHOOLS AND TERTIARY INSTITUTIONS AND ATTENDANT REGULATIONS

THE SPEAKER: Honourable members, Section 3(2) and Section 57(g) of the Education (Pre-Primary, Primary and Post-Primary) Act, 2008, mandates the minister to prescribe and regulate the fees payable in all the schools.

As part of the oversight role, the responsibility is given to the minister to make sure that he brings the regulations to this House.

This House requested the minister to bring the regulations since the children and students are going back to school soon - with dates that Hon. Sarah Opendi raised that they are not systematic of which we want your response on Thursday.

It is the responsibility of the Government to ensure that there is equality in the education sector. We fund these Government schools, and even when we appropriate money for them, they still charge high school fees. It is on that note that we ask you to come and present the regulations to this House. We are asking for regulations not circulars.

3.01

MINISTER OF STATE FOR EDUCATION AND SPORTS (HIGHER EDUCATION)

(Dr Chrysostom Muyingo): Thank you, Madam Speaker. This statement is about high school charges in some schools – you may call it prohibitive and the attendant regulations.

Madam Speaker, my ministry shares the concerns of the honourable members, about the prohibitive school fees charges which are denying access to education for a number of our learners, compromising the Government's objective of providing affordable quality education for all and increasing equitable access to education.

Madam Speaker, it is against that background, that the First Lady and the Minister of Education and Sports, set up a committee to review the school fees charges. This committee was chaired by Prof. Kayanja – I will lay on the Table his report.

From the recommendation that was drawn from that report, the ministry has come up with measures to curb the continuously rising fees charges. These measures – *(Interruption)*

THE SPEAKER: Point of procedure.

MR SSEMUJJU: Thank you, Madam Speaker. I thank the Minister for Local Government; when there is a matter for Local Government, he will be here and not his deputy.

The procedural issue I raise, Madam Speaker, is whether Hon. Dr J.C Muyingo is now the Minister for Education because you called for the Minister for Education. I thought he would first tell Parliament why the minister is not here before he proceeds as someone who has been sent.

However, he has made it a habit that each time you call for the Minister for Education, he immediately jumps up as if he is the Minister of Education yet this Parliament approved the Minister for Education. *(Laughter)*

THE SPEAKER: Honourable members, Hon. Dr Muyingo is a Minister of Education. The Ministry of Education and Sports has a number of ministers and I have a rota. Today is for the Hon. Dr Muyingo. Much as the document is not signed by him, because he is the one supposed to be in the House, he is reading the statement - it is signed by him, okay.

If you want the minister, he is here; unless you just want a person.

DR MUYINGO: Thank you, Madam Speaker -

THE SPEAKER: Honourable members, let the Minister in charge of Higher Education present.

DR MUYINGO: Thank you, Madam Speaker. From the recommendations - *(Interruption)*

MR SSEWUNGU: Madam Speaker, I seek your guidance. I have been on the Committee on Education and Sports for some time, and I know how it runs. I think, with your guidance, it would be helpful if you wrote to the full Minister of Education and Sports to let her know her roles as a minister.

When running the committee, we get stuck because of the substantive minister not

appearing before the committee. She went through the Appointments Committee and gave assurances to this Parliament that she would run the work of Government because she has no children. So, when the minister who does not appear, it makes us get stuck and makes the Hon. Dr Muyingo sweat while meeting us all the time; he is suffering -

THE SPEAKER: Honourable members, I have always told you that you could attend on Zoom or physically. As I see, the First Lady is on Zoom unless you want to see her physically. If you want to see her physically – honourable members, I wish I was loved the way you love the First Lady. You want her in the House.

MR SSEWUNGU: Madam Speaker, I even pray for her by the way.

THE SPEAKER: Yes, keep praying for her and if you want to see her, kindly let us make an appointment, I will take you to the State House and meet her. Honourable minister, continue.

DR MUYINGO: Thank you, Madam Speaker. May I use this chance to tell my brother, Hon. Ssewungu, that I am not sweating, but enjoying my work.

THE SPEAKER: Actually, he is your son.

DR MUYINGO: He is my young brother.

THE SPEAKER: Okay.

DR MUYINGO: From the recommendations that were drawn from the Kayanja Report, the ministry has come up with measures to curb the continuously rising fees charges.

These measures were communicated to the schools and general public through press releases and circulars, by the Permanent Secretary, Ministry of Education and Sports. They were dated 29 October 2018 and 4 February 2020. The guidelines in the circular include the following:

1. No school, private or Government, shall increase school fees for whatever reason

without written authorisation from the Permanent Secretary, Ministry of Education and Sports.

2. Other cash and non-cash requirements outside -

THE SPEAKER: Why don't you let the Minister to finish? We are disturbing him.

MR SILWANY: Madam Speaker, I want to raise an important procedural matter. Last week, when the State Minister for Education, the Hon. Peter Ogwang, was presenting you asked about the Kayanja Report and that they should first bring us that report before they make the presentation, So -

THE SPEAKER: He has said that he is going to lay the Kayanja Report on the Table.

MR SILWANY: Madam Speaker, I wish I could conclude the procedural matter. Wouldn't it be procedurally right for the minister to first take us through the Kayanja Report, so that we understand it and that we are at the same level before he presents -

THE SPEAKER: We will put the Kayanja Report in the library and whoever wants will go there and read it. Our interest, as a House is the regulations. You do not even need to talk much, just bring the regulations even if it means laying them on Table.

DR MUYINGO: Madam Speaker, right now, I do not have the regulations. But I would like to give you the background to that situation -

THE SPEAKER: Please, listen to the minister.

DR MUYINGO: Madam Speaker, I would like you to allow me to complete my report and to show you exactly how far we have gone with the regulations.

3. Schools implementing Universal Primary, Universal Secondary Education and Universal Post Ordinary Level Education and Training, shall strictly adhere to the policy implementation guidelines.

Where the parents decide and agree to contribute towards an emergency in the school and permissions sought and granted by the Permanent Secretary of Ministry of Education and Sports, no learner shall be excluded from school, on account of a parent's failure to pay the agreed upon amount, in accordance with section 9(3) of the Education Act of 2008. As soon as emergency is resolved, the school shall stop charging the emergency fee.

4. Where a school Board or School Management Committee has to employ additional teachers to those on payroll, permission shall be sought from the Permanent Secretary in case of a secondary school and a chief administrative officer or town clerk, in case of a primary school, to use part of the capitation grant towards the payment of additional teachers.
5. In line with (4) above, head teachers are warned against employing additional teachers before all the teachers on the payroll have been assigned the minimum required teaching load. All teachers without a minimum teaching load, should be promptly reported to the Ministry of Education and Sports, in case of secondary schools for respective local governments in case of primary schools, for appropriate redeployment.

All Schools must respect staff establishment ceilings, for both teaching and non-teaching staff, as provided by the Ministry of Public service.

6. Private schools must adhere to the approved Staff Employment Guidelines. They should formally recruit, contract and effectively manage and develop staff on reasonable employment terms.
7. All Government and Government aided schools, should desist from taking commercial loans. Any school applying for a loan, must seek authorisation from the Ministry of Finance, Planning and Economic Development through Permanent Secretary, Ministry of Sports

and Education, as provided for in the public Finance Management Act, 2015.

These guidelines have been widely circulated to institutions of learning across the country, through local governments, Kampala Capital City Authority (KCCA) and the Directorate of Education Standards.

The Ministry prepared a Cabinet Paper on school fees regulations, we wanted the approval of Cabinet.

However, Cabinet in a bid to fulfil the pledge of free education for all, directed the Minister to submit another memo, on compulsory free education for all.

The ministry submitted the Cabinet memo on free and compulsory education for all and it was approved by Cabinet on the 17 March 2023.

The ministry has embarked on implementing this Cabinet resolution and will be briefing Parliament accordingly on the progress of this, at an appropriate time.

Madam Speaker, we are going in for compulsory free Universal Primary/ Secondary Education which is going to be done in phases, beginning with next financial year.

Therefore, the policy regulating school fees as it were, has been overtaken by events. And the new position on free compulsory universal education, is being implemented. I beg to submit.

THE SPEAKER: Thank you, clarification from Hon. Kinyamatama.

MS KINYAMATAMA: Thank you, Madam Speaker. Honourable minister, how are you going to do it in a phased manner, when you are just reading a report without details?

