



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

SECOND SESSION - THIRD MEETING

TUESDAY, 17 JANUARY 2023



PARLIAMENT OF UGANDA

IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

SECOND SESSION - 2ND SITTING - THIRD MEETING

Tuesday, 17 January 2023

Parliament met at 1.57 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. As we embark on the budget consideration process, I want to reiterate our commitment to serving humanity. As we have always said that we are a people-centered Parliament, we should be able to leave this country better than we got it. We should work towards that as Members of the 11th Parliament.

I am aware that the sectoral committees are meeting in regard to considering the National Budget Framework Paper.

As it was communicated last week, we expect sectoral committees to present their reports to the Committee on Budget by tomorrow. They should have even started today in order to finish by the 20th.

We expect the budget committee to start presenting to this House on the 25th of this month so that by the 1st, which is the constitutional date, we should have finished the debate on the budget.

We should debate the National Budget Framework Paper presented by the budget committee and look at all aspects, one by one, not taking it as an omnibus. It is our responsibility to ensure we have an efficient and a well-processed budget. Once we do that, we should be able to have the budget approved by this House.

Honourable members, when you look at the Order Paper, you realise that most of the items on it relate to accountability; they are coming from accountability committees - PAC-Central, PAC-COSASE and PAC-Local Government. For us to complete the accounting cycle, we must have reports from all these committees presented to this House.

In addition, for us to start another accounting and budgeting cycle, all these must be presented to the House and approved. However, I am disappointed because most of the reports have not been concluded.

For instance, in PAC-COSASE, you notice that while they had 107 reports, only four have been considered and one is going to be considered today. There is a balance of 103.

PAC-Local Government received 139 reports; 80 reports are outstanding and they have a balance of 59.

PAC-Central Government received 121 reports; only 35 have been considered and 21 are yet to be considered by the House. They have a balance of 86 reports.

Based on that, we will need to invoke Article 163(5) of the Constitution for us to have all these reports approved and adopted by this House, because we need a Treasury Memoranda to be presented to the House.

We have a precedence that was set by Hon. Nandala Mafabi, on 7 May 2021, when he presented a motion in this House, asking for an omnibus adoption of reports. This was adopted because we had run out of time, yet, we needed to complete the accountability cycle. So, that is what we are going to do to those reports that will not have been considered by committees.

Honourable members, schools will soon be opening. As we prepare our children to go back to school, I want to re-echo the issue of increase of school fees amidst the economic crisis that we are in.

I call upon owners of schools, both private and Government-owned, to make sure they follow the Ministry of Education and Sports guidelines that were issued in the recent circular. However, the ministry should also follow up on how much fees is going to be charged to these children. Some people will not afford school fees for their children because of some greedy owners of schools. Therefore, we need to make sure school fees is affordable for everybody.

On a sad note, we got news yesterday, 16th Monday, that our High Commissioner to Kenya and Seychelles, Dr Hassan Galiwango, passed on. The deceased was previously serving as the Director of Finance and Administration at the NRM Secretariat. He was the husband to our own Hon. Connie Galiwango, the Member of Parliament for Mbale City.

On behalf of Parliament and on my own behalf, I express my deepest condolences to Hon. Connie Galiwango, the people of Mbale, the people of Uganda, and the NRM fraternity, for the loss of Dr Hassan Galiwango. We will dearly miss him. He has been an icon in Mbale and the patron of Mbale Heroes.

We have also lost a former Member of Parliament, Hon. Toolit Simon Akecha. He was a Member of Parliament for Omoro County; he was replaced by the late Jacob Oulanyah. We condole with the families of these gallant Ugandans who have passed on. May we rise to observe a moment of silence in their honour.

(Members rose and observed a moment of silence.)

THE SPEAKER: Honourable members, I notice that most Members are in the sectoral committee meetings, but after those meetings, which I presume stopped today, they should come to the House and legislate for their people. I do not see any excuse for anybody to stay away.

As I have always said, you are either here or you are in the constituency. Therefore, if you cannot be here, then there is a big problem. I thank you very much. The Order Paper is a little congested and we need to move faster.

2.08

MR MEDARD LUBEGA-SSEGGONA (NUP, Busiro County East, Wakiso): Thank you, Madam Speaker. First, I join you in condoling with our colleagues that have lost their dear ones, in particular Hon. Connie Galiwango, upon losing her husband, but also on the loss of Hon. Simon Toolit who I knew at a personal level, having been my client. I, therefore, join you in expressing our deepest condolences.

Madam Speaker, from your communication, I noticed that some of our pending reports may not have been captured by your records. We would, therefore, pray that you give us an opportunity to present those pending reports, which are ready. If you allow it, probably by Thursday, we could have about 40 reports, which are pending. We pray that you do not close the door, but permit those that are ready present.

We are doing this in the spirit of avoiding a precedent that you have alluded to. It is not

very healthy - It is actually an indictment to us that we probably need to do more, which is the undertaking I can make on behalf of PAC- (Central Government).

However, I think, even for the other committees, it is something that we should endeavour to avoid. It is not a very healthy precedent for Parliament and the committees, as well as the country that tends to benefit or that we intend to benefit from accountability. Accountability is a requirement that should be met and observed by all players. I beg to submit.

THE SPEAKER: Thank you, Hon. Ssegona. The issue of accountability is very crucial and we are the watchdogs of the monies that we give out. We are going to do appropriation and we must be able to account for what has been given out. If we cannot do the work that is given to us, then, there is a big problem. We will have PAC - (Central Government) on the Order Paper on Thursday. Thank you.

2.11

MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri): Thank you very much, Madam Speaker. You have talked about the issue of fees in your communication. I humbly request that the Minister of Education and Sports tables before this House the Statutory Instrument explaining and clarifying the issue of capping of fees.

The information we are picking from the media is not conclusive; it says that there is a policy being set up by the Cabinet on the issue of fees and that there is a Statutory Instrument. We would be able to understand *—(Mr Silwany rose_)* Madam Speaker, there is information.

MR SILWANY: The information I want to give Hon. Basalirwa is that what is happening is that different schools are hiding costs. They do not call it school fees. The fees remain the same and then, they bring in issues like development fees and certain items that automatically make the school fees very high.

When the minister is bringing the Statutory Instrument, this should be covered. He

should have something that is very clear like he committed himself here on the Floor of Parliament. That is the additional information I wanted to give you. Thank you.

THE SPEAKER: Thank you. We should have the minimum and maximum amount of fees that is paid, including the requirements, not hiding other fees on requirements and yet, we have a right to education as per Article 30 of the Constitution. We need fees to be affordable for everybody.

MR BASALIRWA: Madam Speaker, laying before this Parliament that Statutory Instrument will also enable us to know the penalties for schools that defy that directive or Statutory Instrument. That is my humble prayer.

THE SPEAKER: Government -

2.13

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Madam Speaker, you have always and rightly, even today, re-emphasised that this is a people-centred Parliament and I appreciate you for that statement.

In February last year, I brought a motion regarding the issue of exorbitant school fees. This motion has been before the committee for almost one year now.

The Government bringing this Statutory Instrument is not enough. The committees of this House work on behalf of Parliament and, therefore, Madam Speaker, I would like to request you to use your good office to ask the committee to bring that report here - because I am sure they consulted stakeholders - so that we can debate. It is not just about school fees, but we need equity in this country.

Why should we have Government-aided schools? Some schools are established by certain institutions and the Government gives them a capitation grant, development fees and pays teachers, but they still charge more than universities charge. Some secondary schools charge fees that are much more than university tuition.

Madam Speaker, I would like to request the Committee on Education and Sports to prioritise that report and if they cannot report on time, then, my motion should be brought and debated so that we adopt my recommendations or amend them. That is my request.

In addition - so that I do not get back on the Floor - we have a number of Science students in universities who are on the verge of dropping out of school because the Higher Students Financing Board has not been provided with funds. They need just about Shs 5 billion to be able to take on 1,000 students. For some of them, this is their last semester and others are in their final year. They are on the verge of dropping out because there is no money.

Madam Speaker, I request that you use your good office. We have provided money here and bailed out institutions worth Shs 200 billion, the likes of ROKO Construction Limited. Why can't we find just Shs 5 billion to give to this board so that it saves these Science students, most of whom are poor students? Some of you have received calls saying, "Please, help me, this is my final semester." Madam Speaker, that is what I wanted to say.

THE SPEAKER: Hon. Opendi, can we have a response from the chairperson of the committee? When can we have that report on the Floor?

2.16

MR CUTHBERT ABIGABA (NRM, Kibale County, Kamwenge): Thank you very much, Madam Speaker. This is a very important matter.

We have had two motions on this same subject. As a committee, we have done our best and we appreciate you, Madam Speaker, for facilitating us to move around in a number of schools. We have a very good report, but we are going to discuss our draft on 24th of this month, as per our work schedule, and any time after 24th, we are ready to present a very good report.

Members, please, support us because we have come up with good recommendations to

Government, but I do not want to pre-empt the report even before we discuss the draft.

THE SPEAKER: Chairperson, you know children are going back to school. We need to know what you have decided. What is Parliament saying about school fees?

MR ABIGABA: Madam Speaker, 24th is before students go back to school. We will be in time –

THE SPEAKER: So, can we have you on the Order Paper on 24th?

MR ABIGABA: Yes, Madam Speaker. If you give us 24th, we will be available and ready. We are going to work quicker because right now, we have already concluded the National Budget Framework Paper. We can schedule time to discuss our draft report.

THE SPEAKER: And what is this thing we are seeing on social media about – Sarah, what was it? About the students in which schools – there are some words I even fear to mention. That is why I want somebody who is courageous enough to mention them. *(Laughter)*

MR KIMOSHO: Thank you, Madam Speaker. If you have seen what I have seen, it is a tendency of gays in schools and this particular one was referring to King's College Budo and Vienna. Whether it is true or not, I think this House can pick interest and investigate thoroughly. Thank you, Madam Speaker.

THE SPEAKER: Committee on Education and Sports, please, pick interest in that story on social media on the issue of the gays, where a teacher is being transferred from one school to another because of being gay and transmitting the bad habit. Can you pick up that issue? We are killing our morals. Please, pick up that issue and report back to this House on those schools that have been mentioned.

MR ABIGABA: Madam Speaker, we shall take up the matter.

THE SPEAKER: Yes, honourable minister -

2.20

THE MINISTER OF STATE FOR GENDER, LABOUR AND SOCIAL DEVELOPMENT (LABOUR, EMPLOYMENT AND INDUSTRIAL RELATIONS) (Mr Charles Engola): Thank you, Madam Speaker. Your directives are very good, but should not be centred on only two schools in the country. I think the committee –

THE SPEAKER: Honourable minister, it is not only on the two schools, but the gay practice in schools.

MR ENGOLA: Thank you very much.

THE SPEAKER: Yes, minister, you will give your information to the committee.

2.20

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati): Madam Speaker, I am standing in for the Government Chief Whip. On the issue of school fees and school charges, I want to confirm to you that the Ministry of Education and Sports is considering this and has prepared a Cabinet Paper, which is going to be discussed on Monday and on the side of Government, we will inform you and the country on the possible direction that we are taking, through the Minister of Education and Sports.

On the issue of resources needed for the university as raised by Hon. Sarah Achieng, and also homosexuality in schools, we shall take up these issues with the Ministry of Education and Sports and report to the House accordingly. I thank you.

THE SPEAKER: Leader of the Opposition -

2.21

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Thank you, Madam Speaker. At the risk of being misunderstood by my colleague who is standing in for the Government Chief Whip, I thought the issue raised by Hon. Sarah Opendi relating to Science students in higher institutions whose monies are not being remitted was an emergency.

