

**BILLS SUPPLEMENT**

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*The National Information Technology Authority,  
Bill No. 1 Uganda (Amendment) Bill 2024*

**THE NATIONAL INFORMATION TECHNOLOGY AUTHORITY,  
UGANDA (AMENDMENT) BILL, 2024**

**MEMORANDUM****1. Policy and principles of the Bill**

The policy behind the Bill is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure (RAPEX) which was adopted by the Cabinet on 22<sup>nd</sup> February 2021.

**2. Defects in existing law**

The Constitution establishes a definite number of Government agencies, including constitutional commissions, authorities, boards, local councils and other statutory bodies. These were established to perform certain specified constitutional functions. Over the years, however, there has been a proliferation of agencies established by Acts of Parliament, Executive Orders and administrative arrangements. Whereas most of the agencies are necessary due to the critical nature of the functions they perform, Government has established that a certain limited number of agencies were established without due consideration to the aspects of institutional harmony, functional duplications, overlaps and affordability. Government has also established that some agencies have served the purpose for which they were established. The mandate of a few other agencies has been overtaken by events. Such agencies need to be rationalised.

More importantly, the proliferation of agencies has created mandate overlaps and jurisdictional ambiguities among the agencies. Additionally, the high cost of administering the agencies has drained the national treasury at the expense of effective service delivery. This has overstretched the capacity of Government to sustain them. Government has also established that the generous salary structures of the agencies has created salary disparities between employees of the agencies and public officers in the traditional civil service leading to demotivation of human resources in the mainstream public service.

**3. Remedies proposed in the Bill.**

The intention of the Bill, therefore, is to —

- (a) enable the dissolution of the National Information Technology Authority, Uganda and mainstreaming its functions into the Ministry responsible for information technology thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the Ministry in respect to the functions of the National Information Technology Authority, Uganda, thereby avoiding duplication of mandates and functions;
- (c) promote coordinated administrative arrangements, policies, and procedures for—
  - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline;
  - (ii) enabling the Government to play its proper role more effectively; and
  - (iii) enforcing accountability.

**4. Provisions of the Bill**

The Bill has thirty-five clauses. According to clause 3 of the Bill, the purpose of amending the National Information Technology Authority, Uganda Act, 2009 is to dissolve the National Information Technology Authority, Uganda and mainstream its functions into the Ministry responsible for information technology. Clauses 4 to 35 of the Bill deal with the mainstreaming of the various matters under the Act into the Ministry responsible for information technology. Clause 26 provides for savings provisions to deal with the board members and staff of the National Information Technology Authority, Uganda who are affected by the dissolution of the Authority. Clause 26 deals with the property, assets, rights, obligations, and liabilities of the National Information Technology Authority, Uganda which shall vest in the Government of Uganda under the Ministry.

**DR. CHRIS BARYOMUNSI (MP)**

*Minister of Information, Communications Technology  
and National Guidance*



*The National Information Technology Authority,  
Uganda (Amendment) Bill*

**Bill No. 1**

**2024**

22. Amendment of section 22 of principal Act
23. Amendment of section 23 of principal Act
24. Repeal of Part VI of principal Act
25. Amendment of section 32 of principal Act
26. Repeal of section 33 of principal Act
27. Repeal of section 34 of principal Act
28. Repeal of section 35 of principal Act
29. Repeal of section 36 of principal Act
30. Amendment of section 38 of principal Act
31. Amendment of section 39 of principal Act
32. Amendment of section 40 of principal Act
33. Repeal of Schedule 2 to principal Act
34. Amendment of Schedule 3 to principal Act
35. Savings provisions for principal Act

A Bill for an Act

**ENTITLED**

**NATIONAL INFORMATION TECHNOLOGY AUTHORITY,  
UGANDA (AMENDMENT) ACT, 2024**

**An Act to dissolve the National Information Technology Authority, Uganda and mainstream the functions of the dissolved National Information Technology Authority, Uganda into the Ministry responsible for information technology and for related purposes.**

**BE IT ENACTED** by Parliament as follows:

**1. Objectives of this Act**

(1) The main objective of this Act is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure adopted by the Cabinet on 22<sup>nd</sup> February, 2021 and contained in Cabinet Minute No. 43(CT 2021).

(2) Without prejudice to the general effect of subsection (1), the following objectives shall be deemed to fall under the objective specified in that subsection—

- (a) the merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;

- (b) the facilitation of efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments and thereby avoiding duplication of mandates and functions;
- (c) the promotion of coordinated administrative arrangements, policies and procedures for—
  - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
  - (ii) enabling the Government to play its proper role more effectively; and
  - (iii) enforcing accountability; and
- (d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

**2. Purpose of amendment of Act 4 of 2009**

The purpose of amending the National Information Technology Authority, Uganda Act, 2009, hereinafter referred to as the “principal Act” is to dissolve the National Information Technology Authority, Uganda and mainstream its functions into the Ministry responsible for information technology.

**3. Amendment of short title of principal Act**

For the short title of the principal Act, there is substituted the following—

**“THE NATIONAL INFORMATION TECHNOLOGY ACT,  
2009.”**

**4. Amendment of long title of principal Act**

For the long title of the principal Act, there is substituted the following—

“An Act to provide for the provision and regulation of information technology services in the private and public sectors, and for related matters.”

**5. Dissolution of National Information Technology Authority, Uganda**

On the commencement of this Act, the National Information Technology Authority, Uganda established by the principal Act shall be dissolved.