How are you going to completely make sure that it is free education for both primary and secondary schools because that will speak to Ugandans that are watching and listening to us, otherwise, your report just -

THE SPEAKER: Are you talking about the free universal education for all students? Let us first have the circular for this third term. You own a school and we know it.

First of all, one thing that we must appreciate is that education is a universal equaliser and we do not want to disadvantage other people. If you do not have the regulations, why don't you first come with a circular and give it out to all the schools? And say, "This is the minimum and maximum amount of money that you should charge." And then, you closely monitor for you to give free education in the next financial year.

However, for now, what is the way forward as students go back to school and what are you advising schools to do? It cannot be overtaken by events. No! First respond to what I have asked you.

DR MUYINGO: Thank you, Madam Speaker. We are going to universal primary and secondary education, whereby each and everybody of school going age, will be able to -

THE SPEAKER: I asked you about primary, secondary and tertiary education. We are not only talking about primary education.

DR MUYINGO: Madam Speaker, we are -

THE SPEAKER: Yes, Hon. Onzima. Why is it that everybody wants a clarification from the minister?

MR ONZIMA: Thank you, Madam Speaker. I am just confused because I thought Government was implementing universal secondary and primary education. Now, if the minister is saying that next financial year, they are also starting universal primary education and universal secondary education, what have they been implementing? I would like to get that clarification.

THE SPEAKER: Honourable members, I want you to listen. The law is very clear that the minister has to bring regulations; unless if we are not implementing the law.

You are talking about Universal Primary Education (UPE), but we are not talking about it alone; we are talking about primary, secondary and tertiary education. We want regulations, even if it is free, the regulations must be in place because it is demanded by the law.

MR ODUR: Madam Speaker, last week, the State Minister for Sports, Hon. Peter Ogwang presented a statement here. When you read the statement presented today by the minister, word for word, except, the signatures, you will notice that it is the same one that has been presented to us.

THE SPEAKER: No, mine has the same signature of last week *—(Laughter)—* I mean the signature for Hon. Peter Ogwang; it is here. This is the same report we threw out last week and asked the minister to come up with regulations.

Honourable minister, can you help this House and country? We made a law in this House and you are aware of it that you will come up with regulations to regulate school fees to avoid exploitation of our people. Most schools, including Government aided schools, are charging very high school fees. That is what we are asking for! We are not asking too much. We want uniformity, and we said, last week, that we need to grade these schools; a school in Kampala is different from that in Mayuge and you cannot charge that school a certain amount.

That is why we are saying we need minimum and maximum school dues. Give us the regulations on how we should run the schools.

3.19

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Thank you, Madam Speaker. I am very constrained to pick the motivation of one of my mentors, Hon. Dr Muyingo.

Today I am very troubled; he is very uninspired and unusually insipid because he is very smart and I am wondering what could have befallen him.

First of all, he is aware that Government has never fulfilled its policy of a primary and secondary school per subcounty; a primary school in every parish and a secondary school in each subcounty.

And today, to calm the nerves of the House, they have added a slogan, “compulsory free education”. So, all the troubles have been solved.

He is aware that as we speak, there are simply so many primary schools without the minimum number of teachers required. He is also aware that each pupil in our primary schools receives less than Shs 10,000 per year, and they are supposed to use that to hire more teachers and also run the schools’ day-to-day programs. We are still discussing education in those same phrases: education for our children and the future of this country.

Madam Speaker, I think we can be so nice and speak niceties; but the honourable good doctor and minister needs to do justice to his quality. He is supper good; he is not himself. Let him return and speak to this House.

Is Government prepared to educate freely and compulsorily the country’s children, facilitate the schools, pay the teachers, recruit enough teachers, and make sure that there are schools in every subcounty as notified?

Madam Speaker, I have been travelling in the country and the subcounties without schools are several. I was in Obongi; primary school children board a ferry every 12 o’clock to return home for lunch and return to school in the afternoon at 4 o’clock for afternoon lessons.

Madam Speaker, the minister needs to return to the drawing board and unfortunately for my good friend and mentor, where I work, you cannot even debate his statement because it has no space. This kind of output has no space in my programme - we cannot debate it. It does not meet the minimal standards for our space to debate it.

This is our country; education is for all of us. We need to discuss it in terms that even

inspire a young pupil who is at home watching television - that we are actually planning for them.

So, we cannot discuss this Madam Speaker. So, will the honourable minister, be kind and say, “I humbly retreat, let me go and prepare.”

You have my support doctor; be sure you will have our support and bring what you need to do. We know there are challenges in the sector; they are not your personal challenges; you did not create them. We can handle them together; this is our country. Expose the gaps and we shall support you. Just be aware there are challenges but this does not pass the minimum test, I am afraid. Thank you, Madam Speaker.

THE SPEAKER: Thank you so much. Honourable members, in the public gallery this afternoon we have pupils and teachers from Buluge Nursey and Primary School Erute South, Lira District. They are represented by our own, Hon. Odur Jonathan.

Hon. Odur, first stand up for the kids to see you; and Hon. Auma Linda. You have very good Members of Parliament. Go and tell your parents that you saw Hon. Odur here. He is a very good Member of Parliament.

Again, in the public gallery this afternoon we have pupils and children from Rima Nursery and Primary School, Lira East Division. They are represented by Hon. Akena James Michael Jimmy and Hon. Aceng Jane Ruth Oceru. You also have very good leaders in these people.

Honourable minister, we want to plead with you that what the minister gave you to read is exactly what Hon. Ogwang read the other day. That is why I was able to follow it up because it had Hon. Ogwang’s signature. They only removed Hon. Ogwang’s names and put yours –*(Laughter)*

Let these ministries not make us look ugly. What we are saying is that we are going to the third term; let us have, in the absence of regulations, a circular to schools that this is the minimum and maximum amount that should be paid in terms of school fees.

We thank you so much for the universal free education, we will wait for it. But for now, we are in the third term we want action to be taken minister, because we are not going to take this report.

This report is what we threw out the other day. I do not want to call it contempt of Parliament, but I would have naturally called it so.

MR SSEMUJJU: A colleague is asking - just read rule 59(m), the trouble is that they give you books, but you do not read them.

Madam Speaker, I am raising a point of privilege. Hon. Dr John Chrysostom Muyingo was with the Commissioner for Higher Education before our committee in the morning. He was pleading and asking why we should embarrass him at that age –(Interjections)- I am telling the truth - let him deny it. But the point of privilege I am raising on his behalf - at his age, he is being made to carry these things and being humiliated by the committee and by Parliament. Why doesn't this Parliament advise him to resign? (Laughter)

For you to be asked to bring the same statement and you append your signature!

Hon. Mathias Mpuuga said - and I confess – that you are our leader in Buganda here. That is why you put us in an awkward position now. How can my people hear that I am here also joining those who are embarrassing you? You made the choice yourself, that you will be the one to carry papers, whether you have read or crosschecked with what was here or not.

Madam Speaker, I request you to invoke rule 59(m) and allow Hon. Dr J. C. Muyingo not to return with – otherwise, how do we defend him? (Laughter)

THE SPEAKER: Doctor, I want you to come back with something better than what you have.

DR MUYINGO: Thank you, Madam Speaker. I have taken note of the issues that have been raised. I pray that you give us some time and we come back with a more robust and updated report.

THE SPEAKER: Hon. Dr Muyingo, first of all, come back with the action that you have taken, now that schools are starting. Maybe, you can send a circular or do something else; advise the schools.

DR MUYINGO: Most obliged, Madam Speaker.

MR SSEWANYANA: Thank you, Madam Speaker -

THE SPEAKER: I hope we are not debating the report that we have chased away.

MR SSEWANYANA: No, we are not debating the report. However, Madam Speaker, because of the respect we accord Hon. Dr John Muyingo, it would be prudent for him to withdraw that report and say “sorry” to Parliament because of his dignity.

As leaders of Buganda here, we feel offended. How can a full doctor – almost a professor – read the same statement that was thrown out by Parliament last week? It is very embarrassing, Madam Speaker.

THE SPEAKER: Honourable members, do not tribalise this Parliament. (Applause) Hon. Dr Muyingo is not a minister of Buganda and he is one of the most respected ministers. Hon. Dr Muyingo has already withdrawn his document and said that he is coming with a robust one.

However, in the meantime, as we wait for the robust document, he is going to take action by issuing circulars on issues of schools where parents are exploited and how such issues can be handled. Let us go to the next item.

