



PARLIAMENT OF UGANDA

PARLIAMENTARY DEBATES

(HANSARD)

OFFICIAL REPORT

THIRD SESSION - THIRD MEETING

TUESDAY, 20 FEBRUARY 2024



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 12TH SITTING - THIRD MEETING

Tuesday, 20 February 2024

Parliament met at 2.00 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 do not know who was sabotaging us while we were praying, but the devil is a liar. I welcome all of you to this afternoon's sitting, and commend you for your dedication to the mandate that was given to you by your people; your voters, the Ugandans.

As Parliament, we want to make sure that all the outstanding business is accomplished before we embark on the ministerial policy statements, which are due next month.

It came to my attention that several Members and staff of Parliament serving on the Public Accounts Committee (PAC-Central), and COSASE were invited for an induction workshop, but out of the 90 Members who had been invited, only 50 per cent of the Members attended. However, remember these Members are moving from one committee to another. At the end of the day, you say that we do not induct you, yet when we send you for an induction, you do not go. When you are interacting with witnesses here, you may not get to know what to ask a witness. Our performance is

determined by what we do at the committees, and in the House. So, whereas we want other institutions to be accountable, as a Parliament, we should lead by example.

The Parliamentary Commission paid all the money for hosting all the Members of Parliament who were going to be inducted in that hotel. Unfortunately, only 50 per cent attended - but remember, that is one of your roles as Members of Parliament under rules 112 and 113 of the Rules of Procedure of Parliament; a Member is obligated to attend both the House and committee proceedings.

What was in the hotel was a committee discussion or debate, and induction. If we cannot be accountable to ourselves, then why do we want to hold other institutions accountable? So, whatever we met as Parliament was a nugatory expenditure, which was not called for.

Therefore, based on that wasteful expenditure that you, the Members and staff of Parliament, are making us go through - since you do not like being on those accountability committees, I am going to ask the Whips to re-designate the Members who were on those committees, but did not attend the induction workshop. Let me repeat it: I want a re-designation of all the Members who did not attend the induction workshop; let us give those who are interested to work with those committees.

I also ask the Clerk to Parliament to immediately transfer all the staff of Parliament

who are deployed on those committees, but did not attend the workshop; let them go to work with committees on Rules, HIV/AIDS, Equal Opportunities, but not PAC. *(Laughter)*

Honourable members, I want to tell you it is also prudent that if you know that you are not going to attend, please tell the Speaker that “I will not be able.” For example, I got an apology from Hon. Jesca Ababiku and a few other Members; that is just out of courtesy. Can we go to the next item?

2.08

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you, Madam Speaker. It is a good thing that we begin to crack the whip when it comes to the work that we ought to do as an institution. For a very long time, including last week, when you were away and the Deputy Speaker was presiding, we again complained about the frontbench on this side, which is usually absent when we require them, including last week. It is something that keeps happening again –

THE SPEAKER: Hon. Barnabas Tinkasiimire, the House is sitting and you have not come on a greetings spree.

MR SSENYONYI: Madam Speaker, I was saying that for a very long time, we have kept complaining. In fact, twice or thrice, you have adjourned the House because the frontbench was vacant and we did agree with you because they need to take this House seriously.

And by extension, Members, generally on this side, and even the side that I lead, a couple of times people are away from Parliament yet they should be present when we are doing the work that is required of us.

This also goes to committees; I used to chair a committee, and sometimes there were challenges. I used to engage you, Madam Speaker, that there were people who would not show up even once for a committee meeting, which is problematic.

Madam Speaker, I would like to seek your indulgence that we see how we begin to crack the whip, generally including for ministers, who when we expect them to be in the House, are not present.

By extension, on this specific matter - as I was saying in engaging you - I would like to seek your indulgence that we establish the exactness: Members who did not show up for this meeting, what happened? Did they receive communication and chose to ignore it? Did they send apologies to the Clerk or the chairpersons? This will help us to understand the exactness even as we move to take action.

Otherwise, we should begin to take this action by cracking the whip on anybody that does not take the work of this House seriously, especially ministers who have been the biggest complaint in this House. Thank you.

THE SPEAKER: Honourable members, for now I want to crack the whip on the people that I am responsible to. The Leader of Government Business should also be able to handle her side. Leader of the Opposition, I am happy that you and I are handling, as the leadership of Parliament, what concerns us.

However, what the Leader of the Opposition is saying is serious. Today I am very happy that the frontbench is full, but let it be like that, please. Okay, let us go to the next item. Okay, you have something?

2.12

MR JAMES KABERUKA (NRM, Kinkizi County West, Kanungu): Thank you, Madam Speaker for your communication, especially on the accountability by Members of Parliament to the people we represent.

Related to that, you had at one time directed that it is a practice here that each Member is designated to one standing committee and one sectoral committee. However, at times you find that the clerks schedule meetings at the same time. That denies some Members the liberty to fully participate, as you have clearly put it.

Sometime back, you directed that a schedule be made to allow Members have time for each committee. I would like to seek your indulgence to re-echo that directive, such that when I am in a standing committee, I will be able to participate fully, other than peeping in the standing committee and then going to peep in the sectoral committee as well. That will allow us to concentrate our participation in either committee - when we have a clear schedule as you had directed. Thank you.

THE SPEAKER: Honourable members, that was already discussed and it is administrative. The committee chairpersons can handle that. It does not need the permission of this House. This is because even committee chairpersons are equally sometimes either in sectoral or standing committees. Yes, point of privilege, honourable member?

MR SSEMUJJU: Thank you, Madam Speaker. I will need your guidance on how this privilege under Rule 59(m) can be processed. When we were debating a statement on school fees, I did raise issues - and I do not have to repeat them - but it was particularly about Kanyaryeru Primary School and other schools operated by the President.

The presiding officer asked me to present evidence; I reached out to him the following day, but I was surprised that as I was assembling evidence, my submission was expunged. Not only was it expunged, but one of the colleagues who raised the point of order was on Twitter celebrating, actually accusing me of bigotry – Hon. Kajwengye - I hope that is how he pronounces his name.

The point of privilege is whether I will now be given – or I can proceed even now and substantiate the matter that I presented here, or I wait for the presiding officer who ordered that record to be expunged. I actually now have more evidence than I had actually promised to bring. *(Laughter)*

Madam Speaker, that evidence is here; so, if you allow me, I will straightaway come and present it. I need your guidance because my reputation cannot just be damaged like that.

THE SPEAKER: Anyway, that is if some people have a reputation. Can you do that when the presiding officer who handled it is here? I am saying this because I do not know what it was. I have not been briefed and the fact that it was expunged, it is not on any record; and so, I cannot read it from anywhere.

2.17

MR OJARA MAPENDUZI (Independent, Bardege-Layibi Division, Gulu City): Thank you, Madam Speaker. Mine is in relation to your communication, and I would like to appreciate you for taking that stand.

However, as someone who chaired an accountability committee, and now chairing another committee, I have noticed that in most cases, people who do not perform in one committee can never be good performers in another committee; that is a fact. My fear, as chairperson of a committee, is that we are likely to move a non-performer from committee “A” to committee “B”.

THE SPEAKER: Honourable member, if you heard me well, I have ever chaired an accountability committee. It requires a lot of analysis, reading and understanding. If you do not want to be part of that reading and analysis, then you should go to another committee that does not require a lot of that, which is more of qualitative than quantitative.

As the rules stipulate, a Member of Parliament is supposed to serve on at least two committees. Therefore, designating them to another committee is a discretion of the Speaker.

MR OJARA MAPENDUZI: Madam Speaker, I am fully in agreement with that. My only prayer is for you to be a little tougher, not only on Members who belong to accountability committees, but to every Member because the culture is growing and all committees have the same complaints. Thank you.

THE SPEAKER: Message taken! I am going to assign Bills to all the sectoral committees. I will check all the reports of the committees and make sure every member has signed.

If you are not in agreement with the report, please write a minority report. Otherwise, I want to see all the signatures on the reports. Let us be seen working.

2.19

MS JESCA ABABIKU (NRM, Woman Representative, Adjumani): Thank you, Madam Speaker, for the consideration. However, kindly allow me to say this: at times the honourable members of Parliament get so affected and distracted because of emergencies in their districts. For example, from last week, Monday to date, Adjumani District is mourning. People who have killed -

THE SPEAKER: Is it on communication?

MS ABABIKU: Yes, why I could not be here - therefore, if Government could ensure constant peace -

THE SPEAKER: Hon. Jesca, I received your apology and gave you time to raise your issue on Thursday. Yes, death happened. We condole with the families, but we cannot do much as of now. Anyhow, Thursday is not very far.

DESIGNATION OF MEMBERS
TO STANDING COMMITTEES IN
ACCORDANCE WITH RULE 158(1) OF
THE RULES OF PROCEDURE

THE SPEAKER: Honourable members, we have designations of members who were not designated last time. However, we also have re-designation of Members who did not attend the induction, and the designation of members from the accountability committees to other committees.

We are in consultation with the Leader of Opposition (LOP) - because accountability committees are his committees. We are waiting for the Whip to come and designate; he has the list. So, can we first hear from your side, then the UPDF and lastly, the Independents?

2.22

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, in conformity with the precise and concise communication from the Chairperson, and pursuant to Rule 15 (10)(c), and Rule 158 -

THE SPEAKER: There is a procedural matter.

MR SSEMUJJU: Madam Speaker, I am not in any way disputing your directive. However, under the rules - I will cite the relevant rule - Whips designate members on behalf of their political parties. You have just given guidance. Did the NRM sit within that second to give Hon. Obua a list to come here and read?

The procedural issue I am raising, is whether the Whips now have overthrown their parties and can implement a decision without consultations.

THE SPEAKER: Has he told you that he did not consult his party? Or do you belong to his party for you to know that he did not consult? Leave issues of 'Generals to Generals'. *(Laughter)*
Can we continue?

Honourable members, this institution belongs to you. The failure of this institution will be attached to you. If you leave Members who are not working to be in committees that are very sensitive, you are going to fail. The Government Chief Whip is reading a list from his party; it is not my list.

MR OBUA: Mr Speaker, in conformity with the precise and concise communication from the Chairperson and pursuant to Rule 15(10)(c) -

THE SPEAKER: Honourable members, they just want to know whether the list is mine or yours.

MR OBUA: Madam Speaker, maybe I first answer that. Two facts are not in doubt: Fact number one is that the presiding officer for today's sitting communicated. Fact number two is that the list I am going to read conforms

to the Rules of Procedure of this Parliament, which mandates the Government Chief Whip to designate members of the ruling party. That stated, may I proceed?

THE SPEAKER: Yes, Hon. Jonathan Odur?

2.26

MR JONATHAN ODUR (UPC, Erute County South, Lira): Thank you, Madam Speaker. The issue I would like to raise is that the Whips should actually confirm to this House - by practice, before designation, the Whips usually invite Members to express their interests. And that perhaps explains why in some committees, after the designation is done without consultation, Members end up not appearing.

The is because at some point, the designation formulas are not clear. Some people have some expertise in particular areas where others do not.

Therefore, when the Whips come here - because I can say that in my party, the Uganda People's Congress (UPC) - I have not received any invitation to express interest on this matter, although I know that the UPC sits on both sides of the House - *(Laughter)*- but we have -

THE SPEAKER: Hon. Jonathan Odur, we are not designating Members from the Opposition today. You will be called; I know you belong to both sides. *(Laughter)*

MR ODUR: Madam Speaker, I still belong to this side, though there are UPC members the other side. Anyhow, the second point I want to raise is that when you look at Rule 160, you will notice that the number of members designated to the standing committees will be as nearly as possible spread across all the committees. When you look at the number of members on some standing committees -

THE SPEAKER: They are oversubscribed.

MR ODUR: They have like 70 members while others have 30.

THE SPEAKER: That is why we asked for the rules to be amended because you kept increasing in the House without amending the rules. Wait for the rules to be amended to increase the number of members designated on the committees. Can I have Hon. Obua, designate your members? Hon. Katuntu, you will designate the Independents, and Hon. Gen. Charity, will designate the UPDF representatives.

MR ATWIJUKIRE: Thank you, Madam Speaker. I rise to seek your clarification and guidance on the issue raised by my senior colleague, Hon. Ssemujju, on the parties and their role in designating members.

Not long ago, he refused to leave the office after his party re-designated him. *(Laughter)* Therefore, does he have the moral authority to talk about the role of parties and how they should be consulted?

Until court condemned him - he did not leave office. In fact, Madam Speaker, you had to look for an office for the re-designated Member. Thank you.

THE SPEAKER: Hon. Dan Atwijukire, that was overtaken by events.

2.30

THE GOVERNMENT CHIEF WHIP (MR HAMSON OBUA): Madam Speaker, pursuant to Rule 15(10)(c) and Rule 158 of the Rules of Procedure of Parliament, I hereby designate the following honourable Members of Parliament to the following committees.

This designation is a response to the precise and concise Communication from the Chair, though the designation list has been prepared by the whip.

The Members are:

1. Hon. Mbabazi Pascal - Committee on HIV/AIDS and Related Matters;
2. Hon. Naigaga Mariam - Committee on HIV/AIDS and Related Matters;
3. Hon. Edakasi Alfred Elalu-Olale - Committee on HIV/AIDS and Related Matters;

4. Hon. Karubanga David - Committee on HIV/AIDS and Related Matters;
5. Hon. Thembo Mujungu Gideon - Committee on Equal Opportunities;
6. Hon. Twesigye John - Committee on Government Assurance and Implementation;
7. Hon. Nebanda Florence Andiru - the Committee on Equal Opportunities;
8. Hon. Lamwaka Catherine - Committee on Human Rights;
9. Hon. Okot-Ogong Felix - Committee on Government Assurance and Implementation;
10. Hon. Mwesigwa Robert Rukaari - Committee on Human Rights;
11. Hon. Okot Amos John – Committee on Human Rights;
12. Hon. Ssekikubo Theodore - Committee on Government Assurance and Implementation; and
13. Hon. Nsegumire Muhamad Kibedi - Committee on Equal Opportunities.

Those being designated to committees where they are supposed to have been designated are:

1. Hon. Herbert Kinobere - Committee on Science, Technology and Innovation;
2. Hon. Oseku Richard - Committee on Climate Change;
3. Hon. Otukol Sam – Committee on Equal Opportunities;
4. Hon. Dr Kugonza Emely - Committee on Public Accounts (Central Government);
5. Hon. Dr Okullo Anthony Aabuka - Committee on Science, Technology and Innovation;
6. Hon. Najjuma Sarah - Committee on Science, Technology and Innovation;
7. Hon. Laker Sharon Balmoyi - Committee on Public Accounts (Local Government);
8. Hon. Dr8 Rutahigwa Elisa - Committee on Science, Technology and Innovation;
9. Hon. Herbert Tayebwa, - Committee on Public Accounts (Central Government);
10. Hon. Aeku Patrick - Committee on Public Accounts (Local Government); and
11. Hon. Barnabas Tinkasiimire - Committee on Public Accounts (Central Government).

Madam Speaker, I beg to propose for approval by this House, those designations. Thank you.

THE SPEAKER: Thank you. Yes, Hon. Brig. Gen. Charity?

2.34

BRIG. GEN. CHARITY BAINABABO (UPDF Representative): Thank you, Madam Speaker –

THE SPEAKER: Hon. Ssewungu is saying “point of procedure”. You are just admiring the Hon. Brig. Gen. Charity; just say it. *(Laughter)*

MR SSEWUNGU: Madam Speaker, I have not said anything since I entered this House.

THE SPEAKER: Okay. It was Hon. Ssemujju –

MR SSEWUNGU: The worry I have is whether my good friend, Gen. Mbadi will ever attend a committee meeting.

THE SPEAKER: Who?

MR SSEWUNGU: My good friend and he has heard his name, Madam Speaker. I wonder whether he will ever attend a committee meeting.

THE SPEAKER: She is a member of the Committee on Information, Communication Technology and National Guidance and she attends. I am on designation, not procedures.

BRIG. GEN. BAINABABO: Thank you, Madam Speaker. Pursuant to Rule 158(1) of the Rules of Procedure of Parliament, I hereby re-designate the following Members:

1. Hon. Lt Gen. James Mugira, from the Committee on National Economy to the standing Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises);
2. Hon. Maj. Gen. Sam Kavuma, from the Committee on Public Accounts (Central Government) to the standing Committee on Public Accounts (Local Government);

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| <p>3. Hon. Maj. Gen. Henry Masiko, from the Committee on Public Accounts (Local Government) to the standing Committee on National Economy;</p> <p>4. Hon. Col. Dr Victoria Nekesa, from the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) to the standing Committee on Public Accounts (Local Government).</p> | <p>6. Hon. Adidwa Abdu, from the Committee on Rules, Privileges and Discipline to Committee on Science, Technology and Innovation;</p> <p>7. Hon. Waako Arthur Mboizi, from the Committee on Climate Change to the Committee on Science, Technology and Innovation;</p> <p>8. Hon. Ameede Agnes, from the Committee on Government Assurance and Implementation to the Committee on Science, Technology and Innovation; and</p> |
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I beg to designate, Madam Speaker.

THE SPEAKER: Thank you. Can we have the Dean for the Independents?

2.36

MR WILFRED NIWAGABA (NRM, Ndorwa County East, Kabale): Madam Speaker, pursuant to rules 2,7,158,160(4) - I am doing it on your behalf.

As the Dean of the Independents, I hereby designate the following Members:

1. Hon. Twesigye Nathan Itungo, from the Committee on HIV/AIDS and Related Matters to the Committee on Public Accounts (Commissions, Statutory Authorities, and State Enterprises);
2. Hon Ndyomugenyi Roland, from the Committee on National Economy to the Committee on Public Accounts (Central Government);
3. Hon. Musherure Shartsi Nayebare Kutesa, from the Committee on Public Accounts (Local Government) to the Committee on Climate Change;
4. Hon. John Musila, from the Committee on Rules, Privileges and Discipline to the Committee on Public Accounts (Local Government);
5. Hon. Akugizibwe Ronald, from the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) to the Committee on Science, Technology and Innovation;

9. Hon. Walyomu Moses Muwanika, from the Committee on Equal Opportunities to the Committee on Science, Technology and Innovation.

I beg to move and pray that Members do approve this.

THE SPEAKER: Thank you. Honourable members, I now put the question that Members whose names have been read be designated to the respective standing committees as proposed.

(Question put and agreed to.)

THE SPEAKER: Okay, point of procedure from Hon. Jonathan Odur.

MR ODUR: Madam Speaker, the matter I want to raise is belated, but let me just put it on the record for your attention. The procedural matter I want to raise relates to the re-designation of Members by the UPDF.

THE SPEAKER: Pardon?