The question would be: Is the minister - and by extension Government - aware of this void for it to remain pending or they are part of the absentee Government and are not aware of their responsibility that money has never been remitted, but there are people in school? Will the minister assure us that he is aware of the problem, or actually, they are groping in the dark and students should go home and wait for when they will get out of the hallucinations? Is the minister aware that Hon. Sarah Opendi can speak to the petitioners about this problem?

THE SPEAKER: Honourable LoP, maybe, just for information; what Hon. Sarah has said is that there was an appropriation that was made for science students and that appropriation – what you did, you did not make a release for the money that was appropriated. Instead, you are giving handouts to different people, instead of saving our Science students. What she is saying is; can't you just raise the Shs 5 billion that these Science students need?

What commitment are you giving us, now that the Minister of Finance, Planning and Economic Development has even come? What commitment are you giving us to have at least Shs 5 billion to be given to the Science students as loans?

MR BAHATI: Thank you, Madam Speaker, and thank you LOP for raising that issue. Just to confirm that we are not absent. The NRM Government is not absent; it has been present for 37 years and for the future.

The issue of the resources needed – I did say that I am going to consult with the Minister of Education and Sports; and the minister of finance. The Minister of Education and Sports will communicate to this House tomorrow. I know the urgency of this matter. Thank you.

THE SPEAKER: So, we expect a response tomorrow in regard to the Science students' school fees. So, are you going to handle the issue of school fees on Monday?

MR BAHATI: School fees will be handled in Cabinet on Monday next week, but about the emergency question, the two ministries

are going to crosscheck, consult and come to update the House tomorrow.

THE SPEAKER: And then, in regard to the homosexuality in schools?

MR BAHATI: Madam, I said that we are going to take up the issue with the Ministry of Education and Sports and report to the House.

THE SPEAKER: Honourable members, these children are your children and if we do not take tough action as Parliament, it is your and our children who are getting spoilt.

MR BAHATI: But Madam Speaker, as we said, Government does not support this practice in schools or anywhere; it is against the law and should be fought. We will make sure that we protect the children in schools, the future and the values of our country. I thank you.

THE SPEAKER: And enforce the law that is available in case one is culpable of it.

2.25

MR ISAAC OTIMGIW (NRM, Padyere County, Nebbi): Thank you, Madam Speaker. I was just responding to the communication you raised earlier regarding the timeline of the National Budget Framework Paper. Whereas we appreciate the timeline that has to be followed, we are getting some challenges in the sectoral committee levels whereby, for example, in the Committee on Health, we just finished the National Budget Framework Paper yesterday -the 26 votes, which are supposed to appear before the committee.

This afternoon, we are supposed to handle the most important part whereby members of the committee now give their input on the final report that will be presented to the budget committee. So, the issue I am raising is that I do not know how time can be found, but the most important part is the final allocation; the final report, which goes to the budget committee as a position for the sectoral committees. Sometimes, this report has been pre-prepared by the secretariat in the committees, which is not the input of the members of the committee.

So, I do not know how that issue can be addressed.

THE SPEAKER: What is your issue, Hon. Isaac?

MR OTIMGIW: The issue I am just –

THE SPEAKER: First of all, I want you to appreciate that the timeline is per the Public Finance Management Act, as per the Rules of Procedure and the Constitution. It is outside our mandate. So, what else?

MR OTIMGIW: I am just saying that we can direct the committees so that the time is given so that after, for example, meeting all the relative votes, at least we should have some time, a day or two for the members to consider the different requests of the votes so that we have a good report to be given to the budget committee; this does not seem to take place. Members are sometimes called to just sign.

THE SPEAKER: Hon. Otimgiw, the consideration of the National Budget Framework Paper by the budget committee is under Rule 145(2) of the Rules of Procedure and that is where it is presented. As I report today, about three committees have already reported to the budget committee. I am very happy with all of you. You have done a great job.

Members have been here, I was very impressed that the team we have is a very hard working team. There is no loophole anywhere.

2.28

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Thank you, Madam Speaker. Much as you are appreciating the committees, it is really chaos. Every committee is talking of funds. We are told that the funds are not there; even the priority areas are not covered.

For example, most of us were upcountry during Christmas holidays; the roads are in a bad state, the Road Fund money continues to be reduced. How do you expect us to pass a budget here

while the money for road maintenance is not there? I saw the tourism ministry talking of no money. If we cannot give money to the cash cow of tourism, where is the money going to be?

I am surprised that some of the chairpersons have not come to tell you that you as the Business Committee need to look at the budget. Otherwise, we shall eat lunch at supper time; sorry to say.

THE SPEAKER: Hon. Musasizi, what Hon. Nathan is saying is that we just have a theoretical budget, a qualitative and not a quantitative budget. We are just going there to rubber-stamp. Will what we have appropriated ever be respected as a House? Do we still have the power to do the appropriation?

2.29

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Madam Speaker. We are in the process of budgeting and it has several stages; now, we are considering the National Budget Framework Paper.

We presented the National Budget Framework Paper here, it went to the budget committee and subsequently, cascaded to sectoral committees.

Parliament will consider the National Budget Framework Paper with recommendations and based on that, we shall prepare the second budget call circular.

It is true that at the stage where we are, it is difficult to tell how the final allocations will look like. The recommendations from Parliament, together with other emerging issues, which will come from outside, will all be put together and be communicated in the second budget call circular.

That is where we can begin talking about where the gap is and where it is not. On whether Parliament's power on appropriation is still valued and respected, the answer is in affirmative.

Parliament has powers and we respect these powers, but like I have always said, the execution of the budget also may bring certain things, which will not augur well with what Parliament wishes to see. Thank you.

2.32

MR RICHARD SEBAMALA (DP, Bukoto County Central, Masaka): Thank you, Madam Speaker. Honourable minister, I am hesitant to take in your last communication. As you are aware, committees have always made recommendations from the National Budget Framework Paper like we are doing today.

The Committee on Infrastructure made recommendations for very many changes on appropriations and none of them was taken by the ministry of finance. Even at the time of implementation, as of today, mid-year, when we are looking at the midterm review, where is the money you have appropriated? Debts with contractors are continuing to increase; Shs 599 billion has not been paid.

I thought it would be the first priority of Government to pay off arrears and then, we proceed. None of the recommendations of the National Budget Framework Paper that we made was considered.

Therefore, I am hesitant to agree that you are taking the powers of appropriation of this Parliament seriously and this is a complaint from all the committees. Yet, I have seen in some instances where Chief Administrative Officers write to the ministry of finance, which in turn sends them money that was not passed by this committee. I request that you give us a stronger answer about our mandate of appropriation.

THE SPEAKER: Honourable minister, I think there is a big problem. Hon. Nathan is saying that priority areas where they agree on areas that must be funded, but you still do not fund them. We have become rubber stamps in Parliament.

It is actually ministry of finance that sits in a boardroom and divides what should go where;

it is discretionary now. We need to have respect for institutions; have respect for Parliament and we will respect you too because if you do not respect us, tomorrow, you will need this House.

We know you have all the powers to do everything, but you need to respect the institution of Parliament. I have always told you ministers; you are ministers up to midnight. The President will wake up tomorrow and say you are not there; you will come back to Parliament. So, for us as Members of Parliament, we need to protect where you are coming back to. We are protecting your institution. *(Applause)*

So, it is not good for you to go and become wasted there. We need to protect the institution where you belong. It is here that you belong. I know Hon. Musasizi was one of the best chairpersons. Please, do not be taken up by some of these things.

2.35

MR SIMON PETER OPOLOT (NRM, Kanyum County, Kumi): Thank you, Madam Speaker. Permit me to revisit some point that I feel was left out on the other issue. It relates to that circular-

THE SPEAKER: Which issue?

MR OPOLOT: On school fees.

THE SPEAKER: We made a ruling on school fees.

MR OPOLOT: Just an addition, which will be very important, I believe.

THE SPEAKER: Hon. Okwalinga, tomorrow, you will make a presentation to that effect. Once the Speaker has made a ruling, it is final.

MR OPOLOT: That is why I am requesting you.

THE SPEAKER: Yes, I am giving you a slot tomorrow. You will be the first to speak on school fees.

2.36

MR DAVID KARUBANGA (NRM, Kigo-robya County, Hoima): Thank you, Madam Speaker. I would like to react to the honourable minister's comment specifically on infrastructure. I can see he is looking at me.

The House made a very serious recommendation on road equipment. You directed actually and we forwarded that request to the ministry of finance, but in their wisdom, they decided to provide only half of the money for 16 districts.

THE SPEAKER: We provided Shs 57 billion; I still remember.

MR KARUBANGA: Madam Speaker, ministry of finance gave only Shs 28 billion and they said the balance would be in the next financial year.

THE SPEAKER: Have those other districts got the equipment?

MR KARUBANGA: No

THE SPEAKER: Now, where did the Shs 28 billion go?

MR KARUBANGA: Madam Speaker, the LCs are supposed to cover the entire purchase, but when we complained, Finance said "no, we don't have the money."

THE SPEAKER: Let us put the balance in this financial year's budget and we see if they will not approve it.

2.27

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES)

(Mr Henry Musasizi): Thank you, Madam Speaker. It is true in the Financial Year 2022/2023, there was a provision of about Shs 56 billion for the acquisition of new road units for the districts, which were established prior to the buying equipment for districts. However, we could only afford Shs 28 billion this year. And we are proposing and I have had extensive discussions with the Chairperson of

the Committee on Physical Infrastructure that we do another allocation of Shs 28 million in next year's budget. This way, we can make good on our obligation in two years in as far as units are concerned.

I feel, Madam Speaker, that it is a good win-win in the current circumstances.

THE SPEAKER: That is okay. Let us wait for this financial year. Yes, Hon. Bataringaya.

2.39

MR BASIL BATARINGAYA (NRM, Kashari North County, Mbarara): Thank you, Madam Speaker. If you recall, there was a time I presented something about roads after the devastating rains occurred. I was supported by Hon. Dan Kimosho. I was trying to say that one of your Members would soon be faced by mob justice because of the bad roads and I recall very well; you said that as we go into this budgeting -

THE SPEAKER: Honourable members, we have a report on UNRA and I have also seen the chairperson of COSASE here. We will discuss the issues of roads when discussing that report.

MR BATARINGAYA: Most obliged.

THE SPEAKER: Thank you.

STATEMENT BY THE LEADER OF
THE OPPOSITION ON THE STATE OF
FORESTS IN UGANDA

THE SPEAKER: Honourable members, under Rule 53 of the Rules of Procedure of Parliament, on the statement by the Leader of the Opposition, it is clear that such a statement should be debated for one hour. However, for now, we shall limit it to 30 minutes or less because we do not have enough time. Because issues of forests concern all of us, I now implore the Leader of the Opposition to come and make that statement.

2.40

THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga): Much obliged, Madam Speaker. I have delegated this responsibility to my Shadow Minister for Environment, Hon. Christine Kaaya, the woman MP for Kiboga, to present the statement.

THE SPEAKER: Yes, Hon. Christine Kaaya. Is the statement uploaded? Okay, it is.

2.41

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Thank you, Madam Speaker and thank you, Leader of the Opposition, for giving way. I hereby present a statement on the state of forests in Uganda. The country is burning and flooding because of our tampering with the ecosystem. We are experiencing flooding, dry spells and landslides at levels and intervals that we have not had in our lifetime. We are now experiencing the real effects of climate change and the harsh climate we are facing is directly associated with a significant loss of forests and forest cover, which provide the largest sinks for carbon that contributes to global warming.

Madam Speaker, we have a lot of ecosystems, but I want to emphasise that the contribution of the forests, as the sink for carbon, is higher than from any other ecosystem. According to the Ministry of Water and Environment, Uganda's forest cover fell from 24 per cent, in 1990 to 10 per cent, in 2017.