MS OPENDI: Thank you, Madam Speaker. The minister had come with the “Kayanja Report”. Would it not be procedurally right to ask him to lay it on Table so that it is referred to the library for us to read and know what is in it, as directed last week?

Secondly, would it not be procedurally right for the Committee on Education and Sports

to also conclude handling matters regarding school fees that are before it? They could even interface with the ministry and bring their report here.

THE SPEAKER: That “Kayanja Report” is part of the report that the minister is supposed to present. So, that would be doing things in piecemeal. *(Applause)* Let the robust report come with the “Kayanja Report”. *(Laughter)*

MS NDIWALANA: Thank you, Madam Speaker. While the minister is going to edit the report, I would also like him to inform this nation - as he thinks that the schools are not going to be paying and it is going to be free education, let him to tell us why they are adding extra payments, which they are naming “development fees, lunch and medical fees” –

THE SPEAKER: That is what is going to inform the report.

MS NDIWALANA: All that could be deleted from the list of requirements by schools under the Government. Thank you.

THE SPEAKER: Honourable members, I have already made a ruling on that matter. Let us wait for the robust report. In the meantime, we need an action to be taken on schools - The problem we have is that most of us are conflicted because most people have schools, so, they feel like the school fees should remain the same.

MINISTERIAL STATEMENT ON
THE NON-COMPLIANCE OF
LOCAL GOVERNMENTS, CITIES
AND MUNICIPALITIES WITH THE
PARLIAMENTARY RESOLUTION ON
THE UTILISATION OF THE ROAD
MAINTENANCE GRANT

THE SPEAKER: Honourable members, you will recall that last week, we had the same issue and gave the minister a deadline of Friday to communicate to the local governments, municipalities and cities and give Members of Parliament a copy of the guidelines regarding the resolution by Parliament.

I happen to have received a copy of the letter from the Permanent Secretary, Ministry of Local Government, forwarding the resolution of Parliament to all the local governments. So, they have asked local governments to implement the resolutions of this Parliament. Hon. Magyezi, I thank you for taking the instructions of Parliament. *(Applause)*

3.35

**THE MINISTER OF LOCAL
GOVERNMENT (Mr Raphael Magyezi):**

Thank you, Madam Speaker -

THE SPEAKER: I do not know whether you have got your copies. Can I have copies for all the Members of Parliament in their pigeon holes? *(Applause)*

MR MAGYEZI: Thank you. Madam Speaker, we thank Parliament for the decision it took on the road maintenance grant of the Shs 1 billion per district. We fully agreed with Parliament and have issued a circular, directing the local governments to implement it. We have also developed an action paper for each resolution, guiding the local governments in line with my responsibility under Section 95 of the Local Government Act so that they know what concrete actions to take under each resolution.

We have actually uploaded it on the iPads, but we shall also make sure that there is a copy of the circular plus the action paper in the Members’ pigeonholes. I thank you, Madam Speaker.

THE SPEAKER: Thank you.

MR OGUZU: Thank you, Madam Speaker. This matter of the road grant to local governments requires action, like the Minister of Local Government has taken.

However, we still continue to get complaints from the local governments, especially engineers. I think these people are on a platform and they are also strategising on how they can defeat Parliament’s resolutions. They are raising many issues, one of them being whether subcounties should benefit from this money.

They are disagreeing with our proposal that they should spend five per cent instead of the 15 per cent, which is usually spent on repairs. So, all those are raising issues. If not addressed and clarified further, I suspect that we may not be able to utilise these resources in the first quarter.

Therefore, I invite the minister to liaise with the Minister of Works and Transport, who should put Uganda Road Fund Secretariat on notice so that they can further guide if there are things to guide on.

For this money to be utilised, Madam Speaker, the Ministry of Finance, Planning and Economic Development should be able to open up its system to enable local governments to upload any revised work plans and this has not been done. It will therefore require some multi-sectoral approach which I believe the Minister of Local Government can coordinate. (*Member rose*) Please, I take that information.

DR BWANIKA: Thank you, Madam Speaker. Last week we were with the Permanent Secretary/Secretary to the Treasury (PS/ST), Ministry of Finance, Planning and Economic Development and this issue was raised. The PS/ST stated that they are not going to release money under the Road Fund. They are saying that if they are to release that money we must pass a Supplementary Budget on this Floor.

Madam Speaker, the Minister of Finance, Planning and Economic Development should come here and clarify their statement. They are saying we are going against what we budgeted for under the local government and they stated this last week.

THE SPEAKER: They said it from where?

DR BWANIKA: We were in a retreat at Serena Hotel, Kigo.

THE SPEAKER: That is hearsay.

DR BWANIKA: It is not hearsay; I was in the meeting.

THE SPEAKER: Doctor, the minister ought to come to this House. If it was mentioned in this House - we are not going to pick information from wherever and –

DR BWANIKA: Most obliged, Madam Speaker. That is why I am requesting that the minister –

THE SPEAKER: We will go to another step when we see that the money has not been released. But to the best of my knowledge, money is with the local governments.

MR OGUZU: Madam Speaker, money is with the local governments. What needs to be done is the warranting of that money. The warranting must be done so that it can be spent on road maintenance.

THE SPEAKER: Honourable minister?

MR MAGYEZI: Allow me to confirm to the House; I think we are talking of two things. There is money, which they were getting under the Road Fund. That, as you heard, was cut in a number of districts. But the Shs 1 billion, which is subject to the resolution of Parliament, I want to confirm that each district has already got Shs 250 million for this quarter.

I also want to inform the House that the position which I have given you was agreed on between myself, Hon. Gen. Katumba Wamala, the Minister of Works and Transport; and Hon. Henry Musasizi, the Minister of State for Finance, Planning and Economic Development (General Duties). So, we are moving in the right direction, honourable members. What is understood - just give me one minute - you see, the circular we have issued was on Friday, 1 September 2023. I have no doubt, the local governments listen to their minister and will implement. Thank you.

MS OPENDI: Thank you, honourable minister. You are aware that the previous money was released under the development budget. Currently, yes, we had a Roads Committee meeting and the Chief Administrative Officer (CAO) was bringing this to our attention; that

this money is under the development budget and yet under the Road Fund, funds were being released under recurrent expenditure.

Therefore, there is need to shift this money from the development to the recurrent budget line so that they can spend it. That is where there is a challenge. The clarification I am seeking from you is whether you have looked at that as the responsible minister.

THE SPEAKER: Hon. Annet?

MS KATUSIIME: Thank you, Madam Speaker. First of all, I have been the Chairperson of the Roads Committee in my district. Madam Speaker, you directed that we go back and hold a meeting, which we did. In my district, money was released and has been used. So, I am actually confused.

The only challenge we have in my district are the road units. We cannot afford to use the money that we have - depending on the machines that we have. We are sharing with the municipality and the town council. So, for me I am actually confused. Which money are you talking about, Madam Speaker?

THE SPEAKER: Honourable members, the Member is right to ask. When we are in this House, we should move together. If the Member is not sure which money we are talking about - Hon. Annet, we are talking about the Shs 1 billion that we added to the local governments, and of that Shs 1 billion, every quarter local government is supposed to get Shs 250 million.

Our issue was, we were not ready as Parliament to go by the guidelines that were issued by the Minister of Works and Transport. We got those guidelines from the Ministry of Works and Transport and forwarded them to the Committee on Physical Infrastructure.

The Committee on Physical Infrastructure came up with the guidelines that were adopted

by this House. When the House adopted the guidelines, our assumption was it was automatic, this House being supreme. The two ministries: Ministry of Local Government and the Ministry of Works and Transport did not implement that.

It is upon that, that the House asked the Minister of Local Government to take responsibility and write to all the local governments instructing them to follow the guidelines that were approved by this House. That is what we are talking about and that is where we are. I hope we are now on the same page.

3.44

MR JONATHAN EBWALU (Independent, Soroti West Division, Soroti City): Madam Speaker, I want to thank the honourable Minister of Local Government, my senior brother, Hon. Raphael Magyezi. I want to say here that you are one of the most active ministers in President Museveni's Cabinet; very honest. Where you are able to say, "yes?" Where you are not able, you say, "no."

Number two, I want to confirm; I spoke to our town clerk. Also, you gave us a very good Town Clerk, Mr Kaweesi. He has confirmed that the city has received Shs 250 million. All the CAOs; all the accounting officers were asking, "How are we going to spend the money" because the first guidelines that were sent to the cities, districts and the municipalities, could not be used.