MR ODUR: The procedural matter I want to –

THE SPEAKER: Honourable members, can you sit down? Hon. Macho, please sit. Can't you see? Hon. Macho sit, no, I mean Hon. 'Panadol' sit because you cannot see. *(Laughter)*

MR ODUR: Thank you, Madam Speaker. I raise this procedural matter, which I think

is very important for the House to consider regarding re-designation by the UPDF. One of the members who has been re-designated is Hon. Lt Gen. James Mugira. He has been sent to the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) (PAC-COSASE), but he is also the Managing Director of the National Enterprise Corporation (NEC).

The procedural matter I would like to raise is whether, as the MD of NEC, who will be required to appear and account before PAC-COSASE, would be a member of that committee. If that happened, how would the committee process that matter?

Madam Speaker, I would like to be guided on that matter.

THE SPEAKER: Honourable members, that is pertinent. I want to ask the Member to switch, but at the same time, he can declare his interest to the committee. However, for the sake of harmony, we can switch him. Yes, Hon. Brig. Gen. Charity Bainababo?

2.41

BRIG. GEN. CHARITY BAINABABO (UPDF Representative): Madam Speaker, pursuant to Rule 158(1) of the Rules of Procedure, I re-designate the Hon. Lt Gen. James Mugira, from the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) (PAC-COSASE), to the Committee on Public Accounts (Local Government). Then, I re-designate the Hon. Maj. Gen. Sam Kavuma to the Committee on Public Accounts (Commissions, Statutory Authorities and State Enterprises) (PAC-COSASE). I beg to submit.

THE SPEAKER: Thank you. I put the question to the re-designation.

(Question put and agreed to.)

THE SPEAKER: Yes, next item.

BILLS FIRST REDAING

THE CONSTITUTIONAL (AMENDMENT) BILL, 2023

THE SPEAKER: We have a procedural matter from the Shadow Minister of Local Government.

MS NALUYIMA: Thank you, Madam Speaker. I beg your indulgence, especially for some of us who are part of the accountability committees. Much as the accountability committees belong to the Opposition side, but compared to our numbers, the bigger number comes from the other side. Madam Speaker, as the Government Chief Whip re-designated some of the members as per your communication, it is -

THE SPEAKER: It was not as per my communication.

MS NALUYIMA: As per the rules - I beg your pardon - a bigger number of those members who were unable to attend the induction workshop were removed. I beg you, Madam Speaker, that you administratively look at the numbers such that more members can be designated back to the accountability committees so that later on when we are doing work, we do not have gaps. I beg to submit.

THE SPEAKER: That has been handled. It is good you have said administratively. Yes, Hon. Dr Bwanika?

2.43

DR ABED BWANIKA (NUP, Kimaanya-Kabonera Division, Masaka City): Madam Speaker, I am the chairperson of the Committee on Government Assurance and Implementation. I have heard that some Members have been designated to this committee. I would like to warn them that we are a serious committee – and should they fail in their work, we shall send them back to the sender. *(Laughter)* We want serious members on that committee. I submit.

THE SPEAKER: Yes! Honourable members, I ask all the committee chairpersons that if they have members who are not serious, please send them back to the sender. Next item. Honourable ‘Pro-Poor’ would you like to say something?

2.44

MR BARNABAS TINKASIIMIRE (NRM, Buyaga West County, Kagadi): Madam Speaker, I have a humble appeal. Whereas you had a setback by sending people to the Committee on Public Accounts and they did not attend the induction course, we equally have issues where instead of designating members, they are being conscripted onto the committees. They have never thought about joining. My humble appeal is that –

THE SPEAKER: A member can serve on any committee. We do not want –

MR TINKASIIMIRE: My humble appeal –

THE SPEAKER: Honourable ‘Pro-poor’, wait. You cannot go to serve on a committee where you cannot even define what an asset or liability is and then you expect to be able to interact with witnesses because you feel you should apply to serve on that committee. We are not going to do that.

MR TINKASIIMIRE: It is not in my interest to challenge your observation and ruling on the Floor of the House, Madam Speaker. However, I would like to submit that even novices can have an opportunity to learn. The minimum qualification –

THE SPEAKER: Honourable member, we have not forcefully designated anybody on any committee. It is because of what Members are doing. Before that, did you see us take any administrative action? This Parliament has a leadership and it must work. We will not allow - and I say, “We shall not allow.” Next item.

**BILLS
FIRST READING**

**THE CONSTITUTION (AMENDMENT)
BILL, 2023**

THE SPEAKER: Honourable members, you recall on 14 November, 2023, the House stood over the tabling of Bills that sought the rationalisation of specific sectors and entities pending reconciliation between Parliament and the Executive; the Bills are now ready. They had been brought as omnibus, but the House asked the Executive to unpack the Bills and bring them one by one. To the best of my knowledge, they have unpacked them.

Pursuant to Rule 128(2) of our Rules of Procedure, I would like to invite the respective sector ministers to table, for the First Reading, of the Bills relating to different sectors and they enumerate different specific precepts of legislation for either amendment, repeal or both. Thereafter, honourable members, these Bills will be sent to the respective sectoral committees for consideration.

Whereas Rule 129(2) of the Rules of Procedure accords committees 45 days within which to process a Bill, in the interest of considering the budgeting process, we shall embark on these Bills immediately and have reports tabled within three days.

Honourable members, I want to remind you that this committee had a sectoral committee that looked at these Bills, and interacted with most of the stakeholders.

However, I still want to encourage all the chairpersons of the committees to consult with the stakeholders - they are very small things; consult with the stakeholders and report back to this House. Yes, Hon. Basalirwa?

MR BASALIRWA: Thank you, Madam Speaker -

THE SPEAKER: Just for your information, the first Bills - because there are some small

Bills that need to be considered- the first Bills will be here on Tuesday next week.

MR BASALIRWA: Thank you, Madam Speaker. This item relates to constitutional amendment. This Parliament has, in the past, stayed all matters related to constitutional amendments and asked the Executive to first establish a Constitutional Review Commission for us to comprehensively deal with matters of the Constitution. Madam Speaker, if we allow this Bill, Parliament would be approbating and at the same time reprobating.

In the circumstances, Madam Speaker, I want to seek your indulgence on whether we should really proceed with this particular Bill in the absence of the undertaking we made on a Constitutional Review Commission to comprehensively deal with constitutional matters.

My colleague, Hon. Sarah Opendi brought here a constitutional amendment Bill; it was shot down. My colleague, Hon. Wilfred Niwagaba, brought a constitutional amendment Bill; it was shot down *-(Interjection)-* yes, information from Hon. Ssemujju?

MR SSEMUJJU: I want to thank you, Hon. Asuman -

THE SPEAKER: I have not allowed you to speak - Hon. Ssemujju, sit down.

MR BASALIRWA: You know who has stopped you from talking; it is not me. *(Laughter)*

Therefore, Madam Speaker, I do not know whether we are proceeding well, when the Executive comes with their issues, it is okay for constitutional amendments to be handled. When it is the business of other Members of Parliament, it is not allowed. How do we proceed in such a manner, Madam Speaker?

THE SPEAKER: Hon. Silwany, do you have something on the same?

MR SILWAMY: I thank Hon. Asuman Basalirwa for raising this matter. Madam

Speaker, the information I wanted to add is that the Minister of Justice and Constitutional Affairs, Hon. Nobert Mao, committed himself on the Floor of this Parliament that he is going to bring the whole package of the constitutional amendment; it is on the record of this House. That is the information I wanted to add.

THE SPEAKER: You had to thank Hon. Basalirwa. What would you do; you are both from Bugiri. Yes, Hon. Ssemujju?

MR SSEMUJJU: Thank you, Madam Speaker. In the -

THE SPEAKER: Honourable members, first listen, Hon. Ssemujju is on the Floor.

MR SSEMUJJU: Madam Speaker, I want to invite you to the judgment of the Constitutional and the Supreme Courts. During the processing of the “Magyezi Bill” - the one that made Mr Museveni the “life president” - the argument by those of us who went to court was that on matters of the Constitution, there must be consultation - not just consultation, but adequate consultation.

The court ruled - and this Parliament can look at the judgment - that matters of a constitutional nature cannot be rushed even if it is one sentence. Madam Speaker, I was inviting you, with humility that you consider extending the time at least -

THE SPEAKER: Honourable member, are you done?

MR SSEMUJJU: I was inviting you, Madam Speaker *-(Interjection)-* okay, information. *(Hon. Basalirwa rose_)*

THE SPEAKER: No.

MR SSEMUJJU: Can I conclude, Madam Speaker?

THE SPEAKER: Can you conclude? And when I talk about “Within 45 days” 45 days can even be one day. Therefore, if you are talking about the dates, it is within 45 days. I only see

sense in the issue of the Constitutional Review Commission, which the Attorney-General is going to respond to; he is here.

MR SSEMUJJU: If you could allow me, Madam Speaker, to conclude - The Attorney-General can aggregate these issues and answer them. I have heard - I have not looked at all the issues challenging the passage of the Anti-Homosexuality Act, 2023 – that even those who went to court to challenge this law, are even questioning the time within which it was passed. Anyhow, as I said, I have not looked at that, but the Attorney-General can help.

However, as he does, Madam Speaker, I am pleading with you to give these Bills enough time. We can pass them even next year; the roof is not coming down.

THE SPEAKER: Okay, let us hear from Hon. Macho, Hon. Faith, Hon. Nathan, the Commissioner.

2.56

MR GEOFFREY MACHO (Independent, Busia Municipality, Busia): Madam Speaker, it was the Minister of Justice and Constitution Affairs, Hon. Norbert Mao's prayer - before he joined the dining table of the National Resistance Movement - that once the time comes, he would champion the creation of a Constitutional Review Commission process in this country.

Madam Speaker, in some of his statements, his interest was that Uganda, as a country, must have a comprehensive Constitutional Review Commission. With that, I therefore, agree with my colleagues that there is no hurry. The dream of Hon. Norbert Mao to support the National Resistance Movement to achieve its dream - as a Minister of Justice, he should help Ugandans to establish the Constitutional Review Commission so that all the laws that require amendments are processed once and for all. And, I believe, that will even make the Democratic Party one of the happiest parties since it is in 'bed' with the National Resistance Movement.

THE SPEAKER: Thank you. Honourable members, I want to answer the issue of the timing. Rule 129(2) talks about "...within 45 days." I have asked the committee chairpersons to do comprehensive engagements with the stakeholders. My telling them to bring the reports was not to negate the issues of consultation; they are going to consult.

You will find - just because you are not efficient - efficient chairpersons will table reports here very fast because they do the work in - if you get Hon. Dr Abed Bwanika, he will bring it in two days. Yes, former Leader of the Opposition?

2.58

MR MATHIAS MPUUGA (NUP, Nyendo-Mukungwe Division, Masaka City): Thank you, Madam Speaker. The sentiments raised by the honourable members here speak to the levels of trust between the Executive and Parliament.

I have listened variously to the passionate submissions by Hon. Opendi over her desire to submit and have space for a constitutional amendment. If you look at the Constitutional (Amendment) Bill and the Memorandum attendant to it, you notice that it speaks to the intentions of amending particular legislations that have roots in the Constitution.

If you go strictly constitutional, I am very sure the learned Attorney-General would agree with me that these constitutional amendments actually shake the core of the form of governance, which is decentralisation. They actually go to the core of the form of Government.

Increasingly, the amendments are a migration from decentralisation to centralisation, which is why Members are discussing the possibility of having the Constitution amended in a consolidated Bill. Now that we have accepted to have a piecemeal *-(Interjections)* – No, I am submitting from what Madam Speaker has guided the House about - at the end of the day, probably a question will be put.

Will the learned Attorney-General give this House an indication of the intentions of the Government, in the interim, by bringing this particularly? Then what became of the plethora of promises for wide-ranging constitutional amendments vide a constitutional commission? What Hon. Asuman was talking about is very clear: Is the Government intentioned on causing serious amendments to overhaul the Constitution, to accommodate the wide-ranging changes in the country, in the economy and in the form of governance? These piecemeal amendments, for me, are shaking the form of governance with decentralisation, and I am very sure implementation will be somewhat problematic, Madam Speaker.

THE SPEAKER: Thank you.

3.00

MS FAITH NAKUT (NRM, Woman Representative, Napak): Thank you, Madam Speaker. The amendment, as we have seen in our pigeonholes, is on rationalisation -

THE SPEAKER: The constitutional amendment is on merging the Equal Opportunities Commission and Uganda Human Rights Commission. What he said is that because they perform the same jobs, it is a duplication; if you look at the object of the Bill.

MS NAKUT: Thank you, Madam Speaker. In that case, it does not stop the Minister of Justice and Constitutional Affairs from bringing a comprehensive amendment later, and it also does not stop us from proceeding with this one.

The reason I am saying this is that yesterday, all these Members received messages from anonymous people in this country, telling us to reject this constitutional amendment. No wonder we are having this kind of discussion. It is because somebody – (*Interjections*) - yes, they sent messages to all of us. However, Madam Speaker - I received them and I can read them for you - on the question of timing, it is right to write to –

THE SPEAKER: Honourable members, can you all sit down? We are now going into the

merits of the Bill before it is even presented. You have started debating the Bill before it is allowed to be laid on the Table. Honourable members, can you sit down?

3.03

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Thank you, Madam Speaker. I recall - and I stand to be corrected - we had a committee - which I chaired - concerning the same matter. However, incidentally, Cabinet ignored it. They said that they have a report, which informed them to come to this. I would like to see Hon. Muruli Mukasa present that report to each committee so that the committees can be informed. We have been here long; I am sorry to say –

THE SPEAKER: Honourable members, once we have the reports laid on Table, Hon. Muruli Mukasa must give his report that informed this decision. Actually, he came to my office today and asked to meet all the chairpersons of the committees before they go into looking at the reports. That is the time you should get the report from Hon. Muruli Mukasa.

MR BYANYIMA: Additionally, Madam Speaker, I must thank you for allowing this to be unpacked. You can imagine what would have happened here, the omnibus. We have been here longer. We sat here and hurried to privatise. We sat here until midnight privatising. We unanimously said we should not sell Uganda Commercial Bank (UCB). Somebody said that he would sell it on a Sunday and he sold it on a Sunday. (*Laughter*) I do not want us to go back to where we were.

When some of you are sleeping, some of us do not sleep because we think about this nation. (*Applause*) While you sleep six hours, I sleep for three hours, because I have to think. So, I do not want us to be driven to a state where we say, “We want another UCB, we want Uganda Airlines, and Uganda Railways.” You sold them when we were here.

Madam Speaker, I appeal to ministers - who are colleagues I respect - because Hon. Muruli Mukasa and Hon. Butime, I was with you here.

We blundered and we are now regretting. I do not want us to go that way. Let us go slow –

THE SPEAKER: Honourable members, this House made the Acts. It has the powers to either repeal the Acts, reject or merge. That time has not come, but it will come. There is a procedural matter - but I want to first hear from the Attorney-General.

MR BYANYIMA: I have not finished. What I am saying is –

THE SPEAKER: Are you still thinking about the country? (*Laughter*)

MR BYANYIMA: Yes! Let the Members be given ample time to go through this and consult widely so that by the time we come here, we are unanimous. (*Applause*) Otherwise –

THE SPEAKER: Did we say that we are not going to consult?

MR BYANYIMA: I am trying to say, for example, if you had not unpacked this Bill, what would have happened here? Hon. Muruli Mukasa was rushing to have this Bill gone. We would like to see if the workers who are going to be laid off will be paid. Is there money to cater for that? So, many things have to be considered. Madam Speaker, this is not something simple. We are trying to look at these things, but we need to go slow and in phases to have this country move forward. I thank you.

THE SPEAKER: There is a procedural matter.

MR KABERUKA: Thank you, Madam Speaker –

THE SPEAKER: Now, the way you are speaking about what you do not know, and what you have not received, instead of receiving the Bill first, then you either accept or reject.

MR KABERUKA: Madam Speaker, we appreciate the situation in the House today. However, you will agree with us that the promises of Government once not respected,

will cause suspicion from the people of Uganda. This being a platform of the people of Uganda, they have a right to raise concerns from the previous promises. If they were promised to have the constitutional amendment done in a manner that is acceptable, and consultative, then this is really renegeing on our promises.

Madam Speaker, while to some people this country is a dining table, to some of us, it is our motherland. (*Applause*)

We have to tell these people that we are all in consonance to protect the interests of Ugandans. When we rush because we want to appease - there is one philosopher who said thus, "...the only triumph of evil is when good men sit down and do nothing."

Madam Speaker, you are one of the people in Uganda that have stood up to defend the people of Uganda. I want to invite the Leader of Opposition (LOP) not to obstruct the Speaker, because I need her attention.

Based on that premise, I candidly -

THE SPEAKER: Honourable members, can everybody else keep quiet? We have one House.

MR KABERUKA: Thank you, very much. Madam Speaker -

THE SPEAKER: First sit down; you have all spoken. I now want to hear from the Attorney-General. Maybe, let me first hear from LOP - and please have respect for your LOP.

3.11

THE LEADER OF THE OPPOSITION (Mr Joel Ssenyonyi): Thank you. Madam Speaker, the sentiments in the House, in my view, I construct them in twofold: One is that

there are entities that we shall need to merge because we have duplicated roles along the way. They are entities that we want to give a second thought about because of their critical nature and everything they are in.

Members are not only saying this or the other, but they are asking for adequate time to exhaust all of these issues. That is number one.

Secondly, what we would like to hear from Government - and it is good that the Attorney-General is coming; hopefully he will commit - we want something comprehensive so that we do not deal with these issues piecemeal because it becomes problematic.

Can we have commitment on when they can have something comprehensive such that we get to discuss generally? And then we determine how we move. However, this is not very smooth, Madam Speaker.

THE SPEAKER: Are you saying that the merging of Equal Opportunities Commission and Uganda Human Rights Commission should not be done before we have a comprehensive one? Or you are saying that we handle this and he makes a commitment that he is going to bring a comprehensive report?

I like you guys for making noise - I know some of you know where the National Theatre is. (*Laughter*) This is a House for intellectual debate; let us debate and agree.

MR SSENKYONYI: Madam Speaker, I do not intend, in any way, to usurp your duty, but the “Ayes” seem to have had it.

THE SPEAKER: Not the “Ayes”; I am talking to the LOP.

MR SSENKYONYI: Like I said, the sentiment is that we get to deal with this comprehensively. It does not do any harm once we handle it comprehensively. Let the Government commit and then we will deal with it.

MR ODUR: Madam Speaker, I would like to draw your attention to Rule 128, which you can read together with Rule 121 and Rule 25. And I will justify my submission.

In this rule, on first reading, if you read both sub-rules (1) up to (4), my literal interpretation is that once a Bill has been placed on the Order

Paper and called, it must be read for the first reading.

Any other discussion will come thereafter, including the committee returning the Bill, rejecting it or advising it to be modified either way. That is my interpretation.