In 2000, alone, the country is reported to have lost 297 kilometres of forest cover. By 2020, the figure had more than doubled to 736 kilometres of forest lost in a single year. Annual forest cover loss was recorded highest in private forests and it went to 1.9 percent, an equivalent of 94,747 which is also equivalent to 48 hectares and 0.3 percent was in protected forests.

The policy and the law on the forests encroachment, illegal titling and selective allocation of forests to private enterprises

Madam Speaker, uncontrolled encroachment on forest land, illegal harvesting and titling renders the future generation vulnerable to the impacts of climate change. Uncontrolled deforestation stands as number one of the major threatening factors against the sustainability of the environment.

Deforestation de-stabilises the ecological and environmental functions (soil and water conservation) – we always attribute loss of soil fertility to very many factors, but the moment we have no forests, the deterioration of soil fertility will be high and so, the functions of trees render the areas vulnerable to externalities.

We have significant encroachment on forests like Budongo Forest, which has been encroached on by Kakira Sugar Works. Bugoma Forest has been encroached on by Hoima Sugar and Mabira Forest in Lugazi has been encroached on by Lugazi Sugar Works. Other forests that have been encroached on include:

1. Kisisita Central Forest Reserve in Ssi Subcounty;
2. Malibwe Forest in Ngogwe Subcounty in Buikwe South Constituency;
3. Namyoya and Namanve in Mukono;
4. Bajjo
5. Kiula and Wamale in Kayunga;
6. Mbarara Central Forest Reserve;
7. Mugomba and Kitubulu in Wakiso;
8. Lutoboka Central Forest Reserve in Kalangala;
9. Lira Central Forest Reserve;
10. Rwamunda and Walumanyi in Mpigi;
11. Luweero and Butebe; and
12. Other forests in Kabarole, Kiboga, Masaka and across Uganda.

At the moment, there are over 1000 illegal land titles fraudulently created on central forest reserve land under the watch of the National Forest Authority (NFA) and Government is not doing anything enough to evict encroachers.

Madam Speaker, we have a big problem created by licensees of the NFA who do not comply with the terms and conditions stated

therein such that in the process of restoring degraded areas of the central forest reserves, they have instead cut down, destroyed and completely removed the natural forests in the central forest reserves and planted pine and eucalyptus trees on the bare forest land created. The most affected areas that we visited are Mabira National Forest Reserve, Uganda's natural heritage that has been left along Jinja Road, while its integrity internally has been deplorably destroyed as NFA looks on.

Natural forests and plantations play important roles, which are recognised locally and internationally, in terms of inter alia, biodiversity conservation, climate stability, carbon sequestration, water catchment, medicinal and the production of various forest products for livelihood improvement.

Madam Speaker, when we retain pine and eucalyptus alone and do away with the rain forests, many of these functions and benefits can no longer be got from the gazetted forest reserves.

A total of Shs 628 billion was approved in Financial Year 2022/2023 for actions to mitigate and adapt to climate change. The first activity was to resurvey and mark 6,200 square kilometres of boundary to increase the national forest cover from the current 12.4 per cent to 15 per cent and restore 850 square kilometres of wetlands and forests.

The other provision in that budget was demarcating and gazetting of central forest reserves and wetlands and also eviction of encroachers on forests and wetlands. The process of cancellation of titles in wetlands had started. However, no significant funds were allocated for actual tree planting to restore significantly deforested areas.

We have tree nurseries, but the dissemination of tree seedlings is left to volunteerism. The NEMA efforts to restore forests are selective in that major encroachers are side-lined as efforts are concentrated towards driving away small encroachers. Unless this is halted, we risk losing tree cover by 2040. There are some

spots on selective implementation of the law within the management of forests.

Based on the annual statement on environment, we would expect the minister to report on actions taken against encroachers on forests, steps taken to replant, regenerate and expand coverage of forests and also report on details of climate finance mobilised and the relevant projects that benefited from the climate finance.

Based on the global information we have, there are a lot of baskets that can fund us. Even when you look at the natural resources budget, the biggest batch of the budget to finance our activities is external. We would like to have a well-orchestrated group that helps us fundraise for these finances.

Madam Speaker, we pray for:

- 1a) Special audits into the following: how and why Uganda's forest cover fell from 24 per cent in 1990 to 10 per cent in 2017;
- b) The process of acquisition of rights to manage central forest reserves and management of central forest reserves in line with the National Forestry and Tree Planting Act with the intention to withdraw the management mandate;
- 2) What are the specifications, other than demarcating boundaries, that Government is undertaking to restore and expand the current coverage of forests?
- 3) The National Forestry Authority to;
 - a) Review its policy on issuing licenses to harvest forest products - cutting, taking, working or removing all forest produce from all forest reserves;
 - b) Revoke all licenses where the licensees did not comply with the terms and conditions stated therein. Others were given portions, which have been redundant for over six years;

- c) Give a report on forest areas surveyed by NFA in the last quarter, as required by the National Forestry Act.

I beg to move.

THE SPEAKER: Thank you, Hon. Kaaya, for the report. As I said before, NFA and the forests affect all of us in terms of climate change. I will now open the debate for 10 minutes.

2.52

MS JESCA ABABIKU (NRM, Woman Representative, Adjumani): Thank you, Madam Speaker, for this opportunity. I appreciate the honourable member for the comprehensive submission.

I remember that the Rt Hon. Prime Minister made a commitment on the Floor of the House on how Government is going to ensure that we conserve the environment. We have staff all over the region and in the districts, even NFA staff, but the depletion is continuous. Some people must be sleeping on their jobs because the concern on the protection and preservation are for the benefit of all of us.

Therefore, let the Prime Minister update us on how they are protecting and conserving the environment. We have to do the two concurrently; we have to restore as we protect the existing one. That is my proposal. Thank you.

2.53

MS JANE PACUTO (NRM, Woman Representative, Pakwach): Thank you, Madam Speaker. This is my maiden speech this year and I want to start by wishing you and all Members of Parliament a happy New Year.

I moved a motion last year about operationalisation of the Forestry and Tree Planting Act, especially the Forest Fund. I recall that the minister of finance literally accepted and even said he is a tree farmer and, therefore, very passionate about issues of tree planting.

That said, the women of Uganda are more affected by climate change and depletion of the forest cover of this country. I do not want to go into listing how we are affected; it is clear knowledge. That Act clearly spells out that there must be procedures on tree planting.

I urge Government and even we, Members of Parliament – Madam Speaker, if you deem it right, in the process of this year, give us a week or two so that we all go to our constituencies, sensitise and mobilise our people to plant trees. Otherwise, the people of Uganda listening out there, particularly the people of Pakwach are sitting on a time bomb. *(Member timed out.)*

THE SPEAKER: You actually need to plant trees as legislators. You should be the ones to act so that others learn from you.

2.55

MR JOHN MUSILA (Independent, Bubulo East County, Namisindwa): Madam Speaker, happy New Year to you, especially from the fraternity of *Rastas* in this Parliament. I am a proud owner of not merely a plantation, but a wood load. I appreciate the statement from the Leader of the Opposition. It is true and right that we must protect and conserve our forests.

However, I would have loved to hear how the private citizens of this country are encouraged to plant, preserve and conserve trees. There should be some way of encouragement from Government specifically that those who have either plantations or wood loads are encouraged, possibly with a small fund, so that the trees are conserved as well.

Secondly, Government is the number one deforester. I have been grappling with my people in Mount Elgon. Those of us who come from that region know that those who are supposed to protect the environment are the problem. They are the ones cutting down trees deep in the forests.

Please, Government, we are re-awakening you to check that. I know I have my friends around that place and it touches them when I talk about this on the Floor of Parliament.

Lastly, the weak environment enforcement agencies - Madam Speaker, this House should know that we even have Environment Police –*(Member timed out.)*

THE SPEAKER: Thank you. Honourable members, I want you to focus on the prayers. The diagnosis is now known. Let us now look at the prayers. How can we improve on the prayers and what can we do about what the prayers are asking for?

2.57

MR SIMON OPOLOT (NRM, Kanyum County, Kumi): Thank you, Madam Speaker. As you just indicated, I would like to appreciate the LOP for this good statement. However, for the prayers, I would request that you direct Government to make sure that out of the 40 million Ugandans, each person should be given two seedlings to plant in their homes annually. If they are two, that will be 80 million per year. I am sure over time, it will result into-

THE SPEAKER: Hon. Simon, given by who?

MR SIMON OPOLOT: By us, Madam Speaker. We have to appropriate money so that Government provides the money to buy seedlings.

THE SPEAKER: We appropriated money for seedlings; was it released?

MR SIMON OPOLOT: Then Government should be tasked to account for where they put the money that was appropriated by Parliament.

THE SPEAKER: Okay.

2.59

MR JAMES MAMAWI (NRM, Adjumani East County, Adjumani): Thank you, Madam Speaker. I thank the Leader of Opposition for the precise report on the forest cover in the country.

The report of the Leader of the Opposition is exactly what is on the ground and the prayers are very clear.

One of the papers today indicates that out of the 25 people arrested from Zoka Central Forest Reserve, seven are foreigners.

Madam Speaker, the previous day, we had 27 people arrested by UPDF who were logging inside Zoka Forest Reserve. This report has not covered Zoka Forest, but it is also a central forest reserve in this country.

We have been discussing the issue of forest depletion in this House. We are very clear on our prayers that Government should get on the ground, but no action is visible.

On this note, I want to be clear that the people of Adjumani East are calling for a meeting with Government as far as Zoka is concerned. It has been alluded to by everybody here that we have agencies, which are on the ground. We have NFA, Police, UPDF and others.

However, look at the scenario, which happened in my subcounty the previous day, when a senior police officer called the person in charge of the UPDF patrol to leave alone the persons they were arresting. Where is the country moving?

As mentioned by one of our colleagues, it means that Government is aware of what is taking place in those natural forests and if that is the case –(*Member timed out.*)

THE SPEAKER: Honourable members, I want whoever is going to talk to first mention how many trees they have planted because it is the responsibility of all of us. How many trees have you planted before you blame Government? (*Hon. Yovan rose*)

THE SPEAKER: Hon. Yovan, there is a procedural matter.

MS OPENDI: Thank you, Madam Speaker. This matter touches all of us. When I hear the submissions of Members, they are even referring to appropriation that was done earlier and asking where Government has put the money. Wouldn't it be procedurally right that we ask the minister to give us a statement?

Thereafter, we can debate from an informed point of view?

Otherwise, we are here speaking; I do not even see the minister responsible for environment. Wouldn't it be procedurally right that you ask the Minister of Water and Environment to come with a statement on this matter? We could then carry on with debate from an informed point of view.

THE SPEAKER: Do we have the minister here? We want to know the status on the protection and conservation of our forests in Uganda.

3.02

THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (David Bahati): Madam Speaker, all the ministers in the Ministry of Water and Environment are not available today. I agree that with your permission, the minister should come probably Tuesday, next week and make a statement. The House can then enrich the LOP's paper.

THE SPEAKER: We may not need a statement, but an action report as per rule 220 on the recommendations and the prayers that have been raised by hon. Kaaya on behalf of the LOP. That is what we will need on Tuesday.

MR BAHATI: Thank you, Madam Speaker.

THE SPEAKER: Next item.

MOTION FOR ADOPTION OF THE
REPORT OF THE PUBLIC ACCOUNTS
COMMITTEE-LOCAL GOVERNMENT,
ON THE REPORT OF THE AUDITOR-
GENERAL FOR THE FINANCIAL YEAR
2020/2021 ON 49 DISTRICT LOCAL
GOVERNMENTS, SIX CITIES AND FIVE
MUNICIPAL COUNCILS

THE SPEAKER: Honourable members, you recall that this report was presented on the 6th of January and the debate was deferred to today. As it was guided in the communication, we will put the question on this report and the

rest of the pending entities that have not been considered by the committee; that is as per Article 163(5) of the Constitution.