Now, with this commitment that you have brought, I want to agree that by next week, we are going to start the work. But Hon. Magyezi, thank you very much. I read about you in the newspapers even before joining this Parliament; that you did a very good job.

THE SPEAKER: You have finished. Next item?

The underperformance in the absorption of funds by the local governments was attributed to a number of factors on a case-by-case basis, including late recruitment of teachers, delayed access of staff to the payroll among others. The underperforming local governments included Agago District Local Government, which absorbed only 77 percent of the funds released to it; Gulu District Local Government also absorbed 77 percent; Koboko District Local Government also registered 77 percent; and Lira and Apac District Local Government at 81 percent.

On the other hand, the local governments that absorbed close to the target included:

Kitgum District Local Government with a return of 98 percent, Kitgum Municipal Council at 96 percent, Pader District Local Government at 96 percent, and Amuru District Local Government at 92 percent.

Local revenue performance

The total approved local revenue budget for the local government was Shs 223 billion, of which Shs 131 billion was released back to the local governments, representing 59 percent. The warrants or releases are based on what the local governments collect and is deposited with the consolidated fund as per the requirements of Section 29 (2) of the Public Finance Management Act, 2015.

In the same vein, the 48 entities had an approved local revenue budget of Shs 48.273 billion, and a sum of Shs 29.265 billion was availed, hence an underperformance of Shs 19 billion.

A number of local governments under review posted good performance, led by Yumbe District Local Government at 137 percent, followed by Maracha District Local Government at 127 percent, while the least performance was registered by Kitgum Municipal Council, which realised only 16 percent of its approved local revenue budget, Apac District Local Government at 32 percent and Agago District Local Government at 38 percent, as per the budget performance.

Committee Observations

The Committee observed thus:

- i) Local Government did not receive all appropriated budget resources and therefore, failed to implement planned activities;
- ii) The unspent balance was attributed to a number of factors, including failure to recruit, delayed deployment of teachers by Ministry of Education, failure to procure contractors under the Uganda Support to Municipal Infrastructure Development (USMID) programme, delayed completion of projects under the Uganda Intergovernmental Fiscal Transfers (UgIFT) Programme, among others; and
- iii) Majority of local governments reviewed, absorbed and did perform above 80 percent.

Committee recommendations

The committee recommends thus:

- (i) The Ministry of Finance, Planning and Economic Development accounts for the under-release of funds to the local government.
- (ii) Accounting officers under whose supervision local governments failed to utilise funds released to them be held personally liable.
- (iii) Entities whose absorption of funds was below 80 per cent be subjected to further investigation to ascertain underlying factors of the gross underperformance.
- (iv) The accounting officers should develop clear revenue enhancement plans to assist the district in future revenue mobilisation.
- (v) The accounting officers should make follow-up with the Ministry of Finance on the shortfalls affecting service delivery.

Payroll Management in the Local Government

We shall read this together with funding and absorption of wage, pension, and gratuity.

Committee observations

The committee made the following observations:

- (i) Many local governments conceal or ring-fence positions that have fallen vacant by deploying junior staff in acting capacity or assignment basis beyond the mandatory period of six months; as a ploy to give time to their favoured candidates to gain the prerequisite qualification, during which period they deny deserving persons employment at the expense of service delivery, as noted in the committee's previous report, where in Kikuube District Local Government, many of the staff were in acting capacity, with some acting in more than three positions despite the clearance by the Ministry of Public Service to fill those positions.
- (ii) Adequate absorption of wages in local government was inhibited or constrained by factors ranging from functionality of District Service Commission to understaffing.
- (iii) Education Service Commission delays to recruit tertiary and secondary school teachers despite –

THE SPEAKER: Hon. Bahati, can you bring back your Members inside? Honourable members, this report is very good for you because it has an aspect of road fund. And if you cannot know what is happening in your districts, then I do not know what you are doing here.

MR OLANYA: Thank you.

- (iii) The district service commission delays to recruit tertiary and secondary school teachers despite releases made and formal requests to the Ministry of Education and Sports.

(iv) Ministry of Finance made releases to some local government over and above the requested funds.

(v) Some of the affected accounting officers adhered to the provisions under Section 17(5) of the PFMA Act 2015. Thus, monies were re-voted to cater for the initially planned activities. And

(vi) Failure to implement the provisions of the Negotiating, Consultative and Dispute Settlement Machinery Act, 2008 hence the failure to settle labour disputes, leading to under-absorption, loss of funds and high cost of dispute resolutions.

Committee recommendations

The committee recommends as follows:

- (i) Permanent Secretary and Secretary to Treasury should hold all accounting officers who fail to ensure timely recruitment of staff personally liable and reprimand them for causing return of funds to the consolidated fund.
- (ii) The accounting officers should institute measures that will ensure timely declaration of vacant positions to the District Service Commission, appointment and access to the payroll to avoid return of unspent balances to the consolidated fund.
- (iii) The Education Service Commission should ensure strict and timely adherence to their recruitment plans to avoid delays in staff recruitment.
- (iv) Local Government should ensure that there are fully constituted district service commissions to enable timely recruitment of staff.
- (v) The provisions of the (Negotiating, Consolidative and District Resettlement Machinery Act, 2008) should be adhered to.

Madam Speaker, you raised a pertinent issue about having all the reports from the local governments. Having read through this, I want to assure you, honourable members, that if we do not scrutinise the local governments, all our efforts will be wasted.

Madam Speaker, is it possible to find a way we can adjust so that all the local governments can be put to scrutiny? When you read through this, you find a lot of wastage. Much as we may vote money to local governments, the honourable minister should know that they are turning into huge elephants.

We need all the local governments to be mirrored in your report, chairperson. The Speaker has raised a red flag that we are now debating a 2021/2022 post-mortem report and we may not have the time to dissect and have all these other local governments scrutinised. What happened along the way?

THE SPEAKER: It is not actually the time; it is a constitutional requirement that it must be handled within six months. In the remaining time, we should be able to look at the Treasury Memoranda of all local governments - that is what Hon. Jonathan was raising.

MR SSEKIKUBO: Yes, because the Government must respond to our recommendations, as Parliament.

THE SPEAKER: Yes, before we start the next budgeting process. Remember that it is in the next few months.

MR SSEKIKUBO: I request, Madam Speaker, that special time be devoted for this House to scrutinise and debate all local governments because whatever we pass here goes to them yet the impact is not being felt simply because of the wastage you see in this report. Money is sent and returned. Can we have extra time committed so that we look at our local governments, Madam Speaker?

THE SPEAKER: Hon. Ssekikubo, we cannot debate what we do not have. We only debate what is given to us. For example, we have

said that we shall look at the Government Assurances and Public Accounts Committee reports tomorrow because we have them but if they are not here, we cannot. If they are able to bring everything, it is okay.

However, if you listened to what Hon. Ssekikubo said; that the local governments are a problem, and you listened to what the chairperson read, it borders on poor budgeting performance among the local governments. This is occasioned by a lapse in planning, low budget absorption and slow implementation of development programs.

Secondly, there is poor revenue performance; most of the local governments suffer from a narrow revenue base, which impedes the realisation of project revenues.

Thirdly, there is a lapse in payroll management characterised by arbitrary salary deductions. You heard him talk about Shs 19 billion, which is coming from salary payment management.

There are also administration challenges in the newly created cities; there are no guidelines in the new cities. They cannot be operationalised because no money is given to them.

I will wait for Hon. Magyezi to come here to create new cities and constituencies. First operationalise those in existence before you create more. All of us want to have small constituencies but we are mindful of the costs. We want to tell you that as a House, we will not support you.

Then there are challenges in the implementation of the Parish Development Model (PDM) notably, failure to remit funds directly to the PDM SACCOS and high costs of administration. Whereas you say you are going to send Shs 17 billion, you send Shs 5 billion.

There are challenges in the implementation of the Uganda Road Fund, characterised by low budgetary allocations. We are lucky to get Shs 1 billion to add to what we had been given. Therefore, we want to tell the minister that there is a lot to be discussed in local governments. Yes, Akiiki?

4.44

MS FLORENCE ASIIMWE (NRM, Woman Representative, Masindi): Thank you, Madam Speaker. There is a lot to say if I were to speak about local governments because I was once a staff there. I could spend an entire day talking about them.