When you look at Rule 25 on determining the order of business, you are also required to give priority to the Government business. However, after that, you are required to give directions on how other Members’ business that had queued up behind the Government can be handled.

In my understanding, this rule is commanding that the Bill should be read and we must accept it. This House cannot refuse to entertain any matter brought by Government. And then after, we can make a decision on it - either we accept or reject. So, the procedural matter -

THE SPEAKER: I wish everybody else would think like Hon. Odur. (*Laughter*)

MR ODUR: Madam Speaker, the procedural matter is that -

THE SPEAKER: Let us receive the Bill as the rules command, and then -

MR ODUR: And then you guide the Members who have queued like the Hon. Sarah Opendi and the rest with their Private Members’ Bills – on how to proceed with the guidance from the Attorney-General.

THE SPEAKER: To go to the committees. But, before we do that, we want a commitment from you on the creation of a Constitutional Review Commission.

3.16

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Thank you, Madam Speaker. I can report without any fear of contradiction that my colleague, the Honourable Minister of Justice and Constitutional Affairs has collected, to date, 73 proposals for amendment.

I can also report that he has instructed the Law Reform Commission to collate them and look at their effect on the various other parts of the Constitution.

The process is still ongoing and I know that Hon. Mao even met some Members of Parliament last week who were there discussing some of the Constitution amendments, and I know that he has continued to meet several others.

I can confirm that the process is being undertaken and we shall come back to the House, at the earliest, to report on the same.

3.17

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament of Uganda, I beg to move that the Bill entitled “The Constitution Amendment Bill, 2023” be read for the first time. The Certificate of Financial Implications is hereby attached to this Bill.

THE CONSTITUTION AMENDMENT
BILL, 2023

MS OPENDI: Thank you, Madam Speaker. The procedural issue I am bringing is that this is the Constitution (Amendment) Bill, 2023. Ideally, we have a Minister of Justice and Constitutional Affairs, but it is the Minister of Public Service that is tabling this constitutional amendment. So, Madam Speaker –

THE SPEAKER: Honourable members, we are now bringing in trivial issues. Pursuant to Rule 129 of the Rules of Procedure, I now refer the Bill to the sectoral Committee on Legal and Parliamentary Affairs. And as earlier on guided, the rule of “...within 45 days,” stands. *(Applause)*

BILLS
FIRST READING

THE NATIONAL TRIBUNAL BILL, 2023

3.19

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament of Uganda, I beg to move that the Bill entitled “The National Tribunal Bill, 2023” be read for the first time. Herewith attached is the Certificate of Financial Implications. I beg to move.

BILLS
FIRST READING

THE ARBITRATION AND CONCILIATION
(AMENDMENT) BILL, 2024

THE SPEAKER: Pursuant to Rule 129(1) of the Rules of Procedure, I refer the Bill to the Committee on Legal and Parliamentary Affairs and the rule of “...within 45 days,” stands.

3.21

THE MINISTER OF PUBLIC SERVICE (Mr Muruli Mukasa): Madam Speaker – *(Hon. Aogon rose)*

THE SPEAKER: Hon. Silas Aogon, it is unfortunate that you do not have cows. It is people who look after cows who shout, “My cow, come back”. *(Laughter)*

MR MURULI MUKASA: Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament of Uganda, I beg to move that the Bill entitled “The Arbitration and Conciliation (Amendment) Bill, 2024” be read for the first time. I beg to move.

THE SPEAKER: The Bill is referred to the Committee on Legal and Parliamentary Affairs to report back according to the rules. Let me first hear what Hon. Aogon is saying.

MR AOGON: Mr Speaker, I salute you for always giving equal opportunities, as per the Constitution of the Republic of Uganda. I have

been processing a Bill, as a Private Member - the National Legal Aid Bill. This Bill was referred to the very committee that you have referred those two Bills to.

THE SPEAKER: I have referred three Bills.

MR AOGON: I beg that you allow me to finish this submission.

THE SPEAKER: I have referred three Bills, not two.

MR AOGON: Yes! The committee now seems to be overloaded. *(Laughter)* They have failed to report back on my Bill for more than eight months yet we are giving them more work. Isn't it procedurally proper that you first ask the chairperson of the committee to come and explain what has gone wrong?

Madam Speaker, I represent the people of Uganda - have you decided to be selective in processing Bills in the House? I feel frustrated. Can the committee come alive and speak the truth?

THE SPEAKER: Hon. Silas Aogon, I appreciate your frustrations and we are with you. Can we also hear from the chairperson first? Maybe he came and asked for an extension. I remember at one time, they came and sought an extension.

Honourable members, before the chairperson comes in, in the public gallery this afternoon, we have students from Buddo Secondary School from Busiro East, Wakiso. You are most welcome. *(Applause)* They are represented by Hon. Medard Sseggon Lubega and Hon. Betty Ethel Naluyima; your MP is there. Hon. Sseggon is a chairperson and is busy in the committee – a very good Member.

They are here to witness the proceedings of this House. You are welcome and you are very smart. *(Applause)*

These people would like to see how smart you are; stand up again. Clap for them again. *(Applause)* Tell your parents to return your MPs. Please sit down.

3.25

THE DEPUTY CHAIRPERSON, COMMITTEE ON LEGAL AND PARLIAMENTARY AFFAIRS (Mr Yusuf Mutembuli): Thank you very much, Madam Speaker. I am also getting tired of answering this question because this is almost the fourth time that I am responding to it.

Madam Speaker, you are aware that we came here and presented a report, and it was referred back to the committee to handle certain issues. You guided that you would invite us to have a harmonisation meeting with the Attorney-General and others. To date, however, we have not received that invitation. If that meeting is not going to take place, then we can undertake that within six or seven days, we can present this report.

THE SPEAKER: By the way, I am not the adviser of Government. That meeting was supposed to be chaired by the Attorney-General.

MR BASALIRWA: Madam Speaker, thank you. I was the seconder to that Bill that was moved by Hon. Aogon. The challenge has come from the learned Attorney-General. In fact, it is the office of the learned Attorney-General that has been opposed to our Bill – *(Laughter)* – by creating all forms of obstacles.

Even when we came here, it was the Attorney-General who raised all sorts of technicalities, denying the people of Uganda the benefit of a very good Bill called “Legal Aid Bill”. So, Madam Speaker, the Attorney-General is evidently not in favour of the legal aid Bill.

If the meeting is to happen, it should be chaired by another office, not the office of the Attorney-General because they have been opposed to this Bill. That is why we have taken it to the committee; he is the problem.

THE SPEAKER: Honourable members, Hon. Odur is about to stand up to say that you are discussing a Bill within another Bill. Let us move on with the Bills that are on the Floor first. Next item.

BILLS
FIRST READING

THE RATIONALISATION OF
GOVERNMENT AGENCIES (EDUCATION
SECTOR) (AMENDMENT) BILL, 2024
A) AMENDMENT OF THE HIGHER
EDUCATION STUDENTS FINANCING
ACT, 2014 (ACT 2 OF 2014)
B) AMENDMENT OF NATIONAL
LIBRARY ACT, 2003 (ACT 2 OF 2003)
C) AMENDMENT OF NATIONAL
CURRICULUM DEVELOPMENT CENTRE
ACT, CAP 135

THE SPEAKER: Minister of Education and
Sports.

3.27

**THE MINISTER OF STATE FOR
EDUCATION AND SPORTS (HIGHER
EDUCATION) (Dr Chrysostom Muyingo):**
Thank you very much, Madam Speaker. In
accordance with Rule 128 of the Rules of
Procedure of this Parliament, I beg to move
that the Bill entitled “The Rationalisation of
Government Agencies (Education Sector)
(Amendment) Bill,” be read for the first time.

THE SPEAKER: Can you lay for us the
Bills, one by one? I want an amendment on
the Higher Education Students Financing Act,
2014, Act 2 of 2014; lay that one first.

DR MUYINGO: Everything is in here,
Madam Speaker.

THE SPEAKER: Okay, lay them one by one.

DR MUYINGO: Madam Speaker –
(*Laughter*)- I beg to lay the amendment of
Higher Education Student Financing Act,
2014, Act 2 of 2014. I also wish to lay, on the
Table, the amendment of the National Library
Acts of 2023, Act 2 of 2023.

Further, I beg to lay the Amendment of the
National Curriculum Development Centre Act,
Cap 135, I beg to lay.

THE SPEAKER: Honourable members –

DR MUYINGO: The Certificate of Financial
Implications is also herewith attached and I lay
it on the Table.

THE SPEAKER: Thank you. (*Applause*)
Honourable members, Hon. Dr John Muyingo
has his Bills stapled together. He has laid the
three Bills. What I wanted him to do was to
read Bill by Bill, but they are stapled together
and he has laid them on the Table. To that
effect, therefore, I refer it to the Committee of
Education and Sports, and the rules should be
in conformity. Next item.

4(V) THE RATIONALISATION OF
GOVERNMENT AGENCIES, TRADE
SECTOR (AMENDMENT) BILL, 2024

THE SPEAKER: Minister of Trade, Industry
and Cooperatives - yes, Hon. Mathias Mpuuga?

MR MPUUGA: Thank you, Madam Speaker.
We have listened to the Minister of Education
and Sports and his choice to lay an omnibus
Bill containing various independent Bills that
carry various memoranda from the sector. But
you see, Madam Speaker, we are legislating for
posterity and those who read the *Hansard* may
want to understand the nature of the Bill that
was laid.

May you indulge the Government Chief Whip
to guide the ministers, because each of the Bills
carries a memorandum? The memorandum
cannot be omnibus. Even the certificates cannot
be bundled. Would you use your powers to ask
the Government Chief Whip –?

THE SPEAKER: The certificates are not
bundled; they have individual certificates
and secondly, they had brought for me one
certificate. I sent them back to bring individual
certificates and that is why I have said do not
read sector. Do not say “education”. Read
one by one and that is what the *Hansard* is
capturing. It is in education, but with different
Bills. Did he read one? No!

MR MPUUGA: That should be corrected in
the record, Madam Speaker. That the record
captures properly and for posterity.

3.33

MR WILFRED NIWAGABA (NRM, Ndoorwa County East, Kabale): Honourable members, how I wish we could hold our guns. These Bills will come for a Second Reading. Let us consider them in our respective committees. I implore the Members to scrutinise these Certificates of Financial Implications. Ensure that money is specifically stipulated in respect of the redundancy for each one.

Two, like what education has done, yes, it is an omnibus Bill; let us bring up that point at that time. This is an omnibus Bill because -

THE SPEAKER: Honourable members, listen.

MR NIWAGABA: You see, honourable members, on the First Reading, ordinarily, we have no business raising anything. As long as the Bill has been read and the certificate is there, let us look at the imperfection when the Bill has come to our committee. I am 100 per cent sure, most of these Bills will be thrown out. So, do not - let us wait for the real time.

THE SPEAKER: Honourable members, these Bills are not omnibus. You heard Hon. Nathan Byanyima thanking the House for unpacking them. There was only one Bill that had been brought to this House, but now it has been unpacked from sector to sector, and in each sector there are different Bills. Now we are going into rationalisation of Government agencies under the trade sector.

It has an amendment to the Warehouse Receipt System Act. That is one that we are amending. Then it has the amendments on the free zones and the Uganda Export Promotion Board, but those are different. Yes, Trade sector?

3.35

THE MINISTER OF TRADE, INDUSTRY AND COOPERATIVES (Mr Francis Mwebesa): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament of Uganda, I beg to move that the Bill entitled, “The Rationalisation of Government Agencies (Trade Sector) (Amendment) Bill, 2024” together with the Certificate of Financial Implications, be laid on Table.

THE SPEAKER: Can I have the Bills that you are laying?

MR MWEBESA: They are: the amendment of the Warehouse Receipt System, the amendment of the Free Zone Act, 2014 -

THE SPEAKER: It is called the “Amendment of the Warehouse Receipt System, Act 2006, Act 14 of 2006.”

MR MWEBESA: The Amendment of Free Zone Act, 2014, Act 5 of 2014, and the Amendment of Uganda Export Promotion Board Act, 102. I beg to lay.

THE SPEAKER: Thank you. This stands referred to the Committee on Tourism, Trade and Industry and the guideline on the timelines still stands. Next.

4(VI) THE RATIONALISATION OF
GOVERNMENT AGENCIES, (INTERNAL
AFFAIRS SECTOR) (AMENDMENT) BILL,
2024

3.37

THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament, I beg to move that the Bill entitled, “The Rationalisation of Government Agencies (Internal Affairs Sector) (Amendment) Bill, 2024,” covering the Amendment of the Registration of Persons Act, Act 4 of 2015, the Amendment of the Non-Government Organisation Act, Act 5 of 2016, the Amendment of the Uganda Registration Services Bureau Act, Cap 210, and accompanied by a Certificate of Financial Implications, be read for the first time. I beg to lay.

THE SPEAKER: Thank you. It is referred to the Committee on Defence and Internal Affairs. My earlier guidance on timelines still stands.

However, for the purpose of exhaustive consideration of the Amendment of the Registration of Persons Act, 2015 (Act No. 4 of 2015) and Amendment of the Uganda Registration Services Bureau Act, Cap. 120,

[The Speaker]

I will require the committee to work hand in hand with the Committee on Legal and Parliamentary Affairs because URSB reports to the Committee on Legal much as now the amendment is to the Committee on Internal Affairs.

BILLS
FIRST READING

THE RATIONALISATION OF
GOVERNMENT AGENCIES (FINANCE
SECTOR) (AMENDMENT) BILL, 2024

THE SPEAKER: Honourable members, before we have Finance, in the public gallery, we have students and teachers from St Edward's Secondary School Bukuumi from Kakumiro District, where the Prime Minister comes from.

They are represented by the Rt Hon. Robinah Nabbanja and Hon. Tumwesigye Josephat. They are here to observe the proceedings. Please, stand up. You are very smart. (*Applause*) Thank you for coming and sending us the Prime Minister of Uganda. Please, send her again and Hon. Josephat also.

3.40

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Madam Speaker, I beg to move that the Bill entitled, "The Rationalisation of Government Agencies (Financial Sector) (Amendment) Bill, 2024" be read for the first time.

Included in this Bill are:

- i) The Repeal of the Non-Performing Assets Recovery Trust Act, Cap. 95;
- ii) The Amendment of Assets of Departed Asians Act, Cap. 83;
- iii) The Amendment of Tier Four Microfinance and Moneylenders Act, 2016;
- iv) The Amendment of the Public Enterprises Reform and Divestiture Act, Cap. 98;
- v) The Amendment of the National Planning Authority Act, 2002;

- vi) The Repeal of the National Population Council Act, 2014; and
- vii) The Amendment of the Physical Planning Act, 2010.

I beg to move.

Madam Speaker, the Bill is accompanied by the Certificate of Financial Implications.

THE SPEAKER: Thank you. Pursuant to Rule 129 of the Rules of Procedure of Parliament of Uganda, I refer the Bill to the sectoral Committee on Finance, Planning and Economic Development. The guideline on timelines still applies.

However, for purposes of exhaustive consideration of these proposed amendments to the National Planning Act, the committee will work jointly with the Committee on Physical Infrastructure, given that the matters of physical planning are vested in the Ministry of Lands, Housing and Urban Development.

Physical planning has been taken to the Committee on Finance yet this is under the Committee on Lands; so, they will have to work together to handle this issue.

BILLS
FIRST READING

THE RATIONALISATION OF
GOVERNMENT AGENCIES (WATER
AND ENVIRONMENT SECTOR)
(AMENDMENT) BILL, 2024

THE SPEAKER: *Mama Mabira – (Some Members rose to exit the Chamber)* Honourable members, do not go. We have a Bill that we must pass.

3.42

THE MINISTER OF STATE FOR WATER AND ENVIRONMENT (ENVIRONMENT) (Ms Beatrice Anywar): Madam Speaker, according to Rule 128 of the Rules of Procedure of Parliament, I beg to move that the Bill entitled, "The Rationalisation of Government Agencies (Amendment) Bill, 2024 where;

- a) Amendment of the National Meteorological Authority Act, 2012 (Act 11 of 2012);
- b) Amendment of the National Forestry and Tree Planting Act, 2003 (Act 8 of 2003), be considered for the First Reading.

Madam Speaker, the Certificate of Financial Implications is here attached.

THE SPEAKER: Thank you. Pursuant to Rule 129 of the Rules of Procedure of Parliament, I refer the Bill to the Sectoral Committee on Environment and Natural Resources. The timeline, as guided, still stands.

BILLS FIRST READING

THE RATIONALISATION OF GOVERNMENT AGENCIES (AGRICULTURE SECTOR) (AMENDMENT) BILL, 2024

3.45

THE MINISTER OF STATE FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (ANIMAL INDUSTRY) (Lt Col (Rtd) Bright Rwamirama): Madam Speaker, I beg to move that the Bill entitled, “The Rationalisation of Government Agencies (Agriculture Sector) (Amendment) Bill, 2024” be read for the first time.

The Bill seeks to amend:

- a) Amendment of the Cotton Development Act, Cap. 30;
- b) Repeal of Uganda Trypanosomiasis Control Council Act 1992 (Cap. 211).
- c) Amendment of the National Coffee Act, 2021 (Act 17 of 2021);
- d) Amendment of Dairy Industry Act, Cap. 85;
- e) Amendment of Agricultural Chemicals (Control) Act, 2007 (Act 1 of 2007);
- f) Amendment of National Agricultural Advisory Services Act, 2001 (Act 10 of 2001) be laid on the Table and be read for the first time.

The Bill is accompanied by the Certificate of Financial Implications. I also beg to lay the same on the Table.

THE SPEAKER: Thank you. This stands referred under Rule 129 of the Rules of Procedure of Parliament, to the Committee on Agriculture, Animal Industry and Fisheries. The timeline still stands.

Honourable minister, you need to let us know when we are getting our seeds from NAADS - *(Laughter)* - Next item.

BILLS FIRST READING

THE RATIONALISATION OF GOVERNMENT AGENCIES (WORKS AND TRANSPORT SECTOR) (AMENDMENT) BILL, 2024

THE SPEAKER: Honourable Minister of Works and Transport.

3.48

THE MINISTER OF WORKS AND TRANSPORT (Gen. Katumba Wamala): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure, I beg to move that the Bill entitled, “The Rationalisation of Government Agencies (Works and Transport Sector) (Amendment) Bill, 2024 be read for the first time.

1. The Bill contains repeal of the Uganda National Roads Authority Act, 2006, Act 15 of 2006.
2. Amendment of the Uganda National Roads Act, 2008, Act 15 of 2008.

I beg to lay the Bill on the Table, and it is accompanied by a Certificate of Financial Implications.

THE SPEAKER: Thank you. This is referred to the Sectoral Committee on Physical Infrastructure and the timeline still applies. Honourable Minister of Works and Transport, do not forget when you are going to the next item to give us an update on the Kampala-Jinja Expressway.