As I said before, we need to finalise on the accountability cycle before we go to the next budget. You approved a loan in this House, but the loan cannot be disbursed before they have Treasury Memoranda coming from this House, especially from the accountability committees.

Before I invite the chairperson of the Committee on Local Government to speak to his report, there are a number of salient issues that were brought in the other report. As we discussed, where you find the accounting officer is culpable for the actions that were taken, let us avoid transferring accounting officers from one station to the other. We are transferring vice. *(Applause)*

Let us be bold enough to take a decision; if it means firing an officer, fire them other than transferring him or her from here to there. He or she will take his virus from one station to the other.

Honourable chairperson, can you give us a brief summary? Is Hon. Mpenduzi here? Anyway, the report was presented. Can we debate the report of the Committee on Local Government? Yes, Hon. Christine -

3.06

MS CHRISTINE KAAYA (NUP, Woman Representative, Kiboga): Thank you, Madam Speaker. Honourable colleagues, let us try to retrieve the report, probably, it could be shared again.

There were a number of issues shared in that report. However, most important to my district - because it was part of it - the issue of political leaders' gratuity not having a code threatens our politicians at the grassroots. Many of the politicians do not have a future as far as their livelihood is concerned.

There were issues of delayed access to the payroll. For example, in my district, it was quoted that 13 staff had been missing on the payroll for one to three months.

Madam Speaker, the same applied to the pensioners accessing the payroll. It was also reported that it ranged from one to 12 months before some pensioners appeared on the payroll.

Most important to note was also that the stalk-out in the hospitals within our districts - mine specifically - reported that out of the 360 days in a year, 349 days did not have enough stocks in the hospital. We can now see the reasons for high maternal deaths in those hospitals.

We need to check the deliveries in line with the increasing population. What Kiboga used to get some time back is the same. There is no relationship between population increase and stocks given to the districts.

Public servants are also affected by the delayed reporting by the Chief Accounting Officers (CAOs); there are certain delays in the systems. I do not know the exact challenge related to the salary process; the CAOs keep referring to that system, which is sometimes down and slow; you hear of it still loading and then, allegedly, somebody misses salary.

Concerning that system, the ministry has provided some training to some districts, but others still need the support of the Ministry of Public Service to develop staff capacity, to avoid delays to salary earners.

Transfers from the Government units

Some of the transfers from the Government units were at 50 per cent. For staff enrolment, there are some posts that are missing in the local governments, yet, the wages are being shared. I mean the National Budget Framework Paper provides the same wage like we have been told, but we wonder why some posts remain vacant. Most important for us in Kiboga is the Vermin Control Officer, yet, monkeys and other wild animals have started encroaching on our food.

He also brought out the issue of no strategic plans for the districts. Most strategic plans were shared with the National Planning Authority, but there was no approval. Members of Parliament move without strategic direction

of our districts and we just implement the way we deem fit. The issue of approving strategic plans for the respective districts is very important to enable all leaders and Civil Society Organisations follow district strategic objectives and their implement.

Those are some of the observations I have. Thank you, Madam Speaker.

THE SPEAKER: Thank you. Among the local government issues, we also have the Uganda Road Fund where the amount of money being sent to the districts is not sufficient. There is also issue of impassable roads, absenteeism of staff and lack of transparency in the District Service Commission. There are District Service Commissions where people have to pay to be recruited.

There is also an issue of upgrading of health centres II to health centres III, which was passed in this House, but has not been implemented. In the books of the Minister of Health, it is presumed there is a Health Centre III or Health Centre IV in those districts.

DR FLORENCE ASIIMWE: Thank you, Madam Speaker. The procedural matter I am raising is that we do not have the Minister of Local Government here –

THE SPEAKER: We cannot stop our operations because there is no minister here. Government is represented.

DR FLORENCE ASIIMWE: Okay.

3.13

MR DAN ATWIJUKIRE (NRM, Kazo County, Kazo): Thank you, Madam Speaker. I was here when they presented this report. One of the issues that came out was about late releases.

While local governments have their unique challenges, some of them are created by the centre. Many times, the Central Government sends money one month to the closure of the financial year and they tell the local government,

“please, use this money in one month.” They tell them to absorb a lot of money that cannot be absorbed in the little time left. They create a feeling even among the population that they have provided the money, but in the actual sense, they know technically that the money cannot be absorbed.

Maybe, we need to look at the flexibilities we can create for a local government at some point. By the way, it does not only affect local governments in the real sense; it affects even the Members of Parliament because they think we have not done enough in helping the local governments to absorb the money. They interpret this as non-performance.

I have looked at it many times and you wonder why the ministry of finance would use the same method knowing the impediments and challenges without putting the flexibilities that are required if we are committed to seeing Government perform.

Finally, Madam Speaker, we need serious scrutiny on the issue of transparency in local governments. While they are supposed to be checked by district councils, the level of awareness there is so low that they cannot shake the technocrats. We made it worse because councillors are not required to have any academic qualifications. They are checking people with Masters and Bachelors qualifications who speak English through the nose and yet, the councillors cannot interpret some of these things.

We are talking about transparency, accountability and local government performance.

THE SPEAKER: Honourable members, what Hon. Atwijukire is saying is very true. You cannot have somebody who does not know anything about accounts to upraise a graduate. Maybe, we need to have a reporting system that is not through the council. We should do our oversight duty well, but of course, when it comes to Parliament, they will say that you are also “equivalents”.

3.16

MS SARAH OPENDI (NRM, Woman Representative, Tororo): Thank you, Madam Speaker. The 10th Parliament passed an amendment to the qualifications of councillors at the district –

THE SPEAKER: Honourable members, let us look at local government.

MS OPENDI: Let me go to the issue of the local government.

THE SPEAKER: No.

MS OPENDI: Madam Speaker, on the recruitment –

THE SPEAKER: Hon. Opendi, first resume.

MS OPENDI: Okay, thank you.

THE SPEAKER: Let us not look at qualifications now because I know what happened in the 10th Parliament.

3.16

MR WILLIAM CHEMONGES (NRM, Kween County, Kween): Thank you, Madam Speaker. I just want to add to what my colleague Hon. Dan has just said. On the issue of overloading local governments, in a financial year –

THE SPEAKER: Minister of finance, listen to the issue of delayed disbursements and yet, you expect them to do full absorption.

MR CHEMONGES: In fact, in the entire country, all our local governments are on so much pressure because we send money to districts when it is just two months to the end of the financial year; and this is development money.

THE SPEAKER: Not that we send money. Parliament does not send money. It is the ministry of finance that sends this money.

MR CHEMONGES: The finance ministry sends money when it is two months to the end

of the financial year. For local governments to spend this money, they must go through a procurement process, which takes about two months. By the time the district enters into an agreement with the contractors, it is two weeks to the end of the financial year. The contractors start work, but in two or three weeks, money is swept back to the Centre. For example –

THE SPEAKER: Attorney-General, I want you to take keen interest in this. When the money is sent to the district, say for construction of a hospital or a school in two months to the end of the financial year, what the local governments do is to just handpick contractors. I have a scenario in my district, where they just handpicked a contractor who did not know what to do just because they had been told to absorb all the money. The man did not do quality work and money was just wasted.

MR CHEMONGES: Even when this money is returned at the end of the financial year and it is budgeted for in the coming financial year, such money cannot be released to that local government in the first quarter. The first quarter ends with no money sent and it may not be sent even in the second quarter.

At the moment, we are in the third quarter, but the money that was returned at the end of last financial year has not yet been sent the local governments. So, how do you expect work to be done?

The ministry of finance has already started sending money for new projects, leaving the old projects out. In our local governments, we have projects, which have been budgeted for in three financial years even when they were meant to take six months. This is the challenge local governments are going through.

Finally –(*Member rose*)– let me take your information.

THE SPEAKER: Now, you have become the Speaker? (*Laughter*) Okay, let us listen to Hon. Bwanika.

DR BWANIKA: Thank you, Madam Speaker. In that report, there were issues about the 10 new cities. When the minister responded, he alluded to the fact that he was in a process of coming out with a law to govern the new local governments. However, he said they had hit a snag with the Attorney-General, and that now, they are bringing guidelines.

We are stuck with the new cities. We are stuck and cannot do service delivery to our people. The new cities - even now in the budgets, they still give us those for municipalities.

Madam Speaker, we request that we are considered as part of the local governments and that a new law should be brought to this Parliament so that the cities are governed under that new law. I beg to submit.

THE SPEAKER: Thank you very much. Attorney-General, you will need to respond to that. Most of these new cities have no garbage collection centres; they are the dirtiest places I have ever seen. I went to Soroti City and I could not stop because garbage was dumped almost everywhere.

3.22

MS AGNES AMEEDE (Independent, Woman Representative, Butebo): Thank you, Madam Speaker. Thank you chairperson of the committee for the report presented. I was in the House when the report was presented. It was spot on, laying bare what the situation is in our local governments. These issues are not new; they have been on-going and I want to indict the Executive and the Central Government for being slow in addressing these issues.

Some of these issues emanate from governance or accountability gaps. The issues you have mentioned, for example, the indiscipline of the staff. I would take an example of my district on non-qualification of some staff and the lack of independence by the District Service Commission. Some of these issues can only be addressed by changes in some laws that govern local governments.

There are sectors in the local governments that need strict supervision, yet it is minimal, by the Central Government. I am, therefore, seeking the commitment of the representative of the Executive here to commit to Parliament when they will bring some of these amendments to the Local Government Act so that people can have better services. Thank you.

THE SPEAKER: Thank you very much, Agnes.

3.23

MS NANCY ACORA (Independent, Woman Representative, Lamwo): Thank you, Madam Speaker. I want to comment on the issues of deleting names of staff and also delays in the payments of salaries. For example, in Lamwo, there are many civil servants who have cried, day in and day out. Some of them have spent one and a half years without salary. I wonder how Public Service sends money to the district, but the human resource officers in the districts do not pay the intended recipients.

It is my prayer that the Ministry of Local Government should enact some laws to manage these human resource officers because we have come to realise that there are other people who have already been transferred to other districts, but their names still feature on the payrolls.

There are other civil servants who were appointed and have letters of appointment since last year or even 2021, but up to now, they have not received even a single coin of their salary. When we start talking, the human resource officers will say that saying we, politicians, are fighting them. It is a big problem because these are people who have children whose fees they have to pay.

We request the Ministry of Local Government to take serious action. In fact, Lamwo District has featured in this report and it is quite bad. We want serious action taken against these human resource officers who are not doing well because I know that Public Service sends money and decentralises it to all the 146 districts.

On the issues of the payroll and gratuity for pensioners, there are 66 pensioners in my district who have never been paid. Others died and their gratuity has not been paid. When we try to follow up with the human resource department, the officers there do not want to bring these issues to the table for us to know. I beg to submit, Madam Speaker.

THE SPEAKER: Thank you. There is the deletion of names and the addition of ghost names.

3.26

MR CHARLES OKELLO (DP, Nwoya East County, Nwoya): Thank you, Madam Speaker. The report has helped us to see a lot of underlying issues. In my district, Madam Speaker, nearly all the heads of department are in acting capacity, for now, five years or even more. There are only two heads of department that are substantially appointed - the Chief Administrative Officer and the Senior Community Development Officer. So, even when you send money early, you are doubtful whether the staff that is supposed to implement are competent and whether they are occupying their posts illegally. I also would like to request the Minister of Local Government to bring to an end the issue of “acting capacity”, not just in my district, but across the country. I thank you.

3.27

MR ALLAN MAYANJA (NUP, Nakaseke Central County, Nakaseke): Thank you, Madam Speaker. My issue is on unauthorised loan deductions. In Nakaseke District, nine employees did not consent, but their monies are being deducted. This is a matter, which needs to be handled. As Members of Parliament, we need to act urgently.