First, we have 135 local governments, 10 cities, 31 municipalities, and KCCA totalling 176 local units. That is a lot. I thank the committee for the good work but there is more to be done. If we have only talked about 36, there are more left and a number of these issues cut across all local governments. I will talk about a few and leave my colleagues to comment because I have a lot in my head. *(Laughter)*

The first is PDM. Honourable members, PDM is a good project. We are lucky to have a good minister like Hon. Magyezi who is very articulate and sincere, but I know PDM has challenges.

I have been in the field to try and ascertain the amount received per parish. Colleagues, if we do not take local governments seriously, we will have no work because that is where we operate from. I have taken time and energy to find out how many parishes have received money. However, every time I talk to the production officers, they say, "Come tomorrow, come the other day." I want to go to the community to read out the households that have received money - I am still on them and I was lucky to get that information from the municipalities. Every time I go to the community, I ask, "How many have received money?" They say, "We have not received any money."

For the Parish Development Model, let us go to the field and collect all the data. When you are in the village or parish, read out those households that have received money.

My second issue is the micro-scale irrigation scheme. As you are aware, we have climate change issues. The report did not clearly tell us how much money was received under that project, how much was spent and how much was remitted back. I did not get the figure.

My third issue is titling of land in local governments. Getting a land title in local governments is like trying to get water out of a stone. I have tried to title my land in Masindi, but the land officers - I do not know those people, but for every step you take, you have to give them money. If you expect local governments to get their land titles when there is no money - those people will just sit on the papers. There are so many pieces of local government land with no land titles. The lands officers are just sleeping on their jobs. I do not know what we are going to do, Hon. Magyezi and Hon. Nabakooba. Help us because we cannot allow -

THE SPEAKER: She is Hon. Nabakooba.

MS FLORENCE ASIIMWE: Hon. Nabakooba, there is no way we are going to run with local governments without land titles. With the current situation of land grabbing, most of the Land of local governments will be grabbed.

The Uganda Support to Municipal Infrastructure Development Program (USMID) is a good program and indeed, some of the municipalities have benefited but most of these monies were not utilised because of the delay in the release.

Lastly, I wish to ask the Ministry of Local Government -

THE SPEAKER: Hon. Asiimwe, can you conclude? All these people want to speak.

MS ASIIMWE FLORENCE: Yes, Madam Speaker, I am concluding. As I told you, I have so many issues and I am trying to be quick - *(Laughter)*

Regarding capacity building, Hon. Magezi -

THE SPEAKER: One minute for each point.

MS FLORENCE ASIIMWE: Yes, I am concluding but you are taking my minute. Local government officers do not know that they need to have a risk register. We have a lot to do to build the capacity of our staff in

My suggestion, therefore, is -

THE SPEAKER: I think the finance person wants to say something.

MS PACUTO: Thank you, Madam Speaker, for giving the people of Pakwach an opportunity to comment on this –

THE SPEAKER: I thought you were giving information.

MS PACUTO: Yes, but the people of Pakwach come first before the vice-chairperson of the finance committee.

Madam Speaker, you sent the Committee on Finance, Planning and Economic Development to look at the issue of unspent balances. I see a lot of the discussion going to areas of “swept back balances”, “unspent balances” and “delayed releases”. I suggest that either tomorrow or Thursday, we should get space on the Order Paper - A lot of what is coming out is in that report and these issues were well analysed with good observations and recommendations from the different stakeholders that we met. Some of these issues would come out more clearly from our report that we are about to present to the House.

THE SPEAKER: The issue of unspent balances should come tomorrow. The Clerk should put it on the Order Paper.

MR WANDWASI: Madam Speaker, I was making my suggestion. There is need to harmonise the two laws: the Public Finance Management Act and the Local Government Act because these laws are in conflict. The Local Government Act empowers these entities to plan, budget, collect and spend revenue on their activities and offer service delivery in their entities.

However, the Public Finance Management Act dictates that all revenues are sent to the Centre under the single treasury account. This compromises the timely delivery of services. The good thing is that our able ministers of local government and finance are here. Thank you, Madam Speaker.

5.13

MR ISAAC MODOI (NRM, Lutseshe County, Bududa): Thank you, Madam Speaker. I commend my colleagues for a very good report and I also thank the honourable minister.

Honourable colleagues, we all come from local governments and what happens to local governments affects all of us. I was privileged to work in a local government until I joined the House. The report is showing you the epitome – the characteristics and effects of local governments.

You are aware that under our Constitution, we are all placed to manage the policy called “decentralisation” where we created local governments. You should be informed that there have been challenges since then. Our colleagues in local governments are supposed to have local councils, just like Parliament. There are local leaders who are elected like we are elected. However, when they were elected, they were not inducted.

Madam Speaker, I thank you because you inducted us. The leaders in the local councils were not inducted to know what they are supposed to do. They are supposed to monitor and supervise what happens in local governments but unfortunately, that is not done.

Recently, we met the Minister of Local Government and he confirmed that, to date, he has not done any induction. The same is true with the chief administrative officers. What am I trying to say? It is high time we reviewed decentralisation because there is a challenging relationship and a disconnect between the local governments and the Central Government. They send money in June and at the end of June, they want the money back in Kampala.

Right now, the chairmen are moving on *boda bodas* because they do not have transport to reach the projects being implemented. Some of them have just settled in and they do not even get the little money that we are supposed to give them. The report is very good but what

is it calling for? We need capacity – *(Member timed out.)*

THE SPEAKER: Honourable minister, you have heard: capacity building. That was the former chief administrative officer speaking. Let me hear from a former youth councillor.

5.15

MR SANON BWIIRE (NRM, Bulamogi County, Kaliro): Thank you, Madam Speaker. Recently, we interfaced with the local leaders in our sectoral committee and they confessed that they write requests for recruitment. For example, they can write in July but the Ministry of Public Service and the finance ministry respond to their requests at the close of the financial year.

There is one district, which confessed that they received money on 12 June when the financial year was closing on 30 June. Remember that an advert is meant to last for one month before recruitment. It means that the Ministry of Finance, Planning and Economic Development and the Ministry of Public Service connive to send money for a short while and take it back.

THE SPEAKER: Do not exclude yourselves because at times they bring a supplementary budget to us towards the end and we approve it here a few weeks to the end of the financial year.

MR BWIIRE: Madam Speaker, a lot is required from us to help local governments do their work.

Secondly, in my district, just like my colleagues have said, the issue of people –

THE SPEAKER: Which is your district?

MR BWIIRE: Kaliro District, one of the strategic districts in Busoga. This district had a district engineer in acting position for over 10 years. A sensitive position of a principal auditor acting for over – *(Member timed out.)*

5.17

MR JAMES MAMAWI (NRM, Adjumani East County, Adjumani): Thank you, Madam Speaker. I want to thank the committee for the report because they have brought out what is happening in the local governments.

Madam Speaker, I want to know from the Government – Projects are given to districts and sometimes the project period ends without any achievement. In such instances, where does this money go? Adjumani District has lost a very big project for regulation of livelihoods under the Ministry of Local Government, which project the minister is aware of. The market has not been constructed and the project period has ended and we do not know where this money is now. We need to know from the Government where this money goes.

Secondly, Madam Speaker, the issue of recruitment is very real in local government. You gave us a duty to go to other districts to check what is happening there. We went to one of the districts and we got very sad news. One person who is acting in the position of District Production and Management Officer is a person at the scale of U5; Animal Husbandry Officer. In this district, goats were given out and 90 per cent of the goats died.

I have been in the district and I was the Secretary for Production in my district. Lack of technical personnel is the cause of some of these problems. If a person in this position is at this – *(Member timed out.)*

THE SPEAKER: Hon. Yeri?

5.19

MR APOLLO YERI (NRM, Tororo Municipality, Tororo): Thank you very much, Madam Speaker. I also want to thank the committee for the well job done.

Madam Speaker, my submission is on limited income. When we talk about income from local governments, the minister can attest that it is only the markets that bring in some revenue, but there is almost no revenue from

the taxi parks, especially for us in urban areas. That was a very big income earner and I do not know why they –

THE SPEAKER: Actually, it should not be income but rather revenue. The limited revenue, which is collected.