We also need to understand why our money for this quarter under the Uganda Road Fund has not gone to the districts. We need our money for the third quarter. *(Applause)* Next item.

BILLS
FIRST READING

THE RATIONALISATION OF
GOVERNMENT AGENCIES
(SOCIAL DEVELOPMENT SECTOR)
(AMENDMENT) BILL, 2024

THE SPEAKER: Honourable Minister of Gender, Labour and Social Development?

3.50

THE MINISTER OF STATE FOR GENDER, LABOUR AND SOCIAL DEVELOPMENT (DISABILITY AFFAIRS) (Ms Hellen Asamo): Thank you, Madam Speaker. Pursuant to Rule 128 of the Rules of Procedure, I beg to lay a Bill on the Rationalisation of Government Agencies, (Social Development Sector) (Amendment) Bill, 2024.

In this Bill, we have the following:

- a) Amendment of the Children’s Act, Cap. 59;
- b) Amendment of the Persons with Disability Act, 2020, (Act 3 of 2020);
- c) Amendment of the National Women’s Council Act, Cap. 318;
- d) Amendment of the National Youth Council Act, Cap. 319; and
- e) Amendment of the National Council for Older Persons Act, 2013.

Herein, we have attached the Certificate of Financial Implications. I beg to lay.

THE SPEAKER: Thank you very much. This is referred to the Committee on Gender, Labour and Social Development. The timeline still stands.

BILLS
FIRST READING

THE RATIONALISATION OF
GOVERNMENT AGENCIES (TOURISM
SECTOR) (AMENDMENT) BILL, 2024

THE SPEAKER: Trade?

3.52

THE MINISTER OF TOURISM, WILDLIFE AND ANTIQUITIES (Col (Rtd) Tom Butime): Madam Speaker, according to Rule 128 of the Rules of Procedure of Parliament, I beg to move that the Rationalisation of Government Agencies (Tourism Sector) (Amendment) Bill, 2024, which includes the amendment of Uganda Wildlife Act, 17 of 2019, and the repeal of Uganda Wildlife Conservation Education Centre 2015, be read for the first time. I have a Certificate of Financial Implications and the Bill.

THE SPEAKER: Thank you. This is referred to the Committee on Tourism, Trade and Industry, as per Rule 129(1) of the Rules of Procedure of Parliament and the timeline still stands.

BILLS
FIRST READING

THE KARAMOJA DEVELOPMENT
AGENCY (REPEAL) BILL, 2024

3.53

THE MINISTER OF KARAMOJA AFFAIRS (Ms Mary Kitutu): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament, I beg to move that the Bill entitled, “Karamoja Development Agency Act (Repeal) Bill, 2024” be read for the first time.

THE SPEAKER: There is a procedural matter. *(Laughter)*

MR SSEMUJJU: Thank you, Madam Speaker. You have given a deadline under our rules to have these Bills processed. The honourable

colleague who is presenting a Bill is in court all the time *-(Interjections)-* You can say, “Ah, ah, ah,” but that is it.

The procedural issue I am raising is that assuming she is convicted tomorrow.

MS KITUTU: Madam Speaker, I have attached the Certificate of Financial Implications. [*Mr Ssemujju: “There is a procedural issue for you to answer.”*] I beg to move.

THE SPEAKER: Hon. Ssemujju, I would like to refer you to Article 28(3)(a) on the presumption of innocence. Please, can you present? You have finished. (*Laughter*) I did not hear. Honourable member, I did not hear - you present. I cannot refer what I did not hear.

MS KITUTU: Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament, I beg to move that the Bill entitled, “Karamoja Development Agency Act (Repeal) Bill, 2024” be read for the first time. The Certificate of Financial Implications is here attached. (*Applause*)

THE SPEAKER: Thank you. It is referred to the Committee on Presidential Affairs. That is pursuant to Rule 129 of the Rules of Procedure of Parliament.

BILLS FIRST READING

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

THE SPEAKER: Minister of Information, Communication Technology and National Guidance. When the Minister of ICT is speaking, you all smile. (*Laughter*)

3.47

THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi): Absolutely, you are right, Madam Speaker. In accordance with Rule

128 of the Rules of Procedure, I beg to move that the Bill entitled, “The Uganda National Information Technology Authority, Uganda (Amendment) Bill, 2024” be read for the first time. It is accompanied with a Certificate of Financial Implications in accordance with Section 76 of the Public Finance Management Act, 2015. I beg to lay.

THE SPEAKER: Thank you. This is referred to the Committee on Information, Communication Technology and National Guidance pursuant to Rule 129(1) of the Rules of Procedure of Parliament and the timelines still stand.

BILLS FIRST READING

THE NATIONAL RECORDS AND ARCHIVES (AMENDMENT) BILL, 2024

3.58

THE MINISTER OF PUBLIC SEERVICE (Mr Muruli Mukasa): Madam Speaker, in accordance with Rule 128 of the Rules of Procedure of Parliament, I beg to move that the Bill entitled; The National Records and Archives Amendment Bill, 2024 be read for the first time and it is accompanied by a Certificate of Financial Implications. I beg to move.

THE SPEAKER: Thank you. It is referred to the sectoral Committee on Public Service and Local Government in accordance to Rule 129(1) of the Rules of Procedure of Parliament - Hon. Sarah Opendi, can we finish, then you come with your procedure? Are you the one who has been reading?

MR MURULI MUKASA: Madam Speaker, in your introductory remarks, you intimated that it would be very appropriate for the sponsors of rationalisation namely; the Ministry of Public Service, to interact intimately and intensively with the leaders of the committees so that we get to the pith of rationalisation.

I beg your indulgence that this wise guidance is realised tomorrow morning so that we can have this good discussion before we embark on

looking at these Bills in the committees. I beg your indulgence.

MR DAN KIMOSHO: Thank you, Madam Speaker. I request that you allow me give this information as you rule on that matter. For example, when you read and referred the matter to the Committee on Physical Infrastructure, we immediately scheduled a meeting, invited stakeholders and they have confirmed to arrive by 9 a.m. and we start the meeting. So, for that intimacy meeting *-(Laughter)-* tomorrow morning, we may need your guidance.

THE SPEAKER: Hon. Dan, when it comes to an intimacy meeting, morning is from midnight to *-(Laughter)*

Honourable members, I know that you have invited the stakeholders by 9.00 a.m., but I plead with you to have a consultative meeting between 8.00 a.m. and 9.00 a.m. because it does not take long.

However, I also want you to have meetings – do not cancel my meeting, but you must have a meeting from 8.00 a.m. to 9.00 a.m. and I want the Government Chief Whip to ensure that your chairpersons are in the Conference Hall by that time to have a meeting with the Ministry of Public Service.

4.02

THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua): Madam Speaker, following your guidance, may I formally invite the 14 chairpersons and the 14 deputy chairpersons designated by the Government Chief Whip in consultation with the party to come for this consultative meeting tomorrow at 8.00 a.m.? The meeting will take not more than one hour, such that if you have meetings scheduled from 9.00 a.m., you are able to attend.

Honourable colleagues, one of the basic tenets of a good law is that it must be consultative and this is part of the consultations. I beg to submit.

THE SPEAKER: When you are going for that meeting, honourable minister, kindly go with the report that formed your decision to

rationalise, so that these Members will be able to appreciate and understand what it is in for them to take to their committees.

MINISTERIAL STATEMENTS:

I) ON THE STATUS OF ROAD PROJECTS IN THE COUNTRY

MS OPENDI: Procedure -

THE SPEAKER: What is your procedure?

MS OPENDI: Thank you, Madam Speaker. You are our Speaker; we belong to this House and it is our constitutional right to come up with Private Members' Bills. Now that the Constitution Amendment Bill has been read here for the first time and being referred to the committee, wouldn't it be procedurally right for you to allow all of us with constitutional amendments to come, read them and you refer them -actually, allow us to come and seek for leave so that you can refer our Constitution amendments to the Committee on Legal Affairs; it handles them, comes and reports together with the Constitution amendment from the Government side.

I cannot go to the honourable Minister of Justice and Constitutional Affairs; I do not belong there. This is where I belong. Thank you.

THE SPEAKER: I like the way you people play double standards. When you go to Kyankwanzi, you are very excited. "No Bill should be made before..." - you agreed. So, if you are bringing your Bill, we will not refuse it in the House, but you yourselves agreed that it must go through a process. Do not play double standards.

I will not refuse any Bill here because Article 94(4) is very clear; you have a right to bring your Bill and most of the Bills that we have passed in this House are from Private Members. Hon. Amero?

MR SSEMUJJU: Thank you, Madam Speaker. To the contrary, I am a very big supporter of rationalisation. Let me put that on record.

THE SPEAKER: Have we gone back to rationalisation?

MR SSEMUJJU: I am raising a procedural issue. This is the first time in the history of this Parliament that meetings of committees for consultation are being convened by those that are going to be consulted and they are putting it on the record of Parliament. We have spent a lot of time here and made laws, which are nullified in court.

The minister has just said, “This is part of consultation.” This is the first time that people who are going to be consulted are convening a meeting to be consulted.

THE SPEAKER: It is not the minister that is convening the meeting. It is the Government Chief Whip convening a meeting for these committee chairpersons to consult ministers on the basis of how he came up with the rationalisation. What they are trying to avoid is the minister going from one committee to another. Next item. Hon. Mathias Mpuuga?

MR MPUUGA: Thank you, Madam Speaker, for your indulgence. We have received Bills from Government and my sense is that they are exhaustive as far as Government intentions are concerned. I have heard and read in the public media the intentions of Government on the energy sector, particularly in managing and dealing with the succession agencies to Umeme Limited whose concession expires on 28 February at midnight, next year. I have not heard anything to do with this sector yet I am aware that Government is shopping around for either a successor company or merging of the same.

I am also aware, like everyone else, that the process of liquidating Uganda Electricity Board (UEB) is incomplete and that there are very many challenges attendant to it. Is Government planning an ambush on Parliament by leaving this out yet plans are underway?

At the consideration of the Electricity (Amendment) Bill last year, this matter came up. I recollect that the presiding officer

ordered the Minister of Energy and Mineral Development to come to Parliament and report comprehensively on the ways they were going to successfully handle the expiry of the concession. That is one of the pending responses from the last two sessions, Madam Speaker.

May we be guided by the Prime Minister whether what I am saying does not relate to consideration of the Government rationalisation or something amiss is happening in this sector?

THE SPEAKER: Thank you. Rt Hon. Prime Minister?

4.10

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Ms Robinah Nabbanja): Madam Speaker, you guided very well. I would like to inform the Member that the Cabinet is dealing with the issue. We shall report appropriately.

THE SPEAKER: Honourable members, the issue of the energy sector will come up and I think it is still under consultation. That is what the Prime Minister is saying.

MR MPUUGA: Madam Speaker, I –

THE SPEAKER: They are still consulting. Wait. Okay?

MS NABBANJA: Madam Speaker, it is good to have people with knowledge and the Attorney-General has guided me. It is true we already amended the Act in 2022. What we are dealing with is regularisation. Thank you.

THE SPEAKER: Regularisation of which Act? *(Laughter)*

4.12

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker –

THE SPEAKER: Attorney-General, the expectation of Members is that as we rationalise, the energy sector should have been among the ones to be rationalised. Hon. Mpuuga wonders

what could have happened. Did you by mistake miss it? (*Laughter*)

MR KIRYOWA KIWANUKA: Madam Speaker, the process of merging successor companies to UEB was done under the Electricity (Amendment) Act, 2022. These companies were set up by the law originally, then moved into the Public Accountants Default (PAD) Act and they became entities under the Companies Act and that is what we dealt with in the last amendment. When it comes to merging the three entities, it is through the Companies Act and not an Act of Parliament. Thank you.

THE SPEAKER: Hon. Nathan Byanyima?

4.13

MR NATHAN BYANYIMA (NRM, Bukanga North County, Isingiro): Thank you, Madam Speaker. In the document that the Minister Muruli Mukasa presented to the committee, transmission, generation and distribution were supposed to be merged; it is on paper. I do not know how it disappeared. Let Hon. Muruli Mukasa be honest and tell us because we have been complaining about the Rural Electrification Agency (REA) and now, you got scared about this. Those are three companies that are supposed to be merged as per the document. That is why you are talking about having a meeting with the committee chairpersons. Why don't you allow Members as well to sit with you and ask some questions? I thank you.

THE SPEAKER: Honourable member, in the omnibus Bill, what was presented to the select committee had Uganda Electricity Transmission Company Limited (UETCL), Uganda Electricity Distribution Company Limited (UEDCL) - transmission, generation and distribution.

MR KIRYOWA KIWANUKA: Madam Speaker, there are three categories of entities under rationalisation. Those created by an Act of the Executive, those created by an Act of Parliament and those by constitutional action. The Bills that are before you –

THE SPEAKER: The ones by the Executive do not come here.

MR KIRYOWA KIWANUKA: Yes, the ones by Executive action do not have to come here, but the sectoral committees could always ask the respective ministers to report. I think it is good practice to report and let Parliament know what is being done.

MR SSEMUJJU: Madam Speaker, I agree with the guidance of the Attorney-General. It would comfort us if he said that this particular issue being raised is at this stage or is about to be finished because it does not even need Parliament other than outlining the procedures it will follow. There is suspicion that maybe you have now changed your mind.

MR KIRYOWA KIWANUKA: Madam Speaker, I was adding onto what the Rt Hon. Prime Minister reported here when she said that the process of merging UETCL, UEGCL and UEDCL is ongoing. As Hon. Mpuuga said, there are very many things happening in the energy sector right now that the Cabinet is handling; it is ongoing. We can request the Prime Minister to report back at an appropriate time.

MR MPUUGA: Madam Speaker, with your indulgence - I have heard the learned Attorney-General, but I asked this for a purpose because he is aware that whereas the process is on, UEB as a body corporate is still alive 23 years after the formation of Umeme Limited.

The minister is alive to Section 29 of the PAD Act, which obliges the minister to form a successor company to UEB after 23 years. You are also aware of the dictates of the Electricity Act. The process is not transparent.

Madam Speaker, will you use your powers to instruct the minister to update Parliament on the processes?

Madam Speaker, you are aware that over 30 per cent of Umeme Limited is owned by Ugandans. In the Ninth Parliament, I personally opposed the listing of Umeme because I knew

it had problems. Now, here we are; nobody has tabled an audit as to what they have put into the company before reverting to the country - whether returning liabilities or assets.

Madam Speaker, will you compel the Prime Minister to ask her minister to report to Parliament on the progress of what the learned Attorney-General is reporting, because it is shrouded in controversy and darkness?

THE SPEAKER: The Prime Minister said that this is under the Cabinet review. When the Cabinet finishes to review, then they will report. Since this was even an administrative executive action, that formed those entities. Yes, Hon. Christine?

4.18

MS CHRISTINE KAAAYA (NUP, Woman Representative, Kiboga): Thank you, Madam Speaker. Pursuant to Rule 30(1) concerning petitions to this Parliament, every application to Parliament shall be in the form of a petition. Madam Speaker, today, a group of youth that had brought their petition concerning the saving of Bugoma Forest-

THE SPEAKER: Hon. Christine, that petition is supposed to be brought to me to authorise before it is brought to the House. Do not just hijack and say it here. I also saw those youths, but I cannot talk because I have not got the petition. I am still waiting for the petition. Bring it to the Speaker's office. - No, my office is open. You do not ask for permission in the House; bring the petition to the office.

MS AGNES ATIM: Thank you, Madam Speaker. I would like to beg your indulgence, whether it is procedurally right for us to move with the amendment Bills for the rationalisation, given the fact that there are other processes going on. Wouldn't it be procedurally right to request the Prime Minister to inform this House and the different committees on all those processes that are going on?

THE SPEAKER: Which processes? Since you know the processes, why don't you tell us? I think the learned Attorney-General has

told us that there are other agencies that are being handled by the Executive and they are those that are - like the one that the honourable member has brought about - the electricity one. We are not rationalising energy because what he has said is the process ongoing. That is not formed by an Act of Parliament.

MS AGNES ATIM: Madam Speaker, my point is that as we go as committees to handle the Bills that are presented here, it is possible that in the discussions and engagement with stakeholders, some of the issues will arise from other agencies that are being managed by the Executive.

THE SPEAKER: Handle it at committee level and report back to the House. Do not make the House do work for committees. Next item.

II) ON THE STATUS OF ROADS PROJECTS IN THE COUNTRY

4.21

THE MINISTER OF WORKS AND TRANSPORT (Gen. Edward Katumba Wamala): Madam Speaker, this matter came up as a result of the negative or the devastating impact on the roads after the heavy rains and came here on the Floor. This is a matter, which we are still handling with the Prime Minister and the Minister of Finance, Planning and Economic Development because we do not want to come here on the Floor and lament. We want to come here with a report, which also talks to solutions of what we have gone to do. We are still handling that matter and at the right time, we will come and report to the House.

THE SPEAKER: Honourable minister, as you handle the matter, what happened to the Shs 250 million for quarter three under the Uganda Road Fund?

GEN. KATUMBA: Madam Speaker, funds are handled by the Ministry of Finance, Planning and Economic Development and the Minister is here. I am also a recipient; so, he can give the update.

THE SPEAKER: Honourable members, just wait. Honourable minister, the money under the Uganda Road Fund- When you thought of amending the Uganda Road Fund, you decided not to send money for it.

4.22

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

(Mr Henry Musasizi): Thank you, Madam Speaker. It is true that when we issued the cash limits for quarter three in January, there was no provision of funds under UNRA and Uganda Road Fund. *(Interjections)*- I thought I rose to give you information.

THE SPEAKER: So, honourable minister, have you already rationalised the two entities?

MR MUSASIZI: No. Madam Speaker, I beg your indulgence that I explain. This was occasioned by limited resources at the start of the quarter. If colleagues may recall, I made a commitment before this House that we would be issuing an additional cash limit, which will include UNRA and Uganda Road Fund.

I wish to report to the House that we have since issued an additional cash limit and provided Shs 150 billion under UNRA and Shs 31 billion under Uganda Road Fund. I beg to submit.

THE SPEAKER: When was that done?

MR MUSASIZI: Madam Speaker, this was done at the start of last week.

THE SPEAKER: So, is Shs 250 million for this quarter covered under that Shs 31 billion?

MR MUSASIZI: Madam Speaker, I need to check the exact figures for quarter three under Uganda Road Fund and check for quarter three -

THE SPEAKER: Hon. Musasizi, it is not to bother you so much. We can give you five minutes to consult, then you come back and give us a position. Okay? Honourable Minister of Works Jinja- Kampala Expressway- The

loan was approved, but since 2020, nothing has taken place. They said it was an issue of PAPs.