Secondly, about the inconsistencies in the payroll registers -

THE SPEAKER: Who deducts the money? Is it the district in favour of the bank or?

MR ALLAN MAYANJA: In favour of the bank because the report shows -

THE SPEAKER: It is the district that deducts?

MR ALLAN MAYANJA: Yes, and the officers confessed. The second issue is about inconsistencies in the payroll registers. In Nakaseke District, it shows that 13 staff were being paid by Nakaseke District local Government, but were not on the list of the Ministry of Public Service.

The Ministry of Public Service list shows four staff, but these four staff were registered on the Nakaseke District Local Government payroll register. This means that there are a lot of inconsistencies, which need to be worked upon and this Parliament needs to make strong recommendations.

THE SPEAKER: Thank you. The issue of ghost workers, inconsistencies in the payroll -

3.29

MR TOM EKUDO (FDC, Gweri County, Soroti): Thank you, Madam Speaker. My concern in this report is about our workers in the health sector and education sector. You find people lamenting that Government has delayed to pay us money. When we go for oversight as Members of Parliament, you reach a health centre and find a report that the health workers are not doing their work yet they are number one to lament.

As a Parliament, we need to task the Chief Administrative Officers to handle their responsibilities because they are leaving it to us and yet they are the ones who are recruiting these people into those positions. We need value for money. As we pay them, they need to give services to our people. I thank you.

3.30

MR ROLAND NDYOMUGYENYI (Independent, Rukiga County, Rukiga): Thank you, Madam Speaker. In the report, there was an issue of poor absorption of funds and on this note, I would like to applaud Government because absorption has improved tremendously over the years.

When we did not have the single treasury account, the chief accounting officers used to keep money for a long time with the hope that at the end of the financial year, they could hide it in the banks and afterwards retrieve it. But with a single treasury account, the issue of the absorption of funds has improved.

In the report, there was an issue which is very pertinent concerning advances, both activity advances and salary advances for staff. What is happening, especially for the works department, is that the money at the districts is deposited on the district engineer's account for him to do the work of the district. Once this money is deposited on the account of the engineer, it no longer belongs to the district but to that particular staff. This matter needs to be investigated further with a view of reducing this practice of depositing money supposed to do roads and water schemes.

Finally, as one of the Members suggested earlier, we need to change the laws, especially procurement laws and guidelines, to fit the situations that we are facing at the local governments because what is applicable - For example in the central governments, the procurement processes may not be applicable at the local councils. When we apply those laws uniformly, we may not be able to deliver the services to our people. I beg to submit.

THE SPEAKER: Thank you. We need an amendment to the Local Government Act.

3.33

MR JONATHAN EBWALU (Independent, Soroti West Division, Soroti): Madam Speaker, we are talking about service delivery. You rightly put it that Soroti City is choking with garbage everywhere you pass. The ministry delivered a skip loader to Soroti, but I can tell Parliament and the country that, that car is parked. Why? Thugs went and stole a battery of that car and up to now, it is parked in the city. That is negligence. Soroti City is fully guarded not by private security, but Uganda Police Force, but up to now, nothing has been done.

THE SPEAKER: What did you say was stolen?

MR EBWALU: The battery of a skip loader.

THE SPEAKER: Minister of Local Government, can we have that machine start working tomorrow? Let the people who are responsible take responsibility.

MR EBWALU: Thank you, Madam Speaker. Secondly, there is constant conflict between Soroti City and the district. There was a document circulated, written by the Attorney-General, that the movable assets are divided 50/50 while the immovable assets remain in the city, whether true or false.

There was a very embarrassing situation in Soroti where the engineers of Soroti District went and pulled down the signpost of Soroti City planted by the Speaker of Parliament then, Hon. Alitwala Kadaga.

We are sharing officers in the city, LCV is here, the Mayor is here, the RDC of the district is here. The RDC of the city is the other side so, there is total confusion.

We implore and appeal to the Attorney-General that please, guide and direct where the city should be and where the district should be. I beg submit.

THE SPEAKER: Thank you. Soroti women, do you have something to say on the same? Okay.

3.36

MR PETER MUGEMA (Independent, Iganga Municipality, Iganga): Thank you, Madam Speaker. Mine is on the issue of securing land titles on Government land. I have been coming here, time and again, explaining to the Minister of Local Government – who, incidentally, is absent - about how people keep on grabbing Government land and they end up owning it.

Government has adamantly refused to get titles for its own land. You find that a scenario in

Iganga - the other time, I kept on yelling here about the Freedom Square and it went because some people sold it.

They have started encroaching on another piece of land - a primary school in Nakavule. People are taking up the land, but Government is not putting any pressure on those who are taking the land. They do not have land titles. I tried to bring them together so that we can get land titles for most of those lands, but they end up engaging with the land grabbers. At the end of the day, it is us to lose because as leaders, we shall be seen as people who side with the fraudsters that are taking Government land, yet Government seems disinterested in it.

So, I do not know what they are going to do for us to have land titles for that -

THE SPEAKER: Attorney-General, you will need to respond to what Hon. Mugema is raising. It has been on this Floor for long. Landlord?

3.37

MR MUHAMMAD NSEREKO (Independent, Kampala Central Division, Kampala): Thank you, Madam Speaker. *(Interjection)*

THE SPEAKER: He is the MP, Kampala Central; we are sitting in his constituency.

MR NSEREKO: First of all, I apologise for the potholes within the city. I heard someone say, "Potholes". I will take responsibility, but we all share the responsibility.

THE SPEAKER: Hon. Muhammad, can you speak to the local government?

MR NSEREKO: Madam Speaker, local governments include mine and where you are seated. Mine is unique in a way that most of us within the seats of power, including the Legislature, the Judiciary and the Executive, find themselves either operating from here most times of the year or transacting their business from here.

We face a general problem in the country where local governments have a cocktail of problems - from capacity to low staffing and to inability, practically to the mind-set of the people, which culminates into heaping the problems onto the political leaders in the name of legislators.

Today, as a result of the malfunction in the local government, the Members of Parliament have become the local governments themselves. You will find yourselves upgrading the roads that are meant to be done by the local government. Reason being, if we do not give enough time to debate the strategic and operational malfunctions that are at local government level, we shall shoulder the responsibility. And finally, we will not be able to carry the entire responsibility. That is why you find every Member of Parliament telling you how they need a grader to go and work on certain roads that have become impassable as a result of the rains.

So, this problem is not peculiar only to the city, but it is a cocktail of problems and unless we address it wholly - whether through amendment of laws or through practicability of what we can do by empowering the local government - And this is what I suggest: local governments are the nurseries; they are the incubators of the leaders that will sit here tomorrow. I have no doubt 90 per cent of the leaders that are seated here today as legislators were once either councillors or technical officers at local government; other than the Speaker. *(Laughter)*

However, it would be good practice to have leaders incubated from the lowest forms of leadership. At least I know that even from political parties and from the local council system, many of us found ourselves here. And I would have no doubt that even those that had their way through alternative routes are finding ways of solving problems at local government level because we are ex-officio members in the councils there. Therefore, we have participation at that level.

However, we witness that there are no strategic plans and master plans for given local governments. The way we create these

administrative units is so political that it is not based on scientific means. And now the cocktail of problems comes back to us to solve those problems that we have created.

That is why there are some districts that hardly have human resource in the form of veterinary officers, extension workers, health officers, etc. - because we create local governments that are not necessarily backed by science, but they are backed by political sentiments that certain people ate *–(Interjection)–* I did not talk about rats; I am only saying certain people smiled well and they got a district. Others over demanded. And I have heard the President on record saying, “Please, let us stop creating administrative units,” because we do not have the financial muscle to support them.

However, now that we have them, what do we do? We implore the Ministry of Finance not to create problems for us. For example, as we walk through these cities and local governments, and people comment about roads, not many people can interface with the Minister of Finance. The only people they interface with are Members of Parliament or the Speaker. The Speaker was talking about garbage. She was scared to get out of Soroti because they would then say, “Madam Speaker, look at the garbage.” And the CAO’s answer would be “We don’t have money,” because the funds have not been released.

When I talk about my local government, imagine a release of Shs 13 billion for Kampala as it looks like, as development budget in this quarter. With all those potholes, it would be a shame on all of us - not on me, alone. I know the revenue streams are few, but let us put our money where we have our capacity. This is the face of our nation.

The airport; we all land at that airport. Madam Speaker, as you invite Speakers to come here for the next conference, at what airport will they land? What impression do we send? Then they move on a nice road – the Kampala-Entebbe Expressway; amazing and good development. And then they get into my potholed city, which I am ashamed to talk about as the situation is.

But I can shoulder the responsibility by saying this Parliament appropriated money, but we have not gotten the release.

This Parliament here - and I thank you, honourable members; you appropriated enough money - at least enough for the beginning in form of development budget - for this capital city. This quarter, Kampala has received the Shs 13 billion to fix kilometres and kilometres of roads and drainage, and collect garbage and improve traffic lights and lighting in the city.

As I wind up, Madam Speaker, it is impossible for a man in this House or an honourable member to leave home with Shs 3,000 and expect to find a buffet with chicken, rice, matoke, and you expect the woman to provide for 10 children. This city was planned for 250,000 people; it has an influx of 4 million people on a daily basis including you, honourable members.

And we are proud to have you and to host you every other day. If you posed the question as to whether I wanted this Parliament to move, I would say, “No” because having you is our pleasure. So, let us empower these local governments through funding adequately, timely and giving them capacity. Then definitely, we shall breathe a good national outlook; if our local governments extend services, it will reflect on the national development plan. I thank you.

THE SPEAKER: Thank you, Hon. Muhammad. Of course the shame should not be on all of us; we are not the ones who release the money. The shame should be on the people who release it. As for me, I pay my taxes, I do appropriation and I expect your services. Hon. Ibanda?

3.46

MR ALEX RUHUNDA (NRM, Fort Portal Central Division, Fort Portal): Thank you, Madam Speaker. One of the reasons that led to the creation of new cities was to decongest Kampala because in the national planning –

THE SPEAKER: That was not the reason. *(Laughter)*

MR RUHUNDA: It was one of the reasons - among others, Madam Speaker, - was to solve the challenges Hon. Nsereko has illustrated here. You do not need a city that attracts four million people every day yet they can have services in other cities - and we make sure the traffic does not increase.

Putting that aside, we have a big challenge with these local governments. Firstly, the government centralised - I do not know whether we are still under a decentralised system of governance. The principles and intents of decentralisation have totally been undermined by the Central Government.

Among the strategies that the Central Government did to kill the local governments was to cut their financial independence. These cities and municipalities collect local revenue. Within their mandate at that time, before they introduced the centralised system, they would solve some of these challenges. They knew they would collect their revenue; they were able to plan and collect garbage and solve some of the challenges. Now, they are curtailed because all the revenues collected have to be sent to the Central Government. Then, they have to sit and wait and beg from a system that is not efficient and effective. What do you expect?

When we go to these councils, they point fingers at us and say, "You are the ones controlling our money from the top. We can no longer make simple decisions on the ground." There was a motion tabled here to urging Government to reverse the decision of centralising local revenue such that these local governments, municipalities and cities can be able to act on some of the challenges.

This is something, which was tabled here, but we have never got any response from the Central Government. That is one of the biggest challenges. When you go to Fort Portal City, the mayor was on the radio telling people that there is nothing that is going to improve. All the bad roads are going to continue, we are curtailed; we do not have the money. It was lamentation and the public was wondering.

The failure by the minister to bring a law that operationalises the financing of these cities; I do not know why it takes all these ages. The law, which should allow financing of these cities, is not in place.