MR YERI: Maybe you need to review your policies so that the district can start earning that tax money as local revenue. We are talking about titling and we are saying that the local government does not have money. The Ministry of Local Government and the Ministry of Lands, Housing and Urban Development are all ministries. Why don't you have a policy that all Government land, schools, health centres and subcounties can pay money later? After all, the money belongs to the Government. Why wait for the money? Let them give preference to the Government.

THE SPEAKER: Honourable minister, what he is saying is an inter-ministerial aspect. If the local governments do not have money, the Ministry of Lands, Housing and Urban Development should be able to make transfers for the good of Government land. Hon. Acibu? I am looking at people who have not spoken much.

5.21

MS AGNES ACIBU (NRM, Woman Representative, Nebbi): Thank you very much, Madam Speaker, for giving me this opportunity. I want to add my voice to my other colleagues in thanking the presenter of this report. Madam Speaker, I need your protection.

THE SPEAKER: Speak! Nobody is stopping you from speaking.

MS ACIBU: I want to bring out a concern in relation to the hybrid contracts that go to our districts, especially those relating to secondary schools and health units. We find one contractor being given very many contracts and when you are investigating why other projects in your district are delayed, you find that, that very contractor is also handling a different contract in another district. It is my prayer that as

recommended by the committee, we restrict the number of contracts given to one contractor.

Secondly, much as these contracts are being given to these contractors, they must not sideline the district authorities. The authorities must be aware because some contractors reach the sites when the district leaders are not aware. It is the locals who inform the district leaders that such and such a person has come to this place. We need to harmonise such that before reaching the contract place, these contractors –*(Member timed out.)*

5.23

MR ALBERT LOKORU (NRM, Tepeth County, Moroto): Thank you, Madam Speaker. I want to thank the committee for the robust report. *(Laughter)* The report has clearly brought out a lot of challenges being faced.

Madam Speaker, if we are to realise socio-economic transformation in this country, we need to pay a lot of attention to the local governments, municipalities and cities. We have seen, from the report, that a lot of implementation of the activities geared towards transformation is being done at these entities. Therefore, we need to do a lot in these entities.

Two, we need to strengthen coordination. From the report, there is a disconnect between the ministries and local governments. For instance, what happens to the money that is returned to the central Government? Is it voted back? If so, how is it utilised?

Madam Speaker, regarding the 631 ghost staff in the Ministry of Education and Sports, what is the source? What is the ministry doing to address this vice? We are spending money on ghost staff and it is a big problem –

THE SPEAKER: It should not be the ministry but the Chief Administrative Officer (CAO); the accounting officer. His day-to-day work is to make sure that there is compliance and that the staff they have are eligible and not ghost staff because a person in the ministry may take long to know. You must have people who are recruited in the right way. Now you are

recruiting and you have ghost staff. How will the minister know? Yes, minister -

MR MAGYEZI: Madam Speaker, I have listened to the report and I have a copy. The point was that 631 secondary teachers were recruited without legal documents. This is not about the Chief Administrative Officer (CAO) or about the district. They are recruited by the Education Service Commission.

MR LOKORU: Thank you, Madam Speaker. As I conclude -

THE SPEAKER: But honourable minister, there is an aspect of ghost staff. I think that is what Hon. Lokoru meant. Ghost staff are recruited by the District Service Commission. Much as we have those from the Education Service Commission, the District Service Commission also recruits.

MR LOKORU: I want to conclude on uniform implementation of guidelines and regulations. Our dear minister, who is also the most active minister, told us that he has just sent guidelines and resolutions for districts to adopt in the implementation of the Shs 1 billion Road Rehabilitation Fund.

However, one Member presented earlier that in their district, they have spent the money. I was wondering which regulations or guidelines were used *vis-a-vis* what the minister was sending. Therefore, there should be uniform implementation of these guidelines.

Finally, about the low absorption of money by local governments, what is the problem? Is it the lack of technical people to plan for this money?

THE SPEAKER: The chairperson talked about low absorption. For instance, if you send money on 12 June and the financial year ends on 31 June, how do you expect the local government to spend that money within that time and finish it? Honourable members, do not approve supplementary budgets towards the end of the financial year. *(Applause)*

5.28

MR SOWEDI KITANYWA (NRM, Busongora County North, Kasese): Thank you, Madam Speaker. I will start by thanking the committee for the good report and I want to submit on two issues. The first is the Parish Development Model (PDM). In the report, we were told that some funds meant for the purchase of gadgets such as computers were repurposed following a directive from the Central Government.

However, while the Parish Chiefs do not have the computers, they also do not have data. As a result, they are now asking the beneficiaries to facilitate them in terms of providing data for them to process funds for the beneficiaries.

In some districts, for example my constituency, beneficiaries pay between Shs 30,000 to Shs 50,000 for data. This is something that the ministry should take an interest in so that these parish chiefs are well facilitated and the beneficiaries are not told to pay for data and accessing their funds.

The second issue is about the Uganda Intergovernmental Fiscal Transfers Program (UgIFT). We have been told that in most local governments and indeed including my constituency, the projects for UgIFT have stalled. Most of them are not completed and the problem is in the loting system. You find that when they are -*(Member timed out.)*

5.30

MR PATRICK OCAN (UPC, Apac Municipality, Apac): Thank you, Madam Speaker. I thank the committee for the very elaborate report presented.

I want to state that regarding the huge percentage of the unspent balances from the local governments, 49 per cent is from wages, 31 per cent on development related to UgIFT and 20 per cent is related to Uganda Support for Municipal Infrastructure Development (USMID).

This has been blamed on system-related challenges; the Integrated Personnel and

Payroll System (IPPS), and the Integrated Financial Management System (IFMS). Therefore, I think –

THE SPEAKER: I know why I gave him the opportunity; he is an accountant. I am using my discretion.

MR OCAN: Thank you, Madam Speaker. I think the Ministry of Local Government, together with the Public Service, must come together and do something regarding the system-related matters because if you look at the report, a lot of the accounting officers are blaming the system.

THE SPEAKER: Honourable minister, how can you return money meant for wages?

MR MAGYEZI: Madam Speaker, I wish my Chairman, Committee on Public Service and Local Government, presented a report on what we went through with him. These local governments are saying that around the months of April, May and June, they could not recruit. Their staff were not validated and therefore, the money stayed. A good number of them are also saying they got the money late; in mid-June and hence, they could not contract and procure.

When I look at the report, Members are saying that the Permanent Secretary and Secretary to Treasury (PS/ST) should hold those accounting officers responsible. We need to go and see what the challenge was because some challenges are beyond these accounting officers –(Interruption)

THE SPEAKER: There is some information from Hon. Oguzu Lee.

MROGUZU: Thank you, honourable minister. The information I have is that by the 10th of each quarter, the Ministry of Finance, Planning and Economic Development (MoFPED) gives expenditure limits to all accounting officers, including local governments. It is within those expenditure limits that they are expected to do procurements and invoice for whatever they want to spend on. These expenditure details or the invoice must be uploaded on the IFMS and

gets approved by the MoFPED. That is what we call warranting.

It is when this invoice is approved that those people will be able to spend the money. It is not always true that MoFPED has released the money late. These days, MoFPED does not send money to districts or any entities. All the money sits on the Consolidated Account; an account from which it is supposed to be spent.

Therefore, if a local government does not send an invoice to the ministry, there is nothing to approve. A lot of them wait to send invoices at the end of the financial year and technically, the system will be clogged and there will be failure to execute some of the operations. As a result, activities do not get done.

I think it is important to have a briefing for Members of Parliament. I know our rules allow for technical people to be called to come and brief the Parliament on how some of - I used to think there was something wrong but when we got an interface -

THE SPEAKER: There is nothing technical that we need here. We know very well that when the quarter is beginning, warrants are given and the invoicing is done. What matters now is when - There is money released at the beginning of the quarter and there is also a vice of supplementary budgets that come. That is different.

The one that we appropriated is different but the one that goes at the end of the financial year is what the committee is talking about. Isn't it, chairperson?

MR OCAN: If I could just conclude -

THE SPEAKER: I got what I wanted.

MR OGUZU: Madam Speaker, if I could just conclude. We have information that the Consolidated Fund goes to negative when these returns are made.

THE SPEAKER: The report on the single treasury account is going to be presented.

5.35

MS JOAN ACOM (FDC, Woman Representative, Soroti City): Thank you, Madam Speaker and I thank the committee for this wonderful report. I would like to raise an issue to the minister concerning the actions taken by the Ministry of Finance on a motion that was once raised on this Floor about local revenue in our local governments. Local governments are suffering to date and local revenue is stuck at the Ministry of Finance, Planning and Economic Development.