GEN. KATUMBA: Madam Speaker, Kampala-Jinja Expressway (KJE) - as it is commonly known - is in the process; we are now in the stage of contracting. There are several steps which we have to undertake; this is not a simple project. It is a Public-Private Partnership project.

There are many stages which we must qualify before the project comes into maturity. We must pay at least more than 90 per cent of the Project-Affected Persons. We have to resettle even those people who by law - and I brought that here on the Floor - even by law are not allowed to be settled, but because this is a PPP, those people who are staying in the wetlands, the ones who have no land titles, the elderly who are not able to take the money; we have to prepare for them to have a better life than what they are living now. That takes time.

The last stage, which we finished, is the partial risk guarantee, which the Attorney-General has cleared. It means that we can put out the project for contracting because most of the hurdles have been overcome. That is the point.

THE SPEAKER: So, when do we get to know how far you have gone? You know that we are all beneficiaries of this road.

GEN. KATUMBA: Madam Speaker, that one is - I cannot give a time frame to say two or three weeks because it is a process. The potential developers will apply. They will be assessed and at the right time, when they have assessed -

THE SPEAKER: Have you advertised?

GEN. KATUMBA: We are in the process of advertising. You could not advertise before overcoming all these hurdles. It would not make sense because if you advertise and you have not cleared the PAPs, what are you advertising for? You must advertise when you have enough land to give to the contractor. Thank you.

THE SPEAKER: Infrastructure -

4.29

THE CHAIRPERSON, COMMITTEE ON PHYSICAL INFRASTRUCTURE (Mr Dan Atwijukire Kimosho): Thank you, Madam Speaker. On this issue, I seek for more clarification from the Minister of Finance, Planning and Economic Development.

The issues of roads are very sensitive, Madam Speaker. We have had commitments here, including the machines for new districts. Every time we get a commitment that in one month, the matter will be resolved. It has been two years since that commitment.

When I was engaging one of the ministers, the last commitment from Hon. Musasizi was that they had instructed the Ministry of Works to vire Shs 6 billion that is required, so that those machines can be distributed. When I engaged one of the works ministers on whether the money had been paid to the contractor, he told me that they have nothing to vire.

Madam Speaker, on the issue of how much was released, I would beg that if the Ministry of Finance has failed to get the money as expected and appropriated, they should explain to Ugandans on local radios, because this is Ugandan taxpayers' money. They should tell Ugandans that there is no money and to wait for three or six months. Otherwise, if we continue doing appropriation and there are no releases, we are more or less injecting air to the public and to the economy.

It is proper, Madam Speaker, that we agree on the work method. If they do not realise money, they should come out openly and tell Ugandans that they are still collecting money here and there, and when it accumulates, they shall give it out. Otherwise, the whole burden is shouldered by Members of Parliament. We have become grader operators; we have become everything that you know is involved in road maintenance.

THE SPEAKER: Honourable Minister of Works and Transport, you have heard the

complaints of Members. I want to see the advertisement for Kampala-Jinja Expressway.

GEN. KATUMBA: Most obliged, Madam Speaker. On the issue of equipment for the new district, 90 per cent of the equipment is in the country and can be inspected. We are still waiting for the balance to open the LC of Shs 6 billion, which was deducted from the original amount of money required to pay for all the equipment. The supplier cannot release that equipment until it has been fully paid.

THE SPEAKER: How much time do you want for you to give us an exhaustive report on the status of roads, beginning with the Kampala-Jinja Expressway?

GEN. KATUMBA: Madam Speaker, give us – working with the Prime Minister's office – two weeks, we should be able to come up with a comprehensive report.

THE SPEAKER: Two weeks is okay. Next item- No, he is going to bring for us the status of all the roads.

MR KABERUKA: The Minister of Finance, Planning and Economic Development, last week, promised to bring a statement on Rukungiri-Kanungu Road together with the Minister of Works and Transport. Assuming that - because Madam Speaker, we represent the people and last week, they promised this House that they were going to tell us where the money went.

I want to know whether it is not procedurally right for the ministers who are here to tell us whether they have abandoned the project and where the money could have gone. This is because that money is a loan; (*Interjections*) It is not about our money that is internally generated. It is a loan that was taken by the Ugandan Government. Where did the money go? Can we know?

THE SPEAKER: Honourable members, I have given them two weeks to bring a report. Within those two weeks, come and make your corrections. Your minister made a

misrepresentation that the mistake was with the contractor, yet the issues on the tourism roads are with works and finance ministries, the Attorney-General and Uganda National Roads Authority. There was a misrepresentation in this House by your minister on the tourism roads, which must be corrected.

Hon. Musasizi, our money?

4.34

THE MINISTER OF STATE FOR FINANCE, PLANNING AND ECONOMIC DEVELOPMENT (GENERAL DUTIES) (Mr Henry Musasizi): Madam Speaker, we execute the budget as and when resources permit - *(Interjections)* - and we are always optimistic.

THE SPEAKER: Hon. Henry, do you want to confirm whether the Shs 31 billion was part of the Uganda Road Fund?

MR MUSASIZI: No. Madam Speaker, on the Shs 31 billion, I am firm. We have released Shs 31 billion to Uganda Road Fund, to spread across all the districts in Uganda for the roads.

THE SPEAKER: Does that include the Shs 250 million per quarter, which comes to Shs 1 billion per year?

MR MUSASIZI: Madam Speaker, the Shs 31 billion is part of the Shs 250 million. In total - *(Interjections)* - listen, I beg for your indulgence. In total, under that arrangement, we provided Shs 176 billion. We have so far released half of that, so the Shs 31 billion is now the second leg.

Madam Speaker, by the end of this financial year, we shall have released the entire Shs 1 billion. *(Members rose_)*

THE SPEAKER: Honourable members, we are getting clear clarification.

MR MUSASIZI: Madam Speaker, I wish to inform the House - *(Interjections)* - Hon. Zijjan, I beg your indulgence. *[Members: "You are telling a lie."]* We have issued additional cash

limit amounting to Shs 31 billion to Uganda Road Fund. Once Uganda Road Fund gets this information, it asks the spending agencies to warrant.

As a result of the warrant, money will go to the districts for spending. Therefore, if I say we have released and your district is saying, "We have not yet received the money," it means the warranting process is still going on. So, where am I telling a lie?

THE SPEAKER: Hon. Musasizi, I need the evidence of the Shs 250 million for quarter three on the Uganda Road Fund. It should be brought to me.

MR MUSASIZI: Madam Speaker, I undertake to bring to you the evidence and also lay it before the House tomorrow.

THE SPEAKER: Thank you. Next item.

BILLS SECOND READING

THE ANIMAL FEEDS BILL, 2023

THE SPEAKER: Honourable members, the Bill was presented to this House and it is ready for presentation. We now call the Minister of Agriculture, Animal Industry and Fisheries to move a motion to that effect.

4.40

THE MINISTER OF STATE FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (ANIMAL INDUSTRY) (Lt Col (Rtd) Bright Rwamirama): Madam Speaker, I beg to move that the Bill entitled, "Animal Feeds Bill, 2023" be read for the second time.

THE SPEAKER: Is the Bill seconded? *(Members rose_)* It is seconded by Hon. Okumu, Hon. Alanyo, Hon. Silwany, Hon. Charity, Member from Karenga, Hon. Nandutu, Finance, Trade, ICT, Works, Government Chief Whip, Prime Minister, Dr Ayume, Counsel Lumu, Hon. Aisha and the whole House. Thank you. Would you like to speak about your Bill?

LT COL (RTD) RWAMIRAMA: Thank you, Madam Speaker. The Bill seeks to provide the legislation framework for the operationalisation of the animal feeds policy by regulating the production, importation, exportation and marketing of animal feeds, and by establishing the animal feeds committee to regulate the production, importation, exportation and making of the animal feeds.

Justification

The productivity of livestock industry in Uganda is low due to the prevalence of animal diseases, inadequate nutrition for animals, especially low legumes and protein content.

The scarcity of water in semi-arid areas, the lack of facilities for the storage and processing of animal feeds, lack of laboratory facilities, lack of information, knowledge and skills in animal feeds production, among others.

Inadequate animal feed nutrition was identified as one of the factors that limit Uganda's production of livestock products. Animal feeds account for 70 per cent of the production cost and therefore, have significant effects on the production cost and the profits.

The level of nutrition influences the infection rates and disease resistance in animals and low levels of nutrition is, therefore, part of the reasons for low livestock and poultry performance in Uganda.

It is, therefore, necessary to upgrade the animal industry and to give priority to agricultural development in general within the framework of the private sector, promotion and development. The animal feeds policy and the Animal Feeds Bill will promote the animal industry in general, and lead to the increase in Uganda's production of livestock products.

I beg to move, Madam Speaker.

THE SPEAKER: Thank you, honourable minister. Committee chairperson, can you now present your brief report on the Bill? Remember the report is informative.

4.43

THE CHAIRPERSON, COMMITTEE ON AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (Ms Janet Okori-Moe):

Madam Speaker, I beg to lay on Table the report of the Committee on Agriculture, Animal Industry and Fisheries on the Animal Feeds Bill, 2023.

I also beg to lay the minutes of meetings that were held while the committee was considering the Animal Feeds Bill. I now beg to present the report of the committee on the Animal Feeds Bill, 2023.

The Animal Feeds Bill was read for the first time and referred to the Committee on Agriculture, Animal Industry and Fisheries. This report is, therefore, being presented in accordance with Rule 129(2)(3) and (4) of the Rules of Procedure and in compliance with Rule 130(2) of the Rules of Procedure.

The livestock subsector plays a crucial role in Uganda's economy, contributing 8.3 per cent to the gross domestic product. The livestock subsector contributes Shs 6.456 billion, which is equivalent to 17.4 per cent annually.

In addition, about 77.9 per cent of agricultural households rear livestock as a source of livelihood and it contributes significantly to the welfare of the population at both household and national levels.

In recognition of the pivotal role of the animal industry in in Uganda's development, there is need for a comprehensive legislation to foster regulated and standardised practices in animal nutrition, promote animal health, food safety and sustainable agricultural development.

The minister has already talked about the objectives of the Bill and the justification. The next is the methodology, which is in 4.0 of this report. The stakeholders that were consulted, the written memoranda that the committee received, and the documentary review. I, therefore, go straightaway to the committee observations and recommendations on the general principles of the Bill.

On the application of the Act, which is in Clause 1, the committee observed that whereas a person may make animal feeds for their animal's consumption, the animal products eventually end up in the public food chain and may have an impact on other people's lives if they are contaminated.

The committee, therefore, recommends that the scope of the Bill should widen to include people who make their own animal feeds to feed animals kept for commercial purposes.

On Clause 3 of the Bill that stipulates the procedure to be followed for registration of premises for production, storage or sale of animal feeds, the committee observed that:

1. Buildings and equipment used to process feed and feed ingredients or store animal feeds and raw materials for processing animal feeds should meet the required standards, in order to minimise feed contamination; and
2. Registering premises for a single specific use is not practical, since some premises are used for more than one purpose.

The committee, therefore, recommends that:

1. The premises for production, storage or sale of animal feeds be approved, but not registered;
2. The requirements for approval of the premises be provided for in the schedules.

Licensing of production, storage, transportation and sale of animal feeds in Clause 8 of the Bill:

The committee observed that the production, processing, storage, transportation and distribution of sale and suitable feed ingredients is the responsibility of all participants in the feed chain, including farmers, feed ingredient manufacturers, feed compounders and transporters.

Each participant in the feed chain is responsible for all activities that are under their direct control, including compliance with any applicable statutory requirements.

The committee also observed that there is a need to minimise deterioration and spoilage at all stages of handling, manufacturing, storage and transposition of feed and feed ingredients.

Special precautions should be taken to limit fungal and bacterial growth in moist and semi-moist feed. Condensation should be minimised in feed and feed ingredient manufacturing and processing facilities.

All means of transport, whether privately-owned or contracted, bulk or part and by water, rail or land, should be regulated to control and minimise the risk of contamination.

The committee, therefore, recommends that:

1. The means of transport be regulated to avoid contamination of animal feeds;
2. The requirements for issuing a licence for production, storage and sale of animal feeds be clearly spelt out in the law; and
3. The ministry responsible for animal husbandry should develop regulations for issuing, revocation, denial or operating without a licence.

Madam Speaker, on exportation of animal feeds, which is in Clause 12 of the Bill, the committee observed that exporting animal feeds requires an export certificate, in addition to a sanitary certificate issued by the Animal Feeds Committee.

The committee also observed that the time provided for in the Bill for notification within 24 hours of change, in the circumstances relating to exportation is too short.

The committee recommends that the time of notification of change in the circumstances relating to exportation of animal feeds should be increased from one day to three working days.

On prohibited substances in animal feeds, which is in clause 16 of the Bill, the committee observed that a user of a prohibited substance is limited technically, in terms of assessing

the contents of a product, which may include prohibited substances. It is only the producer, importer or exporter who may have the ability to establish whether a product contains prohibited substances or not.

The committee, therefore, recommends that users of prohibited substances should not be penalised, unless they used the substances knowingly. This is subject to proof by the courts of law.

On animal feeds quality control laboratory, which is in Clause 18 of the Bill, the committee observed that all animal feeds produced need to meet standards formulated by the Uganda National Bureau of Standards.

The committee, therefore, recommends that:

- i. All producers of animal feeds should ensure that their products adhere to standards set by the Uganda National Bureau of Standards; and
- ii. The list of approved quality control laboratories should be published in the Gazette and a newspaper of nationwide circulation.

On the establishment of an Animal Feeds Committee, which is in Clause 23 of the Bill, the committee observed that - when you look at that list, the mandates of some of the proposed committee members are not directly related to the animal feeds value chain or industry.

The committee also observed that the provision on representatives, especially of animal farmers, is not clear, since it does not specify the categories of animal farmers.

The committee, therefore, recommends that:

- (i) The composition of the Animal Feeds Committee should be modified by eliminating officials whose mandates are not related to the animal feed industry;
- (ii) The three animal farmers should be representatives of commercial livestock

farmers, commercial poultry farmers and commercial fish farmers; and

- (iii) The criteria of selection of animal farmers' representatives to the committee be clearly specified.

On adulterated or contaminated animal feeds, contained in Clause 29 of the Bill, which prohibits sale of animal feeds that are adulterated or contaminated. The committee observed that:

- (i) While contamination is not intentional and may be caused by carelessness, negligence or failure to adhere to good management practices, adulteration is intentional and involves introduction of foreign substances in order to increase the quantity, while lowering the quality of animal feeds; and
- (ii) The committee also observed that Clause 29 and Clause 15 of the Bill are related.

The committee recommends that:

- (i) The two clauses be merged;
- (ii) The law should provide for a mechanism through which a person who believes that animal feeds being produced or sold are contaminated may file a complaint to the animal feeds inspector; and
- (iii) Two separate provisions be made to differentiate the implications of adulteration from contamination.

On issues of appeal, in Clause 34(2), the committee observed that the proposed 10 working days is a short time for the minister to review the committee's decision and respond to the applicant accordingly.

The committee, therefore, recommends that the minister is given 21 working days to review the committee's decision and give feedback to the applicant.

In conclusion, the committee was alive to the need for a comprehensive and responsive law

that addresses the production, processing, storage, and sale of animal feeds. The production, processing, storage, transportation, and distribution of safe and suitable feed and feed ingredients is the responsibility of all participants in the feed value chain, including farmers, feed ingredient manufacturers and feed compounders, among others. Each participant in the feed value chain is responsible for all activities that are under their direct control, including compliance with any applicable statutory requirements.

The committee, therefore, recommends that the Bill be considered for Second Reading subject to the proposed amendments attached hereto and any other modifications that the House may propose and approve. I beg to report. Thank you.

THE SPEAKER: Thank you, committee chairperson. You have heard the report is very direct. I now open the Floor for debate. If you have a specific clause you wish to respond to, go straight to the clause when we are at the Committee Stage. Remember this is just informative. Yes? Where is Dr Abed?

4.58

MS AISHA KABANDA (NUP, Woman Representative, Butambala): Thank you, Madam Speaker. I thank the committee for this report and the minister for the proposal. This issue of a committee - there seems to be a tendency of now diverting from boards to committees or councils and yet you are talking of merging Government bodies. Can I know from the committee chairperson what is UNBS short of, to ensure compliance? Otherwise, UNBS is supposed to ensure standards of all the supplies we have. What are they short of?

My other issue is the tendency to distinguish between adulteration and contamination. If one is a supplier of animal feeds, he or she should take total responsibility to protect these feeds from being contaminated. I see a danger of someone hiding under contamination yet the person deliberately did adulteration of these products. That is my submission to the general principles.

I seek clarification as to why they want to lessen the burden of the person who is producing these products and ensuring that the products supplied to people are good by inventing issues of adulteration and contamination. They should take total responsibility so that we shall have good products. Thank you.

THE SPEAKER: Thank you. Committee chairperson, take note of the questions, and then you – Hon. Allan Mayanja.

5.00

MR ALLAN MAYANJA (NUP, Nakaseke Central County, Nakaseke): Thank you, Madam Speaker, for the opportunity. The minister can clarify on my concern.

Our local farmers go to these grain millers and buy maize bran, silver fish. In this law, how is this going to affect such people who are in villages like Kisenyi and involved in selling the normal maize bran? This is what I want to be cleared. According to this law, which clauses are going to directly affect these people? Thank you.

THE SPEAKER: Thank you. Hon. Stephen Mugole and Hon. Rose Obigah?

5.01

MR STEPHEN MUGOLE (NRM, Kabweri County, Kibuku): Thank you, Madam Speaker. My issue is related to contamination and adulteration. I suppose that those are clear demarcations and they are distinct. For example, if somebody found a fly in a bottle of soda, that cannot be adulteration; it is contamination.

I suppose the committee report is important and that there should be a difference because even in the distribution chain; contamination can be done, which is not adulteration.

I am just trying to support the committee chairperson that it is clearly demarcated. Thank you.

THE SPEAKER: Honourable Members, when you read what the committee

chairperson presented in the report – “*Clause 29 of the Bill prohibits sale of animal feeds that are adulterated or contaminated. The committee observed that while contamination is not intentional and may be caused by carelessness, negligence or failure to adhere to good management practices; adulteration is intentional and involves introduction of foreign substances in order to increase the quantity while lowering the quality of animal feeds.*”

5.03

MS ROSE OBIGAH (NRM, Woman Representative, Terego): Thank you very much, Madam Speaker. I did not get the level of proof, whether it is in a balance of probabilities or a strict proof.

In the case of *Carlill v. Carbolic Smoke Ball Co.* the one who packages - Assuming you find this item in my shop, but it is being packaged by another person, what level of responsibility do I bear? I seem not to have got that very clearly.

THE SPEAKER: The responsibility you bear is on the case law.