Attorney-General, I hope you will take this up and help your minister who has delayed. He was here last time when we rejected - when he wanted to bring in piecemeal amendment of the local government laws. He promised that he would bring the new law to operationalise these cities. Up to now, nothing has happened. I hope that we get the Minister of Local Government to do his job properly.

3.50

MS AGNES ACIBU (NRM, Woman Representative, Nebbi): Thank you, Madam Speaker. I want to add my voice to what my colleagues are saying, as far as our local governments are concerned. One of the issues that is facing Nebbi District - and I believe that it is not only Nebbi, but also other districts in the country - is the issue of salary disparities.

We are all aware that we have the Science vs. Arts policy. This has affected service delivery in my district in such a way that the Arts people feel demoralised and, therefore, leave the backlog for the people who call themselves 'scientists', who benefited from the salary increment, as a result of them being so.

Even if we are looking at the Science people - leave alone the increment in their money - some of them are not getting it, thereby creating more problems.

I am praying that we harmonise the salaries so that service delivery for our people reaches the grassroots people. Thank you.

3.51

MS NOELINE KISEMBO (NRM, Woman Representative, Kibaale): Thank you, Madam Speaker, for the opportunity. I want to thank the committee for the comprehensive report.

I want to comment on the low absorption that is caused by poor coordination among

the ministries of the same government. It has happened in my district, that the Ministry of Finance has provided money for wages. The district is ready to recruit staff, but then the Ministry of Public Service delays to clear the district to recruit and the money is taken back to the Treasury. This leaves the districts without the critical human resource to offer service delivery to the people. I think this needs to stop.

If the Ministry of Finance has provided money, why can't the Ministry of Public Service clear the districts to do the recruitment and we have the services offered to our people? Thank you.

3.52

MR MOSES OGWAL (NRM, Dokolo North County, Dokolo): Thank you, Madam Speaker. I thank the committee for their presentation. I want to emphasise a point and give recommendation: that is about service delivery related to roads. We have a lot of challenges, particularly leaders from LC I to LCIII. It used to rest at LCV, but it has now reached Members of Parliament.

My recommendation is that we should appropriate resources, which can facilitate maintenance of roads as a priority. I recommend a sum of at least a billion shillings to be allocated to those local governments so that they are able to maintain these roads.

When I talked to my engineer, he said that if they are provided with Shs 1 billion, they will be able to repair these roads and they last up to 2026. Thank you.

3.54

MS MELSA AVAKO (NRM, Woman Representative, Yumbe): Thank you, Madam Speaker, for this opportunity. I want to add my voice to supplement the issue of local revenue collection and management. As we carry out our oversight functions in our districts, the policy of sending local revenue to the Consolidated Fund, as the committee clearly indicated in the observations, affects and promotes unauthorised spending of the local revenues by the local council.

I am suggesting that let us support the motion of spending this money at source so that the service delivery at the local government is not affected. I beg to submit. Thank you.

3.55

MR EMMANUEL KOMOL (Independent, Dodoth East County, Kaabong): Thank you, Madam Speaker. I have about three issues. One is the politics inside the civil service right now, especially in the local government. We have scenarios in my own district whereby if there is a referral case maybe to Moroto Referral Hospital, a patient is charged Shs 200,000 for fuelling the hospital ambulance and the next patient maybe Shs 400,000. It is the same distance, but you find that it is because of the politics in the civil service.

The other issue is about the civil servants who have passed on. For instance, when two teachers die, one continues receiving salary and the other's salary is stopped exactly the same month the person passes on. My prayer is to the ministry is that much as we also have meetings with these civil servants, when you go there as a ministry, try to enlighten them on the dangers of mixing politics into service delivery to Ugandans. Thank you.

3.55

MS MARGARET AYEBARE (NRM, Woman Representative, Mbarara): Thank you, Madam Speaker. My issue is also about the local revenue that is collected by local governments and sent to the Consolidated Fund.

Before I came to the House, I talked to one of the mayors of the newly-created local councils; he said that they last received money in July last year. This is a town and that garbage is all over the area. The roads are in bad shape. I wonder how these people are going to do service delivery to their people.

Madam Speaker, with due respect, I want to know why the money cannot be released, since the finance minister is here. Thank you.

THE SPEAKER: Thank you. Let us now hear from Hon. Zumura Maneno.

3.57

MS ZUMURA MANENO (NRM, Woman Representative, Obongi): Thank you, Madam Speaker. I would like to add my voice in speaking to the report that was laid on the Floor. I would like to thank the 10th Parliament for creating new administrative units in the different districts in this country. The administrative units were created with the view of taking services nearer to the local people at the district and subcounty levels.

However, Madam Speaker, I would like to report that there are new subcounties that were created in different districts, which are not yet operationalised up to now and no funds have been allocated to them. The Ministry of Finance should do something regarding the subcounties that were newly created in these districts.

Secondly, decentralisation has not been understood well in this country. The local revenues that are collected by districts are sent to the consolidated account. This is making service delivery to the people hard in the districts that are collecting these local revenues.

Thirdly, how do you expect a local government to perform in a district where there is no electricity? How are they going to perform, especially in Obongi? The people of Obongi have never seen an electricity pole; how will the local government perform, honestly? Thank you, Madam Speaker.

THE SPEAKER: Thank you.

3.59

MS MOURINE OSORU (NRM, Woman Representative, Arua City): Thank you, Madam Speaker. I want to thank my colleague who presented the report. Looking at a number of things, I realise that every local government in Uganda has an issue.

Madam Speaker, before Arua became a city, we used to have boreholes dug yearly. However, when we upgraded, most of the district cities, of which Arua is part, are not receiving even a single borehole as guided by the new policy.

It is now the mandate of the National Water and Sewerage Corporation to extend water to every city that was newly created, and now our people are struggling because of that.

Secondly, before our subcounties were merged, we used to receive road funds. It has been two years down the road - Arua City is in a terrible state because our roads have not been worked on for all this time. When you visit Arua, you may want to ask whether there are leaders in place or not.

Madam Speaker, I wonder: even when we push our priorities to the Ministry of Finance, they will still say that there is no money. Now that we have issues, budgets have been cut everywhere, what do they expect us to do? The people of Arua City are crying; they do not have water and the roads are in a bad state.

Lastly, we still have offices of another district operating within the offices of Arua City.

THE SPEAKER: Which district is that?

MS OSORU: That is Arua District; it still operates its district office headquarters within Arua City. Now, I wonder - we upgraded these cities, in this House - I remember, the Ministry of Finance said there was money, but now there is no money. How come?

I think the Ministry of Finance should be realistic. Otherwise, people are questioning us every day. They think we just wasted their time by creating these cities. We thought cities would even have more money than districts, but it is to the contrary.

Ministry of Finance, can you please help us - because at the border, we collect a lot of revenue, which we send this way. Arua being in a triangular form, it shares a border with South Sudan and DRC and it sends a lot of money to the Consolidated Fund; why don't you - I remember Parliament guided last time that the money that is collected by the local governments be spent at source, but up to now, this has not been implemented, and I want to ask why. Let them answer because we are also

getting frustrated and have failed to provide answers to the people. Why is it that up to now, the money being sent to the Consolidated Fund cannot be sent back to the people? That is my concern.

THE SPEAKER: Honourable members, we should stop this debate because we need to hear from the Minister of Finance, the Minister of Local Government, and the Attorney-General; we want our questions answered.

4.03

MR DAVID LAGEN (NRM, Agago County, Agago): Thank you, Madam Speaker. In the report that was presented on the Floor, there were issues related to the UGIFIT project.

In my district, I remember, for the last two consecutive financial years, the Central Government sent money without the contractor. Now at the end of the financial year, the money is taken back. This has occurred consecutively. Now, this is at the expense of development in my district and this has traumatised both the leaders and community members. We are being put under pressure to say why Government is not sending the contractor early enough for them to begin the construction of seed secondary schools, especially in Toroma; this is a big problem we have been experiencing several times.

Madam Speaker, it is high time the PPDA revised the modalities on the procurement of contractors. Not only that, there are situations where the contractor may have several contracts in many locations - contracts A, B and C, and they fail to concentrate in one location.

You find a contractor running from area A to area B or a contractor who tried project A and it stalled; they are not able to finish a contract in time because that contract has a timeframe. This is what the ministry needs to understand; contracts have timeframes and time limits. They need to make sure they are done within those timeframes. That is my submission, Madam Speaker. Thank you.

THE SPEAKER: Thank you.

4.05

MR ISAAC MODOI (NRM, Lutseshe County, Bududa): Thank you, Madam Speaker. I want to first draw your attention to our mandate in the Constitution.

The National Objectives and Directive Principles of State Policy reads: “(iii) *The State shall be guided by the principle of decentralisation and devolution of governmental functions and powers to the people at appropriate levels where they can best manage and direct their own affairs.*” It is a constitutional directive.

From what we have heard, it is high time the Government reviewed the policy of decentralisation. We need to talk because this is a directive from the Constitution, but what we are witnessing right now and over a period of time, is that there is recentralisation financially, human resource management and even projects.

As we talk, Madam Speaker, we created 10 cities, which have taken over the offices of 10 districts. The districts are homeless and they cannot legislate under a tree or from anywhere. At the same time, we have evidence that there are 325 displaced subcounties by the town councils. These are not only displaced, but they also have conflicts over the boundaries. Where do they begin? Where do they sit?

As if that is not enough, you may be aware that there is high turnover of leadership in this country. Elections come and nearly 90 per cent are displaced. Capacity building of the new leaders is very critical. In addition, they are paid very poorly. The chairman of a district gets about Shs 1.6 million, if I am not mistaken. When you go down to the councillors, they get Shs 300,000 and they sit once quarterly.

Resources, over a period of time, are being recentralised. Madam Speaker, we met here and agreed that the law should be revisited and the local governments should retain their resources to be able to manage their mandates. I beg and pray that we revisit and honestly discuss the issue of decentralisation in this country. Thank you very much. I beg to submit.

THE SPEAKER: Thank you. Honourable members, those who have not spoken will speak on the next one. Hon. Edakasi, you will speak on COSASE.

I saw Hon. Oloru very passionate about a city and municipality living together. We need to live cordially. A city came out of the municipality and we need to live in harmony. For now, when we do not have premises, we cannot just decide to chase them away, but it is food for thought for the Government to create an office for the city or for the municipality.

It is your baby that you must nurture. Do not chase away your babies. Soroti, Gulu, Mbarara, among other cities, let us learn to live together and coexist and we will have an alternative in the near future.

Can we hear from the Attorney-General? A number of issues have been raised.

4.09

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Thank you very much, Madam Speaker. A number of issues have been raised and one of them is a matter of law. On the issue of funding of local governments, that is a matter of the Public Finance Management Act. It also came up in Cabinet at one point, about the challenges that are being raised in respect to the return of money, especially for projects which were planned, are in the process of execution or through the procurement and the funds are returned to the Central Government and they do not go back early enough to meet the obligations. I think that is a matter we need to take up –

THE SPEAKER: Actually, not early enough. The funds are not returned.

MR KIRYOWA KIWANUKA: Thank you very much, Madam Speaker. That is a matter we need to address together. However, honourable colleagues, I want to implore you to balance these interests very carefully. As we clamour to say the money should be retained in the cities that make it, you know Kampala will make more, Arua will make the next and then

Mbarara, among other cities. So, some people in this process may suffer.

As we balance this, we need to do it very carefully. As we look at amending this law, we need to look at it very carefully to make sure that we have balanced development of the country. It is something, but it is a thought that we need to address and I agree with honourable members.

A lot has been said about the law on local government –

THE SPEAKER: Let him first make a presentation and then you will come in.