Concerning poor revenue performance, could the minister guide us on the many tenderers that have failed – *(Interruption)*

THE SPEAKER: Information from Hon. Basil.

MS ACOM: Madam Speaker, it is you who has accepted.

MR BATARINGAYA: Thank you, Madam Speaker, and thank you, my colleague, for giving way for information. Some time back, I raised here an issue about money that is collected from newly created town councils and goes to the Ministry of Finance. When we were passing the supplementary budget, it was part of the money that was withheld for nine months. How do you expect a local government to perform when money for nine months is withheld?

MS ACOM: Thank you. There is also an issue of poor revenue collection. I will give an example of Soroti City where we have tenderers who have defaulted for almost three quarters of the entire financial year. However, when it comes to awarding them new contracts, they are awarded and yet the Local Government Act says, once you have defaulted the previous financial year, you cannot get another contract.

In addition, I think the human resource officers in our local governments need to be supervised closely. How do you explain a scenario where there are new recruits in a local government and the human resource officer sends the new recruits to a certain individual in an internet

cafe to do e-registration in order to get a supplier number?

What is the work of our HR if such details are supposed to be handled in a cafe at a cost of Shs 120,000? Could the minister guide on that? Otherwise, we might end up having ghost workers in our local governments for every recruit that we have in a given financial year. Thank you.

5.38

MR POLYCARP OGWARI (Independent, Agule County, Pallisa): Thank you, Madam Speaker. Colleagues have talked a lot –

THE SPEAKER: Honourable members, there are Members who speak on this Floor every day. I am looking at people who do not - They always come but -

MR OGWARI: Madam Speaker, a lot has been mentioned and I am sure that our minister has taken note. However, to be honest and realistic, just like other colleagues have mentioned, the Parish Development Model is a very good program aimed at helping our people get out of poverty. It also helps us the leaders not to be disturbed whenever we go back to our villages because people are poor.

However, Government should come up with a program of sensitising people. For example, in my constituency, a person says, “I got Shs 700,000” and at the end of the day, he goes to spend the money on food saying, “This is the money *mzee* has given us for 2026.”

That is why the Government should come up and sensitise people correctly. Whereas we go and do our part, the Government should also come in. When Government comes and says, “This is what it is supposed to be for”, either on radio or TV, they will take it as the truth. Thank you.

THE SPEAKER: Thank you. The minister wants to respond on that.

MR MAGYEZI: Yes, because it is coming up again and again. The policy is each beneficiary

is supposed to get Shs 1,000,000, nothing less, nothing more.

Now there is a challenge among our people where somebody says, okay, sign for Shs 1,000,000 and the SACCO submits Shs 700,000 in the bank. Certainly, we have to agree that there is a bit of insincerity among our people but we need to sensitise them. If it is not Shs 1,000,000, that is not what you are supposed to get.

Secondly, we have been very clear that there is no beneficiary who is supposed to be charged any penny in order to access the PDM money. Because we are facilitating the parish development committees, the Government is also supporting the parish chiefs. We have even given them an extra Shs 100,000 per month. So, colleagues, there is some bit of a problem down there, but I want to be clear that –

THE SPEAKER: So, how are you going to address that problem down there?

MR MAGYEZI: Madam Speaker, I think by increased sensitisation, as the Members have said. Let the people know their rights. For example, let the Member of Parliament –

THE SPEAKER: Honourable minister, you need to do a lot to create awareness of how that money should be used, how much each person is entitled to and in the circumstances that he gets less, what happens. In the circumstance that he does not pay - because some of them are taking it as a –

MR MAGYEZI: Madam Speaker, can I make a commitment to the Members? Since we are going on recess, I will make sure that the Members go with a pack informing them of how much money has been received by the respective parishes, the procedures and any changes that may have been made along the way so that you go when you are fully equipped. Thank you.

5.43

MR JOSEPHAT TUMWESIGYE (NRM, Bugangaizi South County, Kakumiro):

Thank you, Madam Speaker. Before I proceed, I would like to ask the *Hansard* to correctly get my name this time. I am Tumwesigye Josephat, MP for Bugangaizi South.

THE SPEAKER: But that is what I said, Josephat and you are addressing the Speaker not the *Hansard*.

MR TUMWESIGYE: I first addressed you and thanked you but I said that before I proceed, I hope this time the *Hansard* people will get my name correctly. Thank you, Madam Speaker, once again.

My concern that I wish the Minister of Local Government to address is, when new units are created, the subcounties and town councils because they do not get funds to do some of their projects, like roads. And yet some of these units are cut from the mother units, meaning the mother units continue getting much money in comparison to the size that remains in the mother unit at the detriment of this other unit that has been cut off.

They normally do not access funds very quickly; like up to now in my constituency, most of the units that were created like three to four years ago have never accessed the road fund money. I am asking the minister to take it up very seriously.

You will agree with me that when these local governments face challenges of road maintenance, they now look at us, members of Parliament. We end up giving a hand, yet it is not our duty, we are just doing, “*bulungi bwansi*.” Therefore, I ask the Minister –

THE SPEAKER: What does that mean?

MR TUMWESIGYE: That is community service. Thank you.

5.45

MR RAUBEN ARINAITWE (Independent, Isingiro West County, Isingiro): Thank you, Madam Speaker. I would like to first thank the committee for the good report. Mine is on payment of ineligible persons with forged documents. When you look at the report, they spent Shs 19 billion; that is a lot of money in 129 local government units.

This is a cartel that starts from the Headquarters of the ministry and that is why even the Police (CID) is somehow compromised. I would like this Parliament to be serious and look into this matter.

The second one is the UgIFT Project. This is a high-breed procurement. In my constituency, this has become a problem. There is a school called Ruborogota Seed School, which started three years ago and up to now, it has never been finished.

The parents have decided to open the school and students are there attending classes without the contractor finishing and handing it over. This Parliament should look into these issues very seriously.

The last one is on concealment and ring-fencing of positions. It is true that some areas do not have qualified personnel. But in most cases, people keep them for their own relatives. I think this should be worked on seriously.

Because it even affects the district rankings during the assessment. Am happy that district, Isingiro, is one of the first ones and all our top positions are filled.

THE SPEAKER: Foreign Affairs - there is a procedural matter -

MR SSEWUNGU: Madam Speaker, the procedural matter am raising is that you have been asking the Minister to respond to some issues. A while ago, he gave a very pertinent statement about the Education Service Commission recruiting teachers using an illegal instrument.

And for us, as Members of the Committee of Education and Sports, we are aware that the Commission only recruits on the guidance of the Ministry of Education and Sports.

The procedural matter I want is whether the Ministry of Local Government can fully clarify this matter and as we get back here, we must find out from the Ministry of Education whether the recruitment of teachers was done using an illegal instrument.

That one cannot remain on the record of Parliament unchallenged because it touches the integrity of that ministry.

THE SPEAKER: Honourable minister, you will respond to all of them at once.

5.48

MS NORAH BIGIRWA (NRM, Woman Representative, Bulisa): Thank you. Madam Speaker, for giving me an opportunity to allow me to add my voice to the rest of my colleagues to appreciate the Committee PAC Local Government on its Auditor-General's Report. A lot happens in most of our local governments, which leaves a lot to be desired.

I would like to encourage the minister and ministry officials to take a keen interest in this; Most of our local governments desire serious scrutiny, even in what is happening there. I also want to respond to the issue of payment of eligible persons.

The observation of the committee and recommendation, where they say that there is access to payroll with forgotten documents, was the contravention of sections 1 and 2 of Uganda Public Service Standing Orders of 2021, which require public officers to have been properly appointed to receive salary for the service rendered to Government.

It is a very big challenge in most of our local governments that have many staff on payrolls when they are not eligible. Even getting a salary which is not due to them.

There is a problem. We have the Office of the Auditor in every local government. And now the Office of the Auditor-General. I just want to understand the functions of the auditors in all these local governments. What do they do?

Secondly, the rate at which this is being done; the absenteeism of officers of local governments yet they are being paid salary every month -

THE SPEAKER: Honourable members, when you look at the questions that are being asked by Hon. Norah; the question would be; Do we have existing accounting officers there? That accounting officer is the one supposed to implement the existing laws, policies and regulations; ensuring that everybody works.