MR SILWANY: Madam Speaker, this being a very important Bill, the procedural matter I am raising is; would it not be procedurally right that we go to the Committee Stage so that we look at clause by clause critically and then take decisions at that level?

THE SPEAKER: Hon. Faith Nakut, are you seconding that? Honourable members, what the Commissioner is saying is that for us to understand this Bill better, let us look at one - There is almost an amendment on every clause. Can we handle clause by clause; understand the Bill clause by clause so that if we are to make any changes, we make them in the clauses.

5.05

MS FAITH NAKUT (NRM, Woman Representative, Napak): Madam Speaker, while I second the need to move to Committee Stage, there is an issue of regulations that we will expect to set standards. You are aware that some Bills are passed here and even approved

by the President, but the regulations never come.

THE SPEAKER: Even the regulations for fisheries have not come to-date.

MS NAKUT: They never come and yet the Bill is good; it is intended to protect our livestock so that nobody can destroy them.

THE SPEAKER: Attorney-General, are you listening? We have passed so many Bills in this House, but there are no regulations to operationalise them. It is like we sit here to waste time.

5.06

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, through the Leader of Government Business, we have communicated to the various line ministries where rules have not been made. At times, the hands of the Attorney-General’s Chamber are tied because the rules must be originated from somewhere in the sector ministry. However, we are going to continue following up on it and ensure that all these rules are brought and completed.

THE SPEAKER: Yes.

MR SSEWUNGU: Madam Speaker, it is to the Attorney-General- but I had my other issue. The implication of not having regulations is well known.

THE SPEAKER: Let us first debate the Bill.

MR SSEWUNGU: Let me go to the report. According to 5.1, “Application of the Act,” the committee states that; “*The committee, therefore, recommends that the scope of the Bill should be widened to include people who make their own animal feeds to feed animals kept for commercial purposes.*”

I would like to get proper clarification when the chairperson is responding to the issues raised by Members. I am rearing my pigs as an obvious matter - that cannot be contested on me. I have grown my maize and turning it into

maize bran that I am going to feed my own pigs that I will sell. Why should I be included here? It is in the Bill. Thank you, Madam Speaker.

THE SPEAKER: Honourable members, that is why we need to go by what Hon. Solomon was saying, to understand the Bill.

5.07

THE LEADER OF THE OPPOSITION

(Mr Joel Ssenyonyi): Thank you, Madam Speaker. There is a slight issue which I believe we need to take care of just for good processing of our laws. When you look at the Certificate of Financial Implications, something is lacking therein. Rule 118(1) of the Rules of Procedure of Parliament requires every Bill to have a Certificate of Financial Implications detailing the impact of the Bill to the economy. However, this certificate only shows a financing agreement to the tune of Shs 18.5 billion herein over a period of about five years. It does not, with specificity, show the social, economic and financial impact on the economy.

This is the most specific one. Subrule (2) of rule 118 indicates that there ought to be the estimated revenue and expenditure of the Bill over a period of not less than two years. This Certificate of Financial Implications is only talking about the expenditure. The Bill only shows the expected expenditure of Shs 18.5 billion to be spent over a period of five years.

It is a procedural issue that we need to take care of. That is how these Bills get to be challenged, even in court, when we do not cross every 'T' and dot every 'I'. Even as we go to Committee Stage, I thought the Attorney-General should probably address us on that particular aspect.

THE SPEAKER: Finance Minister? Anyway, you have just come. Attorney-General -

5.06

THE ATTORNEY-GENERAL (Mr Kiryowa Kiwanuka): Madam Speaker, I think what the Leader of the Opposition is saying is interesting, but I think it is a question of form -

THE SPEAKER: Form over substance. What the Bill is saying is that this is what I will spend, but does not show that we are going to get anything from it. I think that is what I read the Bill to say. I will take the guidance now probably, to advise Ministry of Finance that even when it is zero, you may want to state that we do not see again to Government at this point.

THE SPEAKER: Actually, as we look at these Bills on rationalisation, that should be one of the things they should look at.

5.11

DR ABED BWANIKA (NUP, Kimaanya-Kabonera Division, Masaka City): Madam Speaker, this Bill, apart from the fact that it seeks to regulate animal feeds, it is very important because animal feeds end in humans; we consume the animal products. That is why it is very important that as we talk about this Bill, we look at the details. I heard Hon. Ssewungu say, "I'm going to feed my own pigs." Your pigs are going to end in the Speaker's life. *(Laughter)*

THE SPEAKER: No. I do not eat pigs.

DR BWANIKA: Let me use another one. Even me, I do not eat pork.

THE SPEAKER: There was a story about how they were putting ARVs in chicken.

DR BWANIKA: Exactly. Madam Speaker, I retract that because I have remembered. Let me use Hon. Ssewungu himself. The pork that you eat, for example, if an animal consumes feeds where there are toxins, be rest assured that toxins will end in your body when you consume that meat or milk. That is why it is very important that we look at the details. Therefore, when you are considering this Bill, do not only think about animals, but also the humans.

Lastly, Hon. Aisha talked about the standards - the UNBS - UNBS' work is to set standards. When you set standards, you hand them over. You do not regulate the standards you have set.

They are going to set standards for feeds and this law is going to regulate what they have set. They stop at that.

THE SPEAKER: Hon. Aisha, you are talking to a veterinary doctor.

5.13

MS AISHA KABANDA (NUP, Woman Representative, Butambala): Thank you, Madam Speaker. The matter I was speaking to is not that of veterinary professionals –

THE SPEAKER: The Bill is about veterinary.

MS KABANDA: I seek to know. After UNBS sets standards, who ensures that the standards are enforced? Is it not UNBS that enforces? That is the question I put to the Chairperson of the committee to inform us. Where did they find UNBS lacking that informed their need of a committee? Does Dr Bwanika want to inform us that this committee will be empowered to enforce? Certainly no, they do not have a mechanism. *(Interruption)*

THE SPEAKER: Somebody wants to give you information.

MR ARIKO: Thank you, Madam Speaker. I am glad that the honourable member is trying to clarify. However, in the course of raising the question, she is talking about enforcement of standards and at the same time, talking about regulations. Those are two different things. Standards belong to the bureau that is responsible for setting and certifying them. The regulations are within the mandate of the implementing agency.

DR AYUME: Thank you, Madam Speaker. In addition, there are sometimes when super specialties may require standard bodies. For example, if you looked at cancer, you will have the Atomic Energy Council. Clearly, UNBS cannot go near there. You will hand that over to the Council to ensure they set the standards and look at compliance. Thank you.

THE SPEAKER: Thank you, honourable members. Now I put the question that The

Animal Feeds Bill, 2023 be read for the second time.

(Question put and agreed to.)

BILLS COMMITTEE STAGE

THE ANIMAL FEEDS BILL, 2023

Clause 1

THE CHAIRPERSON: Committee chairperson?

MS OKORI-MOE: Madam Chairperson, the proposal is that Clause 1 is amended:

- (i) By substituting for paragraph (a), the following -
“(a) animal feeds produced or stored for commercial purposes;”
- (ii) In paragraph (b), by deleting the words “or exported from Uganda.”
- (b) By substituting in subclause (2), the following-

“This Act shall not apply to animal feeds produced or stored for consumption by the animals of a person who rears the animals for subsistence purposes.”

Justification;

- (i) The Act shall apply to all animal feeds produced, stored or sold in Uganda.
- (ii) Importation of animal feeds is taken care of in paragraph (a).
- (iii) To exempt a farmer who produces animal feeds to feed them to his or her animals on his or her farm from applying for a licence to produce such animal feeds. I beg to move.

THE CHAIRPERSON: Honourable minister

RT COL (RTD) RWAMIRAMA: I have no objection, Madam Chairperson.

THE CHAIRPERSON: Dr Bwanika -

DR BWANIKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 1 be amended as proposed.

(Question put and agreed to.)

Clause 1, as amended, agreed to.

Clause 2

THE CHAIRPERSON: Chair- clause 2 will have interpretation last-

MR ODUR: Madam Chairperson, before clause 2, I wanted to ask either the Attorney-General, the Chairperson or even the Minister to explain why we do not have a commencement date. If there is any reasonable explanation why the Bill does not have the options provided for a commencement date. If there is no reasonable explanation, then we insert a new clause before clause 1, saying commencement and then we choose between the date of assent, date of publication in the gazette or by the statutory instrument by the minister. So that we take care of it.

MR KIRYOWA-KIWANUKA: Thank you. Madam Chairperson, under the Interpretation Act, a Bill comes into force on the day it is gazetted after assent. Any other exceptions that are made in Bills are for purposes of specifically bringing certain Bills because you anticipate certain actions to be done even after the Bill has been passed.

Say the Bill has been assented to, but you anticipate that there are some actions you need to put in place before the Bill comes into force. We have not found any such requirement in this Bill, and we want to go by the Interpretation Act that the moment the President has assented to the Bill and it has been gazetted, it comes into force without any other action.

MR ODUR: I entirely agree. However, there are actions required. For example, you are

supposed to constitute a committee- just as an example from the many things.

MR KIRYOWA KIWANUKA: Yes. However, you cannot constitute the committee unless the law has come into force. For you to constitute the committee, the law must be enforced. Everything in this Act can only be actioned when the law is enforced.

THE CHAIRPERSON: Thank you, clause 3- we have stood over clause 2.

Clause 2, stood over.

Clause 3

MS OKORI-MOE: Madam Chairperson, the committee proposes that clause 3 is substituted for the following;

“3. Application for approval of premises.

- (1) A person shall not store animal feeds on premises or produce or sell animal feeds from premises unless the premises are approved by the committee.
- (2) A person who intends to store, produce or sell animal feeds shall apply to the committee for approval of the premises in which the animal feeds are stored or from where the animal feeds are sold or produced.
- (3) The application under subsection 2 shall be accompanied by proof of payment of fees prescribed by the minister by statutory instrument.
- (4) The committee shall consider the application under subsection 2 and, if satisfied that the applicant has complied with the requirements provided in Schedule Two, issue a certificate of approval of the premises.
- (5) The certificate of approval of premises issued under subsection 4 shall be specific to the premises approved.

- (6) A person who contravenes this section commits an offence and is liable on conviction to a fine not exceeding 500 currency points or a term of imprisonment not exceeding six years or both.

Justification

- (i) Premises are approved as fit to be used for businesses not registered since some premises are multipurpose and registering a premise is a bit vague.
- (ii) There is a need for the law to spell out clearly the requirements to be fulfilled while applying for approval of premises. The requirements are matters of law and go to the roots of the principles of the Act that Parliament must pronounce itself on. I beg to move.

THE CHAIRPERSON: Honourable minister-

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

MR KIRYOWA KIWANUKA: I have no objection.

MR OGUZU: I would like the Minister to assure the country how accessible this committee would be for a villager because I am aware there are production officers who could be able to help with this kind of function if they were empowered. Therefore, can you show us how this committee will work so that our villagers do not suffer?

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. The way the Government works is that even at the local government we have a representative and we can delegate this function to extension workers; subject matter specialists.

MR ODUR: Madam Chairperson, my clarification is on the duration.

THE CHAIRPERSON: Duration of the licence?

MR ODUR: No, on application, because Clause 3(2), says that when you apply, how long do I have to wait for the committee to process my application? And in the amendments where they have proposed under 3(4), it is better that we put at least 3 months because you cannot apply and then it takes forever without getting any feedback and that will apply to even, clauses 8, 9, 11 and 12.

I am proposing that the chairperson and the minister look at that. The justification for the 3 months is that when you are renewing, you have provided already that, on expiry, you must apply three months before expiry. Therefore, if I apply three months before, it means you need three months to consider my application and give me feedback.

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. I think what the Member is trying to say, is to take away the powers of the minister from appreciating the environment of business. I think the regulators or the ministry should try to be fair to the stakeholders under any circumstances. Therefore, the proposal made by the minister is still better and it will be brought to the House.

THE CHAIRPERSON: Let me hear from the Attorney-General.

MR KIRYOWA KIWANUKA: Madam Chairperson, I think the proposal made by Hon. Jonathan, may make a great deal of sense to give comfort to the users, that this power given to the minister or to the committee cannot be exercised endlessly. What we need to discuss is whether the committee should take three months or four months to make a decision. However, granting the time here may not be a bad idea.

THE CHAIRPERSON: The timing?

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. I think within three months.

DR BWANIKA: Madam Chairperson, I am wondering, do we need to put time in the Act?

THE CHAIRPERSON: That is to avoid unnecessary delay. It is not the first Act that we are putting time.

DR BWANIKA: There are some regulations that the minister is going to come up with.

THE CHAIRPERSON: The fees can be prescribed – Let us first sort out the issue of timing.

MR OKUPA: Thank you, Madam Chairperson. I agree that we should have time, but “three months” is where I have concerns.

I presume there will be investors who will be able to go into business. If we are talking of promoting investors, even local ones, for us to give them a period of three months – even documents like passports, the timing was reduced to two weeks.

THE CHAIRPERSON: Hon. Okupa, it should be within three months, not three months. It can even be in one day. So, can you make an amendment? The upper limit is three months, the lower limit is half a day.

MR OKUPA: Madam Chairperson, I was proposing to reduce it to a maximum of one month. For someone to wait for three months and yet they want to put in money and start operating is a very long period.

MR KABERUKA: Hon. Odur has proposed a good idea – that of three months. However, he premised that on the assumption that if somebody has a licence, which is going to elapse, he will prepare within three months. What about the one who is beginning? This means he is not in business.

That is where Hon. Okupa’s idea comes in, we do not take three months based on the person with a licence, but we also consider the person who is entering business for the first time.

If you take three months, it is going to be big. Let us not give them that latitude to have that time lag, which is too much and may cause sluggishness in business.

THE CHAIRPERSON: Draft.

MR ODUR: Madam Chairperson, the drafting is easy as long as we have agreed –

THE CHAIRPERSON: We have agreed that it should be within three months.

MR ODUR: On clause 3(4) it will read: “The committee shall consider the application under subsection (2) within three months of receipt of the application, and if satisfied, then you continue. The rest will remain.

MR KIRYOWA KIWANUKA: What is important here is the issuance of the approval. So, if we say the committee shall consider the application under subsection (2) and if satisfied that the applicant has complied with the requirements provided, issue the certificate of approval of the premises in a period no longer than three months from the date of receipt of the application.

THE CHAIRPERSON: That is okay. I put the question that clause 3 be amended as proposed by the Attorney-General and Hon. Odur.

(Question put and agreed to.)

Clause 3, as amended, agreed to.

Clause 4

MS OKORI-MOE: Madam Chairperson, the proposal is that clause 4 is substituted for the following;

Display of certificate of approval of premises. The certificate of approval of premises issued under section 3(4) shall be placed in a conspicuous place in the approved premises.

Justification:

It is a consequential amendment as a result of amending clause 3. I beg to submit.

THE CHAIRPERSON: Minister.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: My understanding is that the clause is now going to read as follows;

The certificate of approval of premises issued under subsection (3)4 of this Act, shall be placed in a conspicuous place in the approved premises. Most obliged, I have no objection.

THE CHAIRPERSON: Under clause 4 subsection 3(4).

MR KIRYOWA KIWANUKA: Yes, under clause 4 subsection 3(4) of this Act, shall be placed in a conspicuous place in the approved premises.

THE CHAIRPERSON: I put the question that clause 4 be amended as proposed.

(Question put and agreed to.)

Clause 4, as amended, agreed to.

Clause 5

MS OKORIE-MOE: Madam Chairperson, clause 5 is amended;

- (a) by substituting for the word “registered” the word “approved”;
- (b) by inserting a subsection as follows;

“A person who intends to alter the approved premises shall comply with the Building Control Act, 2013 or any other applicable law. This is also a consequential amendment. I beg to move.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: Madam Chairperson, I have no objection to the first proposal to replace the word “registered” with “approved” as a consequential amendment.

However, the introduction of the Building Control Act, 2013 in this Bill is problematic. The proposal is to the Building Control Act, 2013 and any other applicable law. Some of

these places are not as sophisticated as we may think, because the animal feeds are not necessarily set up in a factory setting and therefore, to introduce these controls, you may actually interfere with a very nascent industry. I beg Members that we leave the proposal that the place – if you want to make alterations, go back to the committee. Why?

This committee, as you have seen, is comprised of people who are specifically addressed in the space of agriculture. Therefore, they will help in understanding whether those premises are actually fit for the purpose for which we are putting them up.

Now, it does not mean that there will not be other laws that people may comply with. For example, if they are building a big building, they must comply with the Building Control Act, of 2013.

So, I beg that we drop the second part and let the provision read, “A person whose premises are approved under subsection 3(4) who intends to make alterations to premises, shall prior to the alterations, apply to the committee for approval of the alterations of the premises.” I beg to submit.

THE CHAIRPERSON: Yes, Doctor –

DR BWANIKA: Madam Chairperson, this law is not about buildings. It is about animal feeds. I want to concur with the Attorney-General that we do away with the issues of building control. The professionals within the committee have the capacity to see a space that is good enough to be a premise -

THE CHAIRPERSON: And it is approved by the committee.

DR BWANIKA: Yes, they approve it.

THE CHAIRPERSON: Yes, Honourable.

MR BASALIRWA: Madam Chairperson, before we dismiss the proposal by the committee, could we benefit possibly from the justification for the introduction of the Building

Control Act in the Bill? What is the rationale? Maybe you should “put us to speed” because perhaps there is something that we have not been informed about.

MS OKORI-MOE: Madam Chairperson, we have already conceded and I do not think that we need to go into the explanations. *-(Laughter)*

THE CHAIRPERSON: No, it stands as part of the Bill.

MR KIRYOWA KIWANUKA: Madam Chairperson, there is some amendment, which is consequential and I want to read it for the record: “A person, whose premises are approved under Section 3(4)...”-because of the amendment that we have just done, “...who intends to make alterations to the premises, shall, prior to the alterations, apply to the committee for approval of the alterations of the premises.” There are those two slight consequential amendments.

THE CHAIRPERSON: Okay. I put the question that clause 5 be amended as proposed by the Attorney-General.

(Question put and agreed to.)

Clause 5, as amended, agreed to.

Clause 6

MS OKORI-MOE: Madam Chairperson, clause 6 is amended by substituting the words “Certificate of Registration” wherever it appears with the words “certificate of approval of premises”; in paragraph A, the words “they were registered”, with the words “premises were approved”. This is a consequential amendment.

THE CHAIRPERSON: Thank you, Attorney-General.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: Minister.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

THE CHAIRPERSON: I put the question that clause 6 be amended as proposed.

(Question put and agreed to.)

Clause 6, as amended, agreed to.

Clause 7

THE CHAIRPERSON: Committee chairperson.

MS OKORI-MOE: Madam Chairperson, clause 7 is amended by substituting the words “Certificate of Registration” wherever they appear in the provision with the words “certificate of approval of premises”.