MR KIRYOWA KIWANUKA: Madam Speaker, I hold the view - and really a considered view - that there is no need to amend the Local Governments Act to accommodate cities. Section 4 of the Local Governments Act says, "*For purposes of this Act –*

- (a) *a city shall be equivalent to a district, and a city council shall exercise all functions and powers conferred upon a district council within the area of jurisdiction;*
- (b) *a division shall be equivalent to a subcounty and shall exercise all relevant functions and powers conferred on a subcounty."*

Honourable colleagues, as we look and clamour to amend laws, let us find the problem that we are looking to address. Everything that the city needs, in my considered view, is provided for in the Local Governments Act and if there is any specific item that we need to address, let us address it as such.

We really request that all of us in our local governments go and use this law, set up the cities and where we see gaps through these experiences, that is what we should draw upon to make it better. Otherwise, we are going to write a law, which is not tried or tested and we are going to continuously be in this process of amendment.

About the unauthorised deductions that my –

THE SPEAKER: Counsel, that takes you to what Hon. Osoru said. If you are saying that a city shall be equivalent to a district, how come you are accommodating a district within a district and you are not providing for it what it is supposed to get?

MR KIRYOWA KIWANUKA: Thank you very much, Madam Speaker. The provision is a matter of administrative action. I am on the Floor of Parliament speaking to you, honourable colleagues, requesting that they be provided for as is provided in this law. Issues of which district gets how much is for Parliament to deal with and Parliament can deal with it within this law.

THE SPEAKER: Can we pass on that question to finance?

MR KIRYOWA KIWANUKA: Most obliged.

THE SPEAKER: The fact is, under the Local Governments Act, a city is an equivalent of a district. How come you are not providing for the city as required by law?

MR RUHUNDA: The Attorney-General has mentioned that a division is an equivalent of a subcounty. That is the opposite because a division is an equivalent of a municipality.

THE SPEAKER: Section 4(b) of the Local Governments Act says that a city division shall be equivalent to a municipality and a municipality division and a town shall be equivalent to a subcounty.

MR KIRYOWA KIWANUKA: Thank you very much, Madam Speaker. I am not actually just saying, I am reading the law that was written by this Parliament. My colleague will come and address that question.

On the issue of unauthorised loan deductions, I state here and I have communicated that, that is outright illegal. You cannot deduct the salary of an employee without their specific permission. The guidance I have given to Government agencies is, I have actually asked them to pass on that duty to the banks because

the Government should not become a debt collector. We are not debt collectors. So, pass on the salary to the bank and let the bank deal with its customer and they can pay whatever debts they may have.

However, to deduct money without the permission of the employee is outright illegal and the person who does that should be dealt with by the local governments in accordance with the law.

Hon. Ebwalu mentioned the issue of that opinion; I am going to look at it. Madam Speaker, I do not remember issuing a 50/50 opinion, but you have guided quite well, Madam Speaker.

In the period in which cities are growing out of municipalities, you are actually going to find places where the facilities are not readily available. What we have guided in such instances, is that the relationship between the two should be set up properly through an agreement; rental agreement or whatever arrangements that they may come up to, so that they can have clarity on this issue.

Madam Speaker, Hon. Panadol raised the issue of Iganga –(Interruption)

SPEAKER: Yes, Hon. Edakasi?

MR EDAKASI: Thank you, Madam Speaker. The clarification I am seeking is whether the learned Attorney-General is aware that the unauthorised loan deductions actually amounted to Shs 11.1 billion, and these deductions that were made even without consent or undertaking on the report. Shs 3.7 billion of these deductions were not even found on the Payroll Deduction Management System. So, I just want to know if you are aware of it and if there is a way in which you are prepared to deal with it. While I appreciate the way you are responding, I just wanted to know whether you know the magnitude. I thank you.

THE SPEAKER: What the Attorney-General has said - I do not know whether he knows the magnitude or not - but whatever was done is

illegal. And because it is illegal, you will now have to invoke Article 164(1) and (2), where the accounting officer is culpable for whatever he does.

MR KIRYOWA KIWANUKA: Thank you very much, Madam Speaker. I think I could not have said it any better.

Madam Speaker, on the issue of Iganga, we need to balance two competing interests that are existent. As we speak of devolution of powers to the local government, there is also the problem where you want the Central Government to get involved to deal with the local governments. For example, in this case, the local government is giving away land - which is vested in it through devolution through the Constitution - and we are asking the Central Government to come and stop them. So, are we not interfering?

However, if it is done wrongfully, there is a gate which is created in the Central Government - in the Ministry of Lands, Housing and Urban Development - that whatever the local governments do have got to have a final check in terms of titling by the Ministry of Lands, Housing and Urban Development. I undertake to take up this matter with the lands ministry to find out whether they titled that property and if they did so whether it was done in accordance with the law.

Finally, there was a question on the procurement laws. Madam Speaker, we have very vibrant laws. Some accounting officers complete a procurement in three months; others complete it in two years while others in one week. The problem is not the law. The problem is we need to go out there and make sure that whoever is the custodian of this law is implementing it to the letter in accordance with its principles. And if it is not, that is when we can come back to Parliament and say, "Let us amend it."

Madam Speaker, first of all, I would like to thank the committee for this report. I read it, I have listened attentively and we really want to thank you for the guidance you have given and we are taking note of all these issues and

we can assure you that in Cabinet, we shall definitely raise these issues. I beg to submit.

THE SPEAKER: Thank you very much, Attorney-General. Can I have the Minister of Finance, Planning and Economic Development?

4.20

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Madam Speaker. There are a number of issues which were raised touching financing and I would like to respond as follows:

Issue one; on delayed releases. Madam Speaker, I wish to inform the House that we release quarterly budgets by the 10th of the first month, meaning that if the quarter is beginning on the 1st of July, by 10th the law requires us to have released the funds. And after the release, the warranting begins. Therefore, the issue of delayed releases is not on our side. It occurs sometimes where we do not release directly to the spending agencies.

Where the releases must go through the sector ministry, sometimes the delays occur at that point. I would invite the honourable colleagues to interest themselves in the particular votes they are referring to and if that is the case, we can take it on with the relevant accounting officer.

Number two is an issue on local revenue, which goes to the Consolidated Fund. The law requires us to send all the monies to the Consolidated Fund, and under the Treasury Single Account, we find this to be the best practice. I wish to inform the House - and I did inform the local governments in September when we had engagements with them - that this is just for reconciliation purposes. If you collect, for instance - I want to use Mbarara City because I recently interacted with one of the people in finance in that city - they had collected Shs 9 billion in local revenue, and all this money I confirmed that it had been sent back. You just send it to the Consolidated Fund

and as long as you have budgeted for it, you can send it in the morning and we give it to you in the afternoon.

Madam Speaker, where the problem occurs – *(Interjection)*– it is for the benefit of the House that I give this information –*(Interruption)*

MR OMARA: Madam Speaker, the uproar that we witness in the House today regarding the un-funding of local governments and other activities was premised on the fact that the Ministry of Finance, Planning and Economic Development was not releasing the funds. Listening to the minister, he has actually shifted the burden. He said we need now to take keen interest in the user ministries to go and see that they release the funds to the line ministries and they are the ones that have delayed to further disburse those monies to the user departments or entities.

The clarification I want to seek is that the Ministry of Finance, Planning and Economic Development should provide us with appropriate schedules - the payment schedules to those entities - so that we can actually prove that the money was released. Otherwise, I would want you – if you do not do that, then they should not run away from that responsibility because the Appropriation Act must be respected. If it is not respected, then the governance systems actually collapse and the Constitution becomes nothing.

So, I would like you to clarify that you will be able to provide us with that schedule - and in this particular case the Committee on Budget can look at it - to make sure that those funds went and they were not extended to the users by the line ministries. I submit.

THE SPEAKER: The minister was very clear: he said the law requires the funds to be released by 10th, but in actual fact, it is not done.

MR MUSASIZI: Madam Speaker, it is done and all this information is available on our website.

THE SPEAKER: Honourable members and ministers, we are here to help each other. We should not go on the defensive. We all represent constituencies including you. Maybe your constituency is privileged because you are the Minister of Finance, but we are here to help each other. These things actually happen; the monies do not reach.

For instance, if it is money for construction of a health centre, it goes a month to closure of the financial year; when do you do the procurement?

MR MUSASIZI: Madam Speaker, with your indulgence, I would like to say this; we need to interest ourselves in the treasury accounting instructions. When we release, the process of warranting and invoicing is another stage.

What happens between the 1st and the 10th releases; from there, we expect accounting officers to submit their work plans and start warranting -

THE SPEAKER: Honourable minister, that is within your work. Do you want to bring it back to us the members of Parliament? We have appropriated money and we want it in the district and what we want you to say; I am going to make a follow-up and ensure that money reaches within time.

MR MUSASIZI: Madam Speaker, I am really firm on this - money for the districts reach. Except for UGIF, that is where we have had issues.

THE SPEAKER: Isn't UGIF money going to the districts?

MR MUSASIZI: Yes, where the procurement sometimes takes long and we close the year before the process is completed.

THE SPEAKER: Isn't it money going to the district? And if it is going to the districts and coming from Treasury, it is still your responsibility.

MR MUSASIZI: Much obliged, Madam Speaker. Also, the treasury accounting instructions allow us to start procurement processes even before funds are received and you do not sign.

This would, in a way, prevent the risk of funds going back as a result of failure to meet procurement deadlines and timelines, when funds come late. I would like to invite colleagues to advise the accounting officers accordingly.

THE SPEAKER: I would actually invite you to write to the accounting officers to do that; not from the Members of Parliament. We are politicians, we are not technical people. So, can we have that written to the accounting officers?

MR MUSASIZI: Madam Speaker, we undertake to write to the accounting officers. Next issue on rotation of accounting officers who have audit queries; I want to agree with the House - *(Interruption)*

MR NSEREKO: Madam Speaker, on the release of the monies collected, we have a problem. When you walk to our taxpayers in the city, they say we pay all forms of taxes to the city authorities. We are not disputing the fact, but we are saying that you have posed something that is important for us to understand.

What we would consider as the non-tax revenue that is collected from the dwellers of the city or from any other sources of revenue - how timely is it; because it was from your statement that the moment they get it and remit it, you remit it immediately.

Please be clear on that so that we know, so then the people in the various councils are not confused as to whether - because when word comes from you and this august House, it will be taken as gospel truth and let us have you state it clearly.

THE SPEAKER: It is not true that they release immediately.

MS NSEREKO: Let him commit himself here - *(Interruption)*

MR MUSASIZI: Madam Speaker, Where you have budgeted -

THE SPEAKER: Hon. Ferigo is dying with information.

MR KAMBALE: Thank you, Madam Speaker. The minister said that remitting our revenue to the Consolidated Fund is by law. I want to inform the minister that the Public Finance and Accountability Act and other laws do not provide for that.

Only that these are reforms made by the Ministry of Finance. So when we sit here as Parliament and make a decision, in my view, it supersedes the reforms in the Ministry of Finance.

So, my request to the Ministry of Finance is that we have discussed this matter, let the local revenue remain and they get reports from the accounting officers.

Otherwise, they are disorganising local governments by remitting the money and sending the money back; it takes a lot of time. I do not think reforms should supersede the decisions by this Parliament.

THE SPEAKER: Attorney-General, it is the law that you made.

MR KIRYOWA KIWANUKA: Madam Speaker, It is the law. I am just going to search for it and give you the actual section.

MR MUSASIZI: Lastly, I was trying to respond to what Hon. Nsereko raised; where you have budgeted, we will give you the money, we return the money; we reconcile the Consolidated Fund on a daily basis that is where I have to come here and seek for a supplementary.

Where you have not budgeted, you will not get it until when we have issued a supplementary, but where you have budgeted, the funds are sent back. The NTR monies for local governments are sent back. On salary issues -

THE SPEAKER: You were talking about accounting officers.