Just the way I whip you. All the time I want you to be in Parliament. When you are not there, I ask where you are?

What these accounting officers do on the ground is the question. Maybe, we could first hear from the Minister also.

5.51

MR ALEX RUHUNDA (NRM, Fort Portal Central Division, Fort Portal): Madam Speaker, as Fort Portal, we are going through a painful process, because of getting a City Service Commission that has not been fully oriented. They have made so many mistakes that are now costing the city council a lot of money through court cases; recruiting and terminating staff without following the laws, which eventually curtails service delivery completely because of huge court costs. I do not know whether this is cutting across to other areas.

The influence-peddling between the politicians and the technical people is too much. There is a war between these two forces, and that paralyses service delivery and effectiveness of these entities; it is really a crisis that we need to reflect on it.

THE SPEAKER: Thank you. Sarah and then the Minister.

5.52

MS SARAH NAJJUNA (NRM, Woman Representative, Nakaseke): Thank you. Madam Speaker, I wanted to give Hon. Agnes information but I did not get a chance. Please allow me to submit.

The issue of contractors being managed in Kampala should be handled. Some contracts are managed there; procurements and contracts are also done in Kampala, yet the money for such projects is deposited in the district's account. Some of those contractors are overloaded. We have a contractor who is managing a seed school in Luwero, but the same contractor is doing a similar job in Nakasongora. So, my seed school in Kikamula has failed to be completed, three times now, and the money has been brought back to Kampala. Even in the last financial year - the contractor failed to do his work.

I request the Minister to intervene on the issues of contractors because we are being frustrated by such contractors. Thank you, Madam Speaker.

THE SPEAKER: Honourable minister, I know of a contractor who has 14 projects, and I think it is World Bank money that they want to return because this contractor has failed to finish their job.

5.56

THE MINISTER OF LOCAL GOVERNMENT (Mr Raphael Magyezi): Thank you, Madam Speaker, and thank you, honourable members, for the various comments you have made. Allow me to thank the committee; their report was robust. It should get a robust answer.

And I want to accept that really their observations and recommendations are spot-on. We agree with them as a sector of local government though there are some recommendations, which touch various ministries, departments and agencies of Government.

So, for today, of course, I hope Members are aware that I am the privileged acting Government Chief Whip up to the end of the week. Hon. Obua is outside the country on duty. So, I will take responsibility to make sure I bring to notice the various MDAs on the various recommendations in the report.

Madam Speaker, the issue of contractors with several contracts is unfortunate because as Ministry of Local Government, we have continued to request our colleagues in the other sectors - we are talking to them – to let the districts contract instead of getting five or 10 districts and issuing one contractor to go and build schools there.

The role of the Central Government is to monitor, supervise and give technical assistance. So, there is a little bit of a challenge with UGIFT and USMID. However, as I said, we are talking and we will continue talking to our colleagues.

The other critical issues include the one on local revenue. The report is clear that out of the money, which was collected in the various –(*Inaudible*)- only 59 per cent was availed to the local governments. That is very dangerous.

To the Member who asked about the taxi parks and the bus parks, again, we see that challenge. For the last three years, about Shs 8 billion has been collected from these parks but this money has still not yet been remitted to the local governments. That is very dangerous; it constrains service delivery.

Therefore, we will have to discuss this with the finance ministry to see how to sort out this matter. Otherwise, I am clear that we should let the local governments retain their revenue and they use it, account for it as we follow it up, as the Central Government. (*Applause*)

DR BATUWA: On the issue of taxi parks and –

THE SPEAKER: No, I have not given you the microphone. Can you finish, honourable minister?

MR MAGYEZI: The last was the Education Service Commission issue. Honourable member, we have the reports. On xii – let me read it the way it has been written.

“The committee observed that between November...” –

THE SPEAKER: Honourable minister, your proposal on the revenue retention in the district needs an amendment.

MR MAGYEZI: Of the Public Finance Management Act?

THE SPEAKER: So, you need to bring that amendment before you mislead this House that they can retain the money.

MR MAGYEZI: As the chief whip, I will make sure I whip the finance ministry to do the needful, within this week. (*Laughter*) (*Member rose*) This is my shadow minister, so, it is okay –(*Interruption*)

MS NALUYIMA: Thank you, honourable minister, for giving way. My information is about the matter that the Speaker has just mentioned. When you critically look at the laws, it is very clear that provisions are made for locally raised revenue and for local governments to be independent.

Much as it was provided that all revenues should be under the Consolidated Fund, a provision under the same law, the Public Finance Management Act, exempts the locally raised revenue of local governments. So, it is only the finance ministry that is finding a reason for not remitting that revenue to the local governments and trying to hijack – I should use that word; the Attorney-General made it clear.

THE SPEAKER: They are not hijacking.

MR MAGYEZI: Madam Speaker, on the final issue regarding the Education Service Commission, I was pointing out that the report itself is clear and it partially says: *“The committee observed that between November 2021 and June 2022, the Education Service Commission undertook a countrywide*

validation exercise and established that 631 teachers had forged documents, appointment letters and posting instructions and the matter was referred to the Police Director of CID.”

Now, where are these recruited from? The page before says: “The accounting officer explained that issue of ineligible secondary schools and tertiary institutions’ employees was beyond the local government accounting officers since the appointment and posting is done by the Ministry of Education and Sports.” Therefore, we cannot go away from this.

Madam Speaker, allow me to end on this note that it is a comprehensive report; it is quite big. Allow me to say -

THE SPEAKER: I think we need to get this aspect and forward it to the Education Service Commission, under the Ministry of Education and Sports, because this must be corrected.

MR MAGYEZI: Madam Speaker, the report says the matter is already with the police.

THE SPEAKER: Yes.

MR SSEWUNGU: Let us make the record clear. What you are reading is very correct – that some teachers were recruited with forged documents. That is okay. What you said was that they used an illegal -

THE SPEAKER: Not by forged documents.

MR SSEWUNGU: They had forged documents. What I wanted to make clear, on his statement on the *Hansard*, is on the issue that the Education Service Commission recruited teachers using an illegal instrument. What is given by the local governments is okay – and that has been happening in many districts. So, I think by -

THE SPEAKER: It is not the instrument that is illegal; it is the documents that are not proper; that is what the committee said.

MR SSEWUNGU: Madam Speaker, we are making a mistake on those two. When

the Education Service Commission is going to recruit teachers, they get an instrument, with the support of the Ministry of Finance, Planning and Economic Development. Whether they recruit teachers who have forged the documents or not, they are under their legal system of recruitment.

However, what he had said earlier was that they used an illegal instrument to recruit and that is what we want to clear from the *Hansard* because it is not there.

THE SPEAKER: Hon. Ssewungu, the chairman said that they used academic documents, not the instrument. It is their academic papers that were forged.

MR SSEWUNGU: I am in agreement with you, Madam Speaker, but I am against what the minister said before – and it is on the record.

THE SPEAKER: That can be corrected. Honourable minister, correct it; it is about academic papers and not the instrument.

MR SSEWUNGU: Yes, and most obliged, Madam Speaker.

MR MAGYEZI: Thank you, Madam Speaker. I have been very clear with my words. I have not, anywhere, said the Education Service Commission used a wrong instrument. However, it is possible that that is what he heard – you know, from somewhere. *(Laughter)*

Madam Speaker, I would like to commit that as Government, we are going to study the report, take action and submit a Treasury Memorandum to Parliament. Thank you.

THE SPEAKER: Yes, you are supposed to submit a Treasury Memorandum. Honourable members, as I said before – *(Member rose)* - the Speaker is speaking, please.

I now put the question that the Report of the Committee on Public Accounts (Local Government) on the Report of the Auditor-General for the Financial Year 2021/2022 on 36 district local governments, three cities, two

divisions and seven municipal councils be adopted by this honourable House.

(Question put and agreed to.)

Report, adopted.

THE SPEAKER: As I said before, I would like you to plan your time: from the 8th to the 28th, go and monitor Government programmes. I do not want you to sit here and start lamenting over PDM. One of your core roles is oversight.

Now that some people have failed to be in the House, let me hope they will be in the constituencies. I thank you for today. We adjourn the House to tomorrow at 2.00 p.m.

(The House rose at 6.03 p.m. and adjourned until Wednesday, 6 September 2023, at 2.00 p.m.)