In subclause (2), by substituting the word “licensee” with the words “holder of the certificate”. Substitute subclause (3), with the following:

“A person who fails to surrender the certificate of approval of premises under subsection (2) to the committee commits an offence and is liable on conviction, in the case of an individual, to a fine not exceeding 100 currency points or a term of imprisonment not exceeding one year or both, or in the case of a body corporate to a fine not exceeding 200 currency points.” This is also consequential. I beg to move.

THE CHAIRPERSON: Minister.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we have no objection.

THE CHAIRPERSON: Attorney-General.

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 7 be amended as proposed.

(Question put and agreed to.)

Clause 7, as amended, agreed to.)

Clause 8

THE CHAIRPERSON: Committee chairperson.

MS OKORI-MOE: Madam Chairperson, clause 8 is amended in the head note by deleting the word, “transportation”. Then in subclause (1) by deleting the word “transport” wherever it appears and by substituting subclause (2) with the following:

“The application under subsection 1 shall be accompanied by proof of payment of fees prescribed by the minister by statutory instrument”. By inserting a new subclause stating as follows, “The Minister may, by regulations, provide different categories of licences issued under this provision.”

In subclause (4) by substituting the words “of this Act” with the words “prescribed in the Third Schedule.” In subclause (5), by substituting the following: “a licence issued under this section shall be valid for one year from the date of issue of the licence.”

In subclause (6) by deleting the word “transport”. In paragraph A, by substituting the word “one” with the word “two”, wherever it appears and in paragraph B, by substituting the word “two” with the word “five”.

The justification is that transporting animal feeds does not require a licence and there is no need to indicate the qualifications of personnel at the time of applying for a licence and also to make the penal provision more deterrent. That is why the proposal is being made. I beg to move.

THE CHAIRPERSON: Minister.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we have looked at the proposal. We are okay with much of it, except clause 4(4), where they are substituting the word “this Act” with the “Third Schedule”.

When you require someone to comply with the Act, it is more inclusive than requiring them only to comply with a schedule. Therefore, a person dealing with the provision with a requirement to deal with feeds needs to comply with the Act, not only a schedule; and the schedule is part of the Act. So, let us require them to comply with the entire Act and not only the schedule. I beg to submit.

THE CHAIRPERSON: Actually, the schedule is part of the Act. Should we draft?

MR KIRYOWA KIWANUKA: The proposal is that clause 8(4) remains as part of the Bill as it is and the other amendments proposed by the committee be adopted.

MRODUR: Madam Chairperson, on subclause (4) I want to adopt the text that we had agreed on in principle, about the duration because this is also about an application for a licence. If it is allowed, we would adopt the amendment as proposed by the Attorney-General. The text that we put in clause 3 provides for a duration. If three months is still acceptable, we maintain it because we need a duration here.

MR KIRYOWA KIWANUKA: Thank you very much, Madam Chairperson. I have no objection. I think that is a good addition. Thank you.

THE CHAIRPERSON: Yes. First, give me the drafting.

MR ODUR: I technically adopted because the Attorney -General had proposed something better and it is already on the record of our proceedings. I will be making the same under (9).

THE CHAIRPERSON: Okay, the Attorney-General can redraft.

MR ODUR: Attorney-General can do it.

MR KIRYOWA KIWANUKA: Let me read for the record. “(2) The committee shall consider the application under section and if satisfied that the applicant has complied with

the requirements of this Act, issue a license for all the activities applied for within a period not exceeding three months from the date of receipt of the application.

THE CHAIRPERSON: Then remove subclause (4).

MR KIRYOWA KIWANUKA: That is what I was reading. I was trying to draft subclause (4) with my amendment and the amendment by Hon. Odur.

MR BASALIRWA: Madam Chairperson, on subclause (6)(a) and (b), learned Attorney-General, I have a concern about the punishments.

When you look at the individual, the individual is being fined not exceeding two hundred currency points or a term of imprisonment not exceeding one year, or both.

Body corporate has only a fine. Therefore, wouldn't that create disharmony in terms of punishment? Can't we do more on these body corporates? Is it something we can think about?

MR KIRYOWA KIWANUKA: I think if Parliament deems it appropriate, being a corporate entity, there will be an individual. If you overly extend these, you are likely to bring an action against the individual; the brain behind the entity and the entity. It is very unlikely that you will find a situation of offences of this nature where you will not bring an action against the individual because they are active offences. The person must have done something.

It is difficult. I think it would be appropriate to have these as they are because you are likely to charge both the director and manager in the company and bring an action against the company itself. However, I would be happy to receive proposals from the House.

MR BASALIRWA: Learned Attorney-General, what I had in mind is for the House to think about de-registering some of these body corporates for a certain period as a punitive measure. That is what I had in mind.

MR KIRYOWA KIWANUKA: I think there are other things that can be done administratively. I must caution Members here that we are just about to start regulating an extremely -

THE CHAIRPERSON: Look at clause 10(b), it is about the revocation of the license.

MR KIRYOWA KIWANUKA: Yes, but on deregistration, I am saying that we are just about to regulate an extremely new and rudimentary space and very sensitive. We are going to spend a lot of time teaching.

Before we get to the point of removing these entities, a lot more needs to be done. I think the Act as it is, you can revoke the license and stop them, but deregistration may be extreme. I beg to submit.

LT COL (RTD) RWAMIRAMA: I appreciate the concerns of the honourable member. Behind the recommendations of the committee, we had put two hundred currency points in the Bill, but they convinced us and we agreed to five hundred currency points. The other individual is two hundred currency points and this one is five hundred currency points. I tend to agree with the Attorney-General. I request that we move along his line.

THE CHAIRPERSON: Honourable members, I put the question that clause 8 as per the committee amendments be amended with improvement of subclause (4) by the Attorney-General.

(Question put and agreed to.)

Clause 8, as amended, agreed to.

Clause 9

THE CHAIRPERSON: I put the question that clause 9 -

MR ODUR: Madam Chairperson, clause 9 also requires a duration. So, we can amend subclause (2) to read as, "The committee shall consider the application under subsection (1)

and if satisfied that the applicant has complied with the requirements of this Act, renew the licence within a period not exceeding three months on receipt of the application.

THE CHAIRPERSON: No. They are applying three months before expiry.

DR BWANIKA: Yes, they are applying three months before expiry, but if someone has a running business and you are renewing, you cannot tell them again three months. It should be a maximum of one month because it is an ongoing business.

MR ODUR: Madam Chairperson, if you read subclause (1), it says, “A licensee shall apply for renewal of the licence at least three months before the expiry of the licence.” It means three months is okay for the committee to also renew.

MR KIRYOWA KIWANUKA: I think here, Madam Chairperson, Hon. Abed may have a point. Look at a situation where a person has a license, and applies within three months; he gives it to you, say, three months before. The entity also must reply within three months. I think we are cutting it a little bit too close.

I propose that for the licensee, for renewal, we can give it a shorter period because it exists and even the work is less.

THE CHAIRPERSON: So, do we give it one month?

MR KIRYOWA KIWANUKA: Yes. Within one month, a response should be given and that allows the entity, if it is aggrieved, sometime before the expiry of its license to take remedial action. I beg your submission.

THE CHAIRPERSON: Draft it.

MS AISHA KABANDA: Chairperson, in my opinion, it is sufficient the way it is. First of all, (1)(a) says: “at least three months”. Therefore, the onus is upon the business holder to make the application earlier.

The mood in which we have been saying “at least” was that it would not be made at the verge of three months. It can even be made within one month or two months unless we are defeating our earlier arguments. The earlier argument was saying that three months is the maximum limit. It can even come in one month or two weeks. By changing this, because of the argument the Attorney-General is giving, we are defeating the argument we gave earlier.

THE CHAIRPERSON: You see, the application and granting of a license are two different things. This is one thing you should know. What we are talking about is renewal. So, the renewal, as Hon. Abed says should be a shorter time.

MS OBIGAH: Chairperson I want to go with the argument of my sister because most of what we are talking about is what is used in intensive farming. Anybody who wants to do that would like to do it as quickly. Now, it defeats our argument when we say “at least within three months”, meaning you can do it in one week or even one day. This will help us have consistency.

THE CHAIRPERSON: Is that on the application?

MS OBIGAH: Yes. Thank you.

THE CHAIRPERSON: But the grant of it -

MS OBIGAH: It could all be in the same suite so that we are able to have consistency.

PROF. MUSHEMEZA: Thank you. Madam Chairperson, I want to agree with my sisters here. Since we started this afternoon, we have defined “within three months” to mean even one day. When we were talking about rationalisation “within three months” can even mean one day. Therefore, let us be consistent with the earlier argument.

THE CHAIRPERSON: So what are you saying? You draft it. We leave it the way it is.

DR BWANIKA: Madam Chairperson, “at least” is different from this one. This presupposes that if you do not apply three months prior, then you do not. There is a difference between “at least” and “at most”. So for this one, it should be within one month.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, I beg to inform Members that when you are renewing, you are continuing business; you give time for the inspectors to come and evaluate you. If you give it one month, we shall have a problem of clogging applications and it can be nasty. Let us keep it as it is. If you are continuing with business, you apply early –

THE CHAIRPERSON: Are you saying we keep it as it is without integrating the period?

LT COL (RTD) RWAMIRAMA: Yes, as it is written: “The renewal of licences”;

1. A licensee shall apply for renewal of licence at least three months before the expiry of the licence.

THE CHAIRPERSON: There is no contention there.

LT COL (RTD) RWAMIRAMA: Yes.

THE CHAIRPERSON: That is giving the licence. This is renewal. We are now talking about renewal. There is no contention in part one. Part two -

LT COL (RTD) RWAMIRAMA: Even one month is okay.

THE CHAIRPERSON: Honourable members, part one is about an application, and part two is about the grant of renewal. We are saying, on the renewal, it should be as short as possible.

MS OBIGAH: Madam Chairperson, we completely agree with you, but remember the –

THE CHAIRPERSON: Not with me. I am just telling you what people are saying.

MS OBIGAH: Yes, with the House. However, what we are saying is that it is not only one person who will apply for renewal. The people who applied to join the business are the same applying for renewal. Therefore, it is just a matter of consistency and time - within three months. The three months can be one week, one month or anything within - so that you are not caught off guard. Thank you.

LT COL (RTD) RWAMIRAMA: Let me first appreciate the concerns of Members. If you have a running business and you applied three months before, for renewal. The licence should be given before the expiry of the old licence. That is the best way. I agree.

MSAISHAKABANDA: Madam Chairperson, with your permission?

THE CHAIRPERSON: Yes.

MS AISHA KABANDA: Thank you so much. Clause 9(1) has no problem, but suppose 10 businesses all apply in August. The three months would expire in December. Okay. Now if we restrict the ministry to renew all of them, like a thousand of them –

THE CHAIRPERSON: It is not the ministry; it is the committee.

MS AISHA KABANDA: Yes, the committee is under the ministry. If we restrict it to renewing all of them in one month, it is very restrictive to the ministry.

When you give latitude of three months, you allow the ministry to reply to some businesses in August, others in September, and others. Three months is fine. It gives the committee good time to respond to various businesses.

THE CHAIRPERSON: Honourable members, I have realised that some of you do not have a business mind. You are just speaking English. Let us agree on the timing.

DR BWANIKA: These businesses do not apply at the same time. Each business has its own time. There is no clogging.

THE CHAIRPERSON: Hon. Lee, one month?

MR OGUZU: Madam Chairperson, I move that the committee shall consider the application under subsection (1), and if satisfied that the applicant has complied with the requirements of this Act, renew the licence within one month.

THE CHAIRPERSON: Those in favour put up your hands.

MS OBIGAH: Madam Chairperson, we are here.

THE CHAIRPERSON: Those are people with business minds. The other ones are on English. You draft for me one month.

MR KIRYOWA KIWANUKA: Hon. Lee's drafting was superb.

THE CHAIRPERSON: I put the question to that Clause 9 be amended, as proposed by Hon. Oguzu.

(Question put and agreed to.)

Clause 9, as amended, agreed to.

Clause 10

MS OKORI-MOE: Madam Chairperson, clause 10 is amended in paragraph (b) by substituting the word "registration" with the word "approval". Then, by substituting for paragraph (c) the following;

"Where there is a contravention of the requirements for a licence." It is also a consequential amendment. I beg to move.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: No objection, Madam Chairperson.

THE CHAIRPERSON: I put the question that clause 10 be amended as proposed.

(Question put and agreed to.)

Clause 10, as amended, agreed to.

Clause 11

THE CHAIRPERSON: Chairperson? Yes?

MR GEOFFREY OKELLO: Madam Chairperson, I am sorry to bring you back to clause 10.

THE CHAIRPERSON: Are you recommitting?

MR GEOFFREY OKELLO: I am just suggesting and we see whether there is a need.

THE CHAIRPERSON: Say you re-commit, then give us your explanation after.

MR GEOFFREY OKELLO: It is about revocation. When my approval is revoked, the law does not provide for me to appeal. What happens?

THE CHAIRPERSON: It is there in clause 34.

MR GEOFFREY OKELLO: Okay. Thank you.

THE CHAIRPERSON: Yes. The next, Clause 11.

MS OKORI-MOE: Madam Chairperson, clause 11 is amended by inserting a new subclause immediately before subclause (1) as follows;

"A person shall not import animal feeds without an import permit issued by the committee." Then by substituting subclause (1), the following; "A person who wishes to import animal feeds shall apply to the committee for an import permit."

An application under subsection (1) shall be made in a form prescribed by the minister by regulations.

Then, by substituting subclause (2), the following;

“An application under subsection (1) shall be accompanied with the proof of payment of the application fees prescribed by the minister by regulations.

In subclause (3), by substituting the words “twenty-four” with the words “three working days”.

In subclause (4), by substituting for the words, “of this Act” the words “prescribed in the Fourth Schedule”

- (f) In subclauses (5), by substituting the words “veterinary inspector” with the words “person responsible for the monitoring of veterinary services under the law regulating veterinary Practitioners”
- (g) By inserting a new subclause to read as follows: “the application under subsection (1), shall be considered within ten working days”

The justifications are below. I beg to move.

THE CHAIRPERSON: Let her finish. Have you finished?

MR OGUZU: Madam Chairperson, my observation is that we seem to make it easy for big people to import, and we have complicated the local production. You are giving 10 days within which the import licence should be processed, and yet for the local people who are going to produce, it is taking three months.

Ideally, we should be doing import substitution; we should be encouraging local production. However, from the structuring of Section 11, I am worried. We have not even looked at where this importer is going to be selling this thing. There is no requirement for them to meet. In addition, those premises need safety quality requirements under section 11.

Therefore, I want to invite Members, to let us try to review this section once more so that we encourage local production and substitute

imports. In any case, we should align the requirements to what the application for suitability of the premises requires.

MS AISHA KABANDA: The honourable colleague can only recommit a clause that puts licencing at 3 months. However, when the Government says we can expedite a process within 10 days, we cannot tell the Government to make it longer. So you can only ask to recommit the one that puts trade licencing to 3 months to make it shorter. But for this one that is 10 days, we applaud them for that commitment and we go with it.

DR BWANIKA: In the importation, most of the work is done in the country, which is going to import; it is not in Uganda. For us, we set our standards, and you must meet them. We give them to you so that if you are going to import this kind of feed, you know that this is what we want in our country; the work is on the other side. That is why it is only 10 days.

That import permit can be given in one day, as long as you meet the requirements. Where you are going to keep the feeds is already provided for; the premises. We have given the details of what you must do, and what you must have within the premises. So it is at different stages.

LT COL (RTD) RWAMIRAMA: Thank you, Hon. Dr Bwanika. The importation licence does not exempt you from the premises certification. We shall inspect the premises before you import.

THE CHAIRPERSON: Attorney-General is that okay with you?

MR KIRYOWA KIWANUKA: Madam Speaker, I just wanted us to go back to the removal in the proposal of subclause (4) the schedule, and replace it with this Act as per the submission I had made earlier. Actually, that is exactly what Hon. Oguzu Lee is talking about, that when the requirement is to comply with the Act, storage, sale, not schedule. I beg to submit.

THE CHAIRPERSON: I put the question that clause 11 be amended as proposed by the committee and further amended by the Attorney-General.

(Question put and agreed to.)

Clause 11, as amended, agreed to.

Clause 12

MS OKORI-MOE: Clause 12 is amended -

- (a) By inserting a new subclause immediately before subclause (1) stating as follows: "A person shall not export animal feeds without an export permit issued by the committee";
- (b) By substituting for subclause (1) the following: "A person who wishes to export animal feeds shall apply to the committee for an export permit";

An application under subsection (1) shall be made in a form prescribed by the Minister, by regulations.

An application under subsection (1) shall be accompanied by:

- (i) A sanitary certificate;
 - (ii) With the proof of payment of the application fees prescribed by the Minister, by regulations"; and
 - (iii) In sub-clauses (4) by substituting the words "in the Act" with the words "provided in the fourth Schedule".
- (c) By inserting a new subclause immediately after subclause (1) to read as follows: "The application under subsection (1), shall be considered within 10 working days"
 - (d) By substituting in subclause (3) the words "twenty-four hours" with the words "three working days".

Justification

- (i) Exporting animal feeds requires an export certificate rather than the sanitary certificate issued by the committee.

- (ii) The clause in subclause (4) mentions the requirements yet they are not stated anywhere in the Bill. I beg to move.

MS NAKUT: I have a problem with the proposal of the committee. Anything that restricts export means we are hindering our country from receiving foreign exchange. We should open it up. We are choking the market for most of the agricultural products.

So if you say that we must also control what you sell out of the country, there has to be a better reason to support that.

MR OGUZU: Madam Chairperson, I do not know if I got it right. It seems the committee is proposing that the requirement for sanitary certificates should be removed. And yet we have, over time, had complaints from our regional trade partners that some of our goods have quality issues.

I wanted the committee to address us on the economic implications. If we lose markets because we are not able to meet quality standards, which would be certified by this kind of certificate, how do we guarantee access to regional markets? You need to address us on that. Why is it that you want to remove it for this yet for import you just ignored it? It is a quality issue, which we should have certified.

DR BWANIKA: When you are exporting, it is the recipient country that is supposed to give you its standards. You cannot put restrictions on what you are exporting. They will send the standards. That is why in this export, we are not stringent, because you want to sell as much as possible. Every country where you are going to export has its standards. They will send them to you if you are going to export, and you export according to their standards and not yours.

LT COL (RTD) RWAMIRAMA: Clarification, Madam Chairperson and honourable colleagues. In this Bill, we have tried to apply internationally accepted standards. It would be very dangerous for us to start allowing things that are not of our standards. That means you will adulterate the market and contaminate your local consumers.

I would suggest that we keep it within the framework of the required standards, as it is in the Bill.

THE CHAIRPERSON: As per the committee's recommendation? Yes.