MR MUSASIZI: On accounting officers who have audit queries, I feel they should not be reappointed. And we are undertaking take that in the next appointment cycle, we will act accordingly.

On salary issues, from our side as Finance, salaries are a statutory obligation and we have released to the extent possible. I would like to –(Interruption)

MS OPENDI: Thank you, Madam Speaker and honourable minister, for giving way. The clarification I am seeking from you is: true, salary is a statutory obligation. This morning; I got a phone call from one of the parish chiefs who said that for the last seven months, they have not received salaries.

When I asked, “Is it you or others?” He said, “All of us.” So, if salary is a statutory obligation, I want clarification from the minister why these parish chiefs to date have not received their salaries.

MR MUSASIZI: Parish chiefs belong to districts and the accounting officers are at the district; so, the Minister of Local Government can explain that.

THE SPEAKER: So, that will be responded to by the Minister of Local Government.

MR MUSASIZI: Yes. Madam Speaker, with these few issues, I beg to submit.

THE SPEAKER: Thank you. Minister of Local Government -

4.34

THE MINISTER OF STATE FOR LOCAL GOVERNMENT (Ms Victoria Businge): Thank you, Madam Speaker. And I would like to thank the Members for raising these pertinent questions. The Members are complaining that the Ministry of Local Government is rotating thieving Town Clerks and Chief Administrative Officers.

He steals money in Fort Portal; they take him to Ibanda and from Ibanda, to another place. I want to tell you the truth: that has stopped and I will give you evidence –(Interjection)– yes, that I, Victoria Businge, personally wrote to the Public Service Commission stopping interviews in respect of one of the town clerks that had been shortlisted for a promotional interview –(Interjection)– you will - Oh, you are appraising me! Thank you. Anyhow, I wrote to the Public Service Commission -

THE SPEAKER: Honourable Minister, it shouldn't take you to write such a letter. There should be a system that tracks the performance of these accounting officers.

MS BUSINGE: Yes, but the shortlisting, Madam Speaker, had been done by the Public Service Commission. So, my role was to inform them that gentleman was on interdiction because of mismanaging our funds.

THE SPEAKER: Okay. You will give us evidence of that; give us a copy of your letter.

MS BUSINGE: I will.

THE SPEAKER: Yes.

MS BUSINGE: Secondly, it is about the remittance of the local revenue -

THE SPEAKER: Honourable members, listen. Honourable member, please listen to the minister.

MS BUSINGE: We have introduced a very thorough system called the Integrated Revenue Administration System (IRAS). It is no longer a means of moving from shop to shop, negotiating with the taxpayer and pocketing what he or she has paid.

However, here I seek your advice, Madam Speaker, that when Parliament makes a resolution that taxes should remain at the districts or any lower local government, you direct the Ministry of Finance to adhere to that. If the Ministry of Finance doesn't adhere to that, will that be contempt of Parliament or

there is another system that perhaps, I need to get to know about from our learned friend?

THE SPEAKER: Yes, honourable minister – *(Laughter)*

MS BUSINGE: Regarding the grabbing of land and the local government keeping quiet, I want to say that there are some roles that are multi-sectoral. Like the land issue, we have a fully-fledged Ministry of Lands, Housing and Urban Development. I think matters that clearly belong to the Ministry of Lands can be addressed. However, as an institution, if we are informed on time, we can also intervene or inform accordingly.

When it comes to reviewing the Local Governments Act, I want to report to this House that today, we met the Committee on Local Government and Public Service. In that meeting, we informed the committee that we have already embarked on a major review because since decentralisation started in 1992, now 20 years down the road, we really need to make a detailed analysis, and where need be, we amend this law, accordingly.

On illegal recruitment and protecting people without qualifications, Madam Speaker, I would like to be on record that the Ministry of Local Government has tried. Where we are informed on time or through our inspection and evaluation staff, we take action. This is why we nullified all the appointments of parish chiefs in Kagadi where there were a lot of forgeries and people didn't have the requisite papers. We also nullified appointments in Ntoroko District - the Member was here, I don't know where he has gone - but they would be a witness. We nullified appointments for all the 70 positions and requested them to re-advertise.

Regarding staff serving in acting capacity, Madam Speaker, there are some rules indeed that must be changed because for one to be appointed a district engineer, they must be certified and registered. Now very few engineers can meet this criteria and to become a district health officer, one has to have the requisite requirements.

Therefore, some districts fall prey because these two positions are very dear and pertinent. But I don't know whether the money sent to districts is really sent to the personal accounts of these people. We need evidence on this because someone tagged it to this.

Then when it comes to inconsistencies on payrolls, it is true, Madam Speaker, that there are some human resource officers that are on interdiction, the latest being the one for Bunyangabu District. So, when we move and get information, we give it out. The problem is that in some districts, they are not giving us such information.

And I would like to report to you, Madam Speaker, that we are not exceptional at the Ministry of Local Government. Our Budget for monitoring and evaluation was cut halfway and so, conducting this exercise is not that easy. I wish Members - and I have been appealing to you very genuinely and humbly, that do not wait to bring everything on the Floor of Parliament. Those who come and whistle blow to us, we act immediately. Yes, it is our role, but let us try to inform the relevant ministries on time so that they can take action.

Another problem was on the slow absorption of funds. Madam Speaker, I concur with the Members on this matter because it even appeared before Cabinet. It was brought to our attention that high-breed procurement is really deadly.

For example, it was said that the person building the two seed schools in Ntoroko District at a tune of Shs 1.4 billion is the same person building schools in Bundibugyo District and others in different districts. It came to our attention that that same person was the one building Kiyombya Secondary School and St. Paul's Kasenda in Bunyangabu and Kabarole districts respectively. The man does not have enough machines and enough workers; in totality, he does not have the capacity. I stand to join Members to refuse hybrid procurement. Let us stand on our two feet - and let it start from Cabinet level and give work to people

who can afford; people who are tried, tested and have evidence that they can manage.

Madam Speaker -

THE SPEAKER: Hon. Businge, there is a point of clarification. Otherwise, you are flowing very well. *(Applause)*

MS OPENDI: Thank you very much, Madam Speaker. The issue of low absorption of funds - and this is why I was standing up - is not only tagged to procurement. There is a challenge with the district service commissions. In some districts, they have failed to recruit not because they do not have the district service commission in place, but because they are waiting for certain people to complete their studies so as to be recruited. I saw this when I was in the health sector. Some districts in the Karamoja subregion want their own sons and daughters to qualify first before they can actually recruit.

And you saw - I think it was in November, where in one district, they ordered all non-Karimojong to leave their district - *(Interjections)* - yes, it was an issue.

So, Madam Speaker, on the issue of absorption of funds, I would like to request the minister - when the current Clerk to Parliament, Hon. Adolf Mwesige, was the Minister of Local Government, he had come up with a proposal on resolving this problem of the district service commissions. In my district, it was tribal; they failed to recruit. The district service commission could not sit.

Madam Speaker, I am raising that - and also earlier I heard the minister talking about an officer whom they could not recruit. You know me: I like evidence and how I wish there is evidence, you could table it here; it would help us so that I do not see that person being recruited in some NGO in my district or coming to my district. How I wish I could see that. Thank you, Madam Speaker.

THE SPEAKER: Thank you. Hon. Businge, you will bring us the evidence, but also,

ensure to study that issue of district service commissions.

MS BUSINGE: I will bring it, Madam Speaker. On the non-operationalisation of sub-counties, Madam Speaker, I want to say that this very Parliament passed a supplementary budget of Shs 29 billion. We gave that money out to those subcounties that were legally created by an instrument from the Minister of Local Government, gazetted and coded.

What have we discovered today? While in the meeting, we found out that the figures that the committee had on a number of subcounties were not the same as those tabled by the Ministry of Local Government.

According to our findings, during elections, there are some parishes that are created as polling stations, but the local community administration turns them into administrative units.

Therefore, we need to sit with the Electoral Commission and refuse those so-called parishes that were created as polling stations because they were very huge. They think they have now become legally created local government institutions, but that is not true because if you do not have an instruction by the Minister of Local Government and if you were not gazetted and coded even in the Ministry of Finance, you will not get money.

About the Ministry of Local Government sitting on corrupt officials, untouchables, protected - I want to inform this Parliament that we have tried our best. We have recovered Shs 4 billion and I promise to table that information tomorrow and not any other day because we presented it to Parliament. We are busy recovering. Tell us and when we get out on monitoring, we can.

In the cities' garbage is heaping and of course it will culminate into diseases. Madam Speaker, I want to inform you that some cities misappropriate money -

THE SPEAKER: You are informing the House not me.

MS BUSINGE: Most obliged. Honourable members, I want to inform you to be keen. I want Hon. Ruhunda to testify today - because he is a Member of Parliament for my city of Fort Portal - that three months back, we mounted a battle on corruption. Out of the reports tabled by the mayor, the Speaker and people of goodwill, we took the IGG to Fort Portal.

As we speak, the garbage at Kitere has been removed. We discovered that they were withdrawing money in millions for fuel and not putting it in the trucks to go and collect garbage. We are with them head on. As of now, we have ordered for trucks. We are budgeting for 10 trucks and when they come out, all the 10 cities will get.

However, that will not be enough if we do not supervise the money to the dot. The trucks will be there, the fuel will be stolen and the garbage will remain there.

As of now, these are the salient issues I noted and those were my answers. I have gone with the assignment to bring the letter, which I wrote –

THE SPEAKER: Then operationalise the machine of Soroti - the battery - and hold the person responsible accountable.

MS BUSINGE: Honestly, Madam Speaker, Soroti should afford a battery with the revenue collection they are making.

THE SPEAKER: Actually, they are collecting revenue and remitting it to the Consolidated Fund. What we are saying is that the person responsible should be held accountable.

MS BUSINGE: We are going to intervene, Madam Speaker, and make sure our truck works, the battery is replaced and the garbage is collected. I thank you.

THE SPEAKER: Honourable members, we need to apportion liability on accounting officers who have been found culpable for whichever mistake that has taken place. You have heard a number of issues that have been raised by the Chairperson, Committee on Local Government and they are all pertinent issues. We have made a summary and given it to the Executive. They should be able to respond to that. Since they are coming back with a treasury memorandum, we will get actions taken.

Remember, Article 164(1) and (2) of the Constitution bestows liability of management of public funds on accounting officers. That is why we are saying, these accounting officers who make mistakes left, right and centre should not be transferred to different districts. You are transferring a vice. This virus will go from Hon. Oboth's place to Rubanda and then Bukedea. If they cannot be accountable for what they do, then we would rather have new people who are ready to work with us and we move on.

I want to thank the chairperson of the committee. I thank the learned Attorney-General, the Minister of Finance, the Minister of Public Service, the Government Chief Whip and the Minister of Local Government. You have answered them very well.

I now put the question that the report of the Public Accounts Committee (Local Government) on the report of the Auditor-General for the Financial Year ending 30 June 2021 on 49 district local governments, six cities and five municipalities be adopted by this House together with the Auditor-General's recommendations on all the remaining entities that were not considered by the committee.

(Question put and agreed to.)

Report adopted.

THE SPEAKER: Thank you. Clerk, I will require you to extract the resolutions together with what was in the backlog and forward it to the respective ministries. This now means

Local Government is up to date; they do not have backlog.

4.52

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Thank you, Madam Speaker. This is just to emphasise that the extract comes to the Ministry of Finance to enable us prepare treasury memoranda.

THE SPEAKER: I said respective ministry. This would mean Ministry of Finance. I think you just wanted to stand up –*(Laughter)*

Honourable members, that was Local Government. At the beginning of the year, we agreed that sessions must start at 2.00 p.m. and stop at 5.00 p.m. I now adjourn the House to 2 o'clock tomorrow.

(The House rose at 4.53 p.m. and adjourned until Wednesday, 18 January 2023 at 2.00 p.m.)