**6. Responsibility for functions under principal Act**

On the commencement of this Act, the Ministry shall be responsible for performing the functions which were performed by the dissolved National Information Technology Authority, Uganda.

**7. Amendment of section 2 of principal Act**

Section 2 of the principal Act is amended—

(a) by repealing the definitions of “Authority”, “Board”, “Chairperson”, “Executive Director” and “member”;

(b) by inserting after “Minister” the following—

“Ministry” means the Ministry responsible for information technology;”

**8. Amendment of title to Part II of principal Act**

For the title to Part II of the principal Act, there is substituted the following—

**“PART II—ADMINISTRATION OF ACT”**

**9. Amendment of section 3 of principal Act**

For section 3 of the principal Act, there is substituted the following-

**“3. Administration of Act**

**This Act shall be administered by the Ministry”.**

**10. Amendment of section 4 of principal Act**

Section 4 of the principal Act is amended by substituting for “Authority” wherever it appears, the word “Ministry”.

**11. Amendment of section 5 of principal Act**

Section 5 of the principal Act is amended by substituting for “Authority” wherever it appears, the word “Ministry”.

**12. Amendment of section 6 of principal Act**

Section 6 of the principal Act is amended by substituting for “Authority” wherever it appears, the word “Ministry”.

**13. Repeal of Part III of principal Act**

Part III (sections 7, 8, 9, 10, 11, 12 and 13) of the principal Act is repealed.

**14. Repeal of section 14 of principal Act**

Section 14 of the principal Act is repealed.

**15. Repeal of section 15 of principal Act**

Section 15 of the principal Act is repealed.

**16. Repeal of section 16 of principal Act**

Section 16 of the principal Act is repealed.

**17. Repeal of section 17 of principal Act**

Section 17 of the principal Act is repealed.

**18. Amendment of section 18 of principal Act**

Section 18 of the principal Act is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**19. Amendment of section 19 of principal Act**

Section 19 of the principal Act is amended—

- (a) in subsection (1) by repealing the words “on the recommendation of the Board,”; and
- (b) by substituting for “Authority” wherever the word appears the word “Ministry”.

**20. Amendment of section 20 of principal Act**

Section 20 of the principal Act is amended—

- (a) by substituting for the word “Executive Director” wherever the words appear the words “Permanent Secretary”; and
- (b) by substituting for the word “Authority” wherever it appears the word “Ministry”.

**21. Amendment of section 21 of principal Act**

Section 21 of the principal Act is amended by substituting for the word “Authority” wherever it appears, the word “Ministry”.

**22. Amendment of section 22 of principal Act**

Section 22 of the principal Act is amended in subsection (4) by substituting for the word “Authority” wherever it appears the word “Ministry”.

**23. Amendment of section 23 of principal Act**

Section 23 of the principal Act is amended by substituting for the word “Authority” wherever it appears the word “Ministry”.

**24. Repeal of Part VI of principal Act**

Part VI (sections 24, 25, 26, 27, 28, 29, 30 and 31) of the principal Act is repealed.

**25. Amendment of section 32 of principal Act**

Section 32 of the principal Act is amended by substituting for the word “Authority” wherever it appears the word “Ministry”.

**26. Repeal of section 33 of principal Act**  
Section 33 of the principal Act is repealed.

**27. Repeal of section 34 of principal Act**  
Section 34 of the principal Act is repealed.

**28. Repeal of section 35 of principal Act**  
Section 35 of the principal Act is repealed.

**29. Repeal of section 36 of principal Act**  
Section 36 of the principal Act is repealed.

**30. Amendment of section 38 of principal Act**  
Section 38 of the principal Act is amended in subsection (4)—

- (a) by substituting for the words “Executive Director” the word “Permanent Secretary”; and
- (b) by substituting for “Authority” wherever the word appears, the word “Ministry”.

**31. Amendment of section 39 of principal Act**  
Section 39 of the principal Act is amended in subsection (1) by repealing “in consultation with the Board,”.

**32. Amendment of section 40 of principal Act**  
Section 40 of the principal Act is amended in subsection (2) and (3) by repealing “on the advice of the Board,”.

**33. Repeal of Schedule 2 to principal Act**  
Schedule 2 to the principal Act is repealed.

**34. Amendment of Schedule 3 to principal Act**  
Schedule 3 to the principal Act is amended by substituting for the short title “National Information Technology Authority, Uganda Act”, the following—

**“National Information Act”**

**35. Savings provisions for principal Act**

(1) The board members and staff of the National Information Technology Authority, Uganda shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) Compensation is not payable to any member of the board of the National Information Technology Authority, Uganda for loss of office resulting from the dissolution of the National Information Technology Authority, Uganda.

(3) The staff of the National Information Technology Authority, Uganda may be redeployed to serve in the public service subject to availability of positions.

(4) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Information Technology Authority, Uganda shall vest in the Government of Uganda under the Ministry.

(5) Any proceedings commenced by or against the National Information Technology Authority, Uganda may be continued by or against the Attorney General.

(6) A licence, permit, certificate or authorisation issued by the National Information Technology Authority, Uganda under the Act which is in force immediately before the commencement of this Act shall have effect from the commencement of this Act as if granted by the Ministry.

(7) The terms and conditions including the rights and obligations under a licence, permit, certificate or authorisation in force immediately before the commencement of this Act, shall not be less favourable than those that applied immediately before the commencement of this Act.