MR KIRYOWA KIWANUKA: Madam Chairperson, first –

THE CHAIRPERSON: No, as per the committee's recommendation.

MR KIRYOWA KIWANUKA: We are not removing the sanitary certificate. It is a requirement; the committee has only redrafted and set it out better, which we have no objection to. It shall be accompanied by a sanitary certificate. So, a sanitary certificate must accompany whatever you take out.

Madam Chairperson, if substandard products are said to originate from Uganda as Hon. Abed Bwanika said, the only thing is if you export bad animal feed, then that means your animals are feeding on bad feed. While you think you will be exporting animal feed, they will eventually stop your animals and products from going abroad.

We must protect the market from Uganda to show that the products getting out of Uganda are fit and proper. *(Applause)* I beg to submit that the proposal of the committee be adopted, honourable colleagues. However, clause 4, should be kept as it is, so that we are required to meet the requirements of the Act and not the schedule.

THE CHAIRPERSON: Honourable members, I put the question that clause 12 be amended as proposed by the committee and clause 4 be preserved as in the Bill.

(Question put and agreed to.)

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we concede that the exportation of the licence should be given within three months.

MR ODUR: Madam Chairperson, under subclause (1), it is already stated that a person who wishes to export animal feeds shall apply to the committee for a sanitary certificate in the form prescribed by regulation at least 10 working days before the animal feed is exported. If we put three months now – If I have applied 10 days prior, it should be less actually; either the same or even fewer days.

MS NAKUT: Madam Chairperson, I had earlier communicated that it is very bad to make exporting difficult. When you increase from 10 to three – we are taking 10.

LT COL (RTD) RWAMIRAMA: I beg for your correction. Madam Chairperson, we concede to the 10 days.

MR ODUR: Madam Chairperson, then subclause (4) should read that “The committee shall, if satisfied that the applicant meets the requirement of this Act, issue a sanitary certificate specifying the point of exit to be used for exporting the animal feeds specified in the certificate within a period not exceeding 10 days on receipt of the application.”

THE CHAIRPERSON: Honourable members, I put the question that clause 12 be amended as proposed by the committee and improved by Hon. Odur on subclause(4).

(Question put and agreed to.)

Clause 12, as amended, agreed to.

Clause 13

MR BASALIRWA: Learned Attorney-General, when you look at clause 7, clause 8 and subsequent clauses in this Bill on the issue of the punishment, we have been envisaging both persons; the human sense and corporate bodies, and providing punishments for both.

When you look at clause 11, which we left, and clause 12 on the issue of punishment, there is no specific provision on body-corporate. It seems the focus is on the assumption that it will be persons and not body-corporates, and I see it flowing through other provisions.

I wanted to bring it to your attention on whether it would not be proper to have that distinction, in terms of punishment across. I know some of it has been left out, maybe for purposes of clarity and consistency.

MR KIRYOWA KIWANUKA: I think when we get to the interpretation clause, we shall define both person and corporate entity. When you look at the offences for which the corporate entity was being taken up, my reading of it and I think it may have been an oversight on our part in drafting – a “person” meant both “person and corporate entity”. However, for offences where we wanted to separate a penalty for both a person and then also the corporate entity, we did that.

We shall clean it up. Let me go and try to draft the definition of “person” and “corporate entity” so that we can be clear when we come back to clause 2. Thank you.

THE CHAIRPERSON: Clause 13 –(Ms Aisha Kabanda rose_) On which clause?

MS AISHA KABANDA: It is on the question that honourable –

THE CHAIRPERSON: Let him come with what is being redrafted first.

MS AISHA KABANDA: Maybe, this will help the redrafting.

THE CHAIRPERSON: We stood over clause 2, so we will define it.

MS AISHA KABANDA: It is not about the definition of clause 2; it is about clause 12. While –

THE CHAIRPERSON: We have finished clause 12. Clause 13 –

MS OKORI-MOE: Madam Chairperson, clause 13 is amended by inserting, immediately after the words “other substances”, the words “derived from animals or carcasses”. This is to specifically qualify the other substances referred to in the law. I beg to move.

THE CHAIRPERSON: Minister.

LT COL (RTD) RWAMIRAMA: We agree.

THE CHAIRPERSON: I put the question that clause 13 be amended as proposed.

(Question put and agreed to.)

Clause 13 as amended agreed to.

Clause 14 agreed to.

Clause 15

MS OKORIE-MOE: Clause 15 is substituted for the following;

- (1) “A person shall not produce or sell animal feeds, which contain a contaminant beyond the prescribed limits.
- (2) The Minister shall, in consultation with the Uganda National Bureau of Standards, by statutory instrument prescribe the contaminant and the acceptable limits of the contaminant that may be contained in the animal feeds.
- (3) A person who produces or sells animal feeds, which contain a contaminant beyond the prescribed limit commits an offence and is liable on conviction to a fine not exceeding 550 currency points or to a term of imprisonment not exceeding five years or both.
- (4) In addition to the penalty in subsection (3), court may order for the destruction of the animal feeds at the expense of the producer or seller as the case may be”.

Justification

Contaminants are harmful, poisonous and have a high probability of causing infections to animals. Clause 29 provides for the offense of contaminating animal feeds, and therefore clause 15 is merged with clause 29. I beg to move.

THE CHAIRPERSON: Yes, Professor, you have all the energy.

PROF. MUSHEMEZA: Madam Chairperson, I listened very well to the definition of a contaminant from the chairperson of the committee, how it is harmful and dangerous. Why should we allow any level of contaminant in our law?

The way it is, suggests that we shall allow a certain level of contaminants and yet the definition of contaminants brings in concepts of harm and danger. Why should we allow that kind of level of contaminants?

THE CHAIRPERSON: There are some things you cannot avoid. Some of these are fermented like you make silage. Yes, Dr Bwanika -

DR BWANIKA: Madam Chairperson, the international standards prescribe these levels of contaminants. There are contaminants you cannot avoid in these feeds. However, the key is the level. And these standards are not only for Uganda.

There will be some contaminant in a feed, but when it goes above a certain level, it becomes dangerous, not only to the animal, but also to the human. We cannot make a law saying that there will be no contaminants.

THE CHAIRPERSON: By the way, not all contaminants are harmful. Dr hold on-

DR AYUME: Thank you, Madam Chairperson. I agree there is an acceptable level of contaminants. However, putting it in the law and accepting it, for me, is a recipe for disaster. We can say the standards will be set, because accepting that there are going to be contaminants, gives cowboys a window of opportunity to manoeuvre.

I think it should be removed from there because if you look at water from national water, there is an expected standard of coliforms in the water we take beyond that, then it is hazardous. Putting it in the law for me is –

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. We are talking about the same thing, but the contaminants are incidental, not deliberate, because of storage and handling.

However, there are international standards beyond which they become dangerous and not acceptable. This is not the first time we put this in the law. We have it in the Dairy Act.

While I agree with the doctor, it is not good to hide our heads in the sand. It is better to set the standard so that everybody knows and clarity of the law is better.

MR ODUR: Let us first get the clarification from the chairperson because, under 15 and 29, the intention is to prohibit- they have merged it, but the intention is not to have this headline “contaminants in food” as if they are saying that you can put some.

The intention is to prevent anyone from selling or taking into the market something that they are aware is contaminated. Now that you suggest merging 15 and 29, if you look at 29, would it substitute better for this 15 so that we just delete 15 and retain 29?

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. I agree with the proposal of the Member. In the committee, that is what we had in mind.

THE CHAIRPERSON: Actually, the committee deleted 29.

LT COL (RTD) RWAMIRAMA: They should have retained 29.

THE CHAIRPERSON: So, we delete 15 and reintroduce 29. Committee Chairperson, clause 15 is deleted and replaced with 29.

MS OKORIE-MOE: We agree, Madam Chairperson, that 15 be deleted.

THE CHAIRPERSON: Attorney-General have you been following? Should we delete 15?

MR KIRYOWA-KIWANUKA: Madam Chairperson, we have understood the concerns of both Members and I think you are correct. It is a drafting style. The Members are asking, “Why must we allow any contaminants?”

However, the minister and Government are saying that there is no feed without contaminants. So we are going to try and redraft this to require persons to sell these products and prohibit those that do not comply with the set standards. So that we do not say, take the contaminants. If you allow us to work, if we can stand over 15-

THE CHAIRPERSON: No, we delete 15 and you work on 29.

MR KIRYOWA KIWANUKA: Or, we delete 15 and work on 29? Most obliged.

MR BASALIRWA: Madam Chairperson, as we talked about deleting 15, there is an aspect in 15 that is not in 29. That in my view has to be captured.

THE CHAIRPERSON: We will amend. You quote the aspect and then we take it to 29.

MR BASALIRWA: 15 (4).

THE SPEAKER: Wait for 29. I put the question that clause 15 be deleted.

(Question put and agreed to.)

Clause 15, deleted

Clause 16

THE CHAIRPERSON: Committee Chairperson.

MS OKORI-MOE: Madam Chairperson, clause 16 is amended in subclause (1) by deleting the word “use” and inserting a new subclause –

THE CHAIRPERSON: When you look at her document, she brings in a new clause. We are saying the new clause should come after clause 29. Let us look at clause 16.

MS OKORI-MOE:

- b) by inserting a new subclause after subclause (1), the following: “A person shall not knowingly use animal feeds containing prohibited substances.”
- c) in subclause (3) by deleting the word “uses” and substituting for the words “two hundred fifty” with “seven hundred” and “five years” with “seven years.”
- d) in subclause (4), by deleting the word “user.”

The justification is that the user has limited or no mechanisms of detecting the prohibited substances in order to be penalised for using the prohibited substances. I beg to move.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

MR KIRYOWA KIWANUKA: I have nothing useful to add. It is a bit technical for me, but the drafting looks good.

MR OGUZU: Madam Chairperson, I would like to disagree with the committee’s proposal arising from the guidance offered by our good doctor here. If we remove “use” from those sections, it means anybody in this country, even for their subsistence, can feed animals on any substance. This thing is going to get to the market and will pose a health risk.

We are a lot better not deleting the word “use” so that it is a standard practice for whoever would like to engage in that industry. That way, we will be able to promote an industry everybody is proud of. However, if we say, the subsistence person can feed things on it - we know all the subsistence products get to the market and we are consumers. So, why should we encourage practices that cannot support the industry in the long run? I think the way the Bill is, is perfect.

THE CHAIRPERSON: Attorney-General, there is this aspect of “A person shall not knowingly use animal feeds containing a prohibited substance”. Now there the burden

of proof - A person will say, "I did not know," so the prosecutor must prove.

MR KIRYOWA KIWANUKA: Madam Chairperson that is where the issue is. It is difficult to have a person commit an offence when he does not know he is committing the offence. I have bought a product, got the certification, it is here; it has been imported, and I have sold it. Then I am found to have sold a product, which is adulterated. This can expose our people to a great degree of risk.

Therefore, the "knowingly", I think is a good addition because this is now criminal. You have purposefully gone out to do it. That will then address the issue of "uses". If I knowingly use contaminated products, then there is a problem.

It would be very difficult to have a person have a strict liability offence to use a product, for example, the one that he does not produce and is imported into the country. Here, we are saying "...shall not knowingly..." The introduction by the committee puts a good drafting proposal.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we are dealing with an infant industry. The reason we conceded to the committee - I am a livestock farmer. I make silage on my farm, but somehow it can go wrong. It is not that I have done it knowingly. The people argued and we said maybe, the advice of the Attorney-General would be the middle ground.

Otherwise, you notice that in the Bill, we actually agree with you. Since we are dealing with an infant industry, I think we can tighten the nuts later as we move on.

THE CHAIRPERSON: Honourable minister, are you agreeable to the committee's amendment?

MR KIRYOWA KIWANUKA: We are agreeable to the committee's amendment, but we just propose that the proposal to delete "use" and "user" be rejected by the committee

because we have introduced "knowingly." If a person knowingly uses it, then he commits an offence. I beg to submit.

THE CHAIRPERSON: I put the question that clause 16 be amended as proposed by the committee and amended by the Attorney-General.

(Question put and agreed to.)

Clause 16, as amended, agreed to.

Clause 17

MS OKORI-MOE: Madam Chairperson, clause 17 is amended -

- (a) in subclause (1) by substituting for the words "or produce locally" and wherever those words appear in this clause with the words "produce or package".
- (b) in subclause (5), by inserting immediately after the words "importer or producer," the words "person who packages."
- (c) by inserting a new subclause after subclause (5), the following:

"For purposes of this section,

- (i) "veterinary drugs", means substances or compounds, including medicinal products, vaccines, bio-preparations, microorganisms and chemicals that are permitted for use in animals for prevention, treatment, diagnosis, rehabilitation and or improvement of growing and reproductive functions of animals.
- (ii) "hormones" means chemicals synthesised and produced by the specialised glands to control and regulate the activity of certain cells and organs.

Justification;

- (i) Use of the words "produce locally" is vague and redundant.
- (ii) Veterinary drugs or hormones can be mixed with animal feeds at the time

of production, manufacture or packing and thus require to be approved by the National Drug Authority. I beg to move.

MR KIRYOWA KIWANUKA: I have no objection to that amendment. They are very technical as well.

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. We agree. We discussed this with the scientists.

THE CHAIRPERSON: I put the question that clause 17 be amended as proposed.

(Question put and agreed to.)

Clause 17, as amended, agreed to.

Clause 18

MS OKORI-MOE: Madam Chairperson, clause 18 is amended by inserting a new subclause after subclause(1) to read as follows;

- (a) "A person referred to in subsection (1) shall submit samples of animal feeds produced by his/her production unit of every batch periodically for testing with the feed quality control laboratory approved by the committee for conformity to standards formulated by the Uganda National Bureau of Standards."
- (b) By substituting subclause(2) the following: "The person referred to in subsection (1) shall retain the services of animal nutritionists who shall be responsible for adherence to standards formulated by the Uganda National Bureau of Standards."
- (d) By inserting a new subclause after subclause (3), the following: "The minister shall publish in the Gazette and in a newspaper of nationwide circulation the list of the approved analytical laboratories".

The justification is below; I know Members have read it. I beg to move.

THE CHAIRPERSON: Honourable minister-

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

THE CHAIRPERSON: Attorney-General-

MR KIRYOWA-KIWANUKA: I have no objection.

THE CHAIRPERSON: I put the question that clause 18 be amended as proposed.

(Question put and agreed to.)

Clause 18, as amended, agreed to.

Clause 19, agreed to.

Clause 20 agreed to.

Clause 21

MS OKORI-MOE: Madam Chairperson, clause 21 is amended by inserting a new subclause after subclause (1), the following; The label on a package shall indicate the following:

- (a) Species of animals for which the animal feeds are intended;
- (b) constituents and proportional percentages of the ingredients;
- (c) additives if any;
- (d) production, manufacture and expiry date;
- (e) any other information as the minister may prescribe by regulations.

I beg to move.

The justifications are there.

THE CHAIRPERSON: What are the justifications?

MS OKORI-MOE: The justification is to require labels to have all the necessary information as required by the World Food Programme Codex Committee on Nutrition and Food for Special Diet Use CXGI-1985. These are technical issues. I beg to move.

THE CHAIRPERSON: Thank you.

punishment for not securing the animal feeds.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree.

I beg to move.

THE CHAIRPERSON: Attorney-General-

MR KIRYOWA KIWANUKA: I thank the committee for this addition. Thank you.

MR KIRYOWA KIWANUKA: Madam Chairperson, I beg to persuade you and the committee to abandon this. The Cabinet, when going through this Bill, ventilated this issue of transportation. I was very pleased with the committee's assistance in removing the transportation in other areas. At the time, they said that they should just be required to use means that secure animal feeds from exposure. It is more educative. The methods of transportation of animal feeds in this country today are still rudimentary. The requirements that are being put here are simply going to create a new burden on a very nascent industry.

THE CHAIRPERSON: Thank you. I put the question that clause 21 be amended as proposed.

(Question put and agreed to.)

Clause 21, as amended, agreed to.

Clause 22

THE CHAIRPERSON: Clause 22. Hon. Silwany, stop making our ministers to talk.

I beg to persuade you, Madam Chairperson, and members of the committee and the House at large, to leave the provision in the Bill as it is, but maybe just to say "A person who transports animal feeds." I beg to submit.

MS OKORI-MOE: Madam Chairperson, clause 22 is amended

(a) by substituting the words "Licenced to Transport" with the words "Who Transports"

DR BWANIKA: Madam Chairperson, my proposal is to delete the entire clause 22.

(b) by inserting new subclauses as follows;

THE CHAIRPERSON: No, we can maintain it as it is and replace "the person who transports."

"The minister may, by statutory instrument, prescribe the means of transport that secure animal feeds from exposure to damage or contamination."

DR BWANIKA: Yes, Madam Chairperson, there should be no regulation on transporting these feeds-

"A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding 200 currency points or a term of imprisonment not exceeding one year."

THE CHAIRPERSON: That is why we are keeping it as it was.

Justification

(i) Transporting animal feeds may not need to be licenced, since some farmers use bicycles, wheelbarrows, motorcycles/*boda boda*. What the law should provide for is how secure such animal feeds should be transported;

LT COL (RTD) RWAMIRAMA: The clause intended to make sure that between procurement and delivery, the feeds are transported safely. In my opinion, leaving as it is, may serve a purpose and guarantee consumers safe products. In this House we have waived taxes, for instance, on refrigerated trucks for that transport fish, meat and milk, their tax is zero rated.

(ii) The Bill had not provided for the permissible means of transport and the

Therefore, it will be very dangerous to allow any form of delivery of handling, as we have

seen some of our people carrying fish from Entebbe on a *boda boda* when it is naked, carrying meat from meat packers just open. I think leaving it as it is, in my view, would serve the purpose.

THE CHAIRPERSON: What we can do; let us say a person licensed to transport animal feed shall use means of transport that secures the animal feed from exposure to damage or contamination.

Now here it should be “a person who transports” - not licensed, but “a person who transports”.

MSAISHA KABANDA: Madam Chairperson, thank you for the clarification to the minister. We already amended; this is consequential. “A person licensed to transport” was amended to read “a person who transports”. It is a consequential amendment because we made an amendment earlier that transport cannot be licensed.

In addition, leaving it the way it is stated makes it redundant. Now, suppose the person does not, what next? Because the committee had gone ahead to put punitive measures. If a person does not transport feeds as prescribed, what happens? I want to agree with the Attorney-General that this is still a young and fragile industry. We are regulating transport of feeds, but have you seen how animals are being transported? Cows suffer during transportation and we have not regulated that. These are feeds, not vaccines. It is vaccines that will get spoiled in a very short time, but these are feeds that have been secured while in storage and are being transported from one place to another.

I agree with Hon. Bwanika that we delete this. It is redundant, especially if we do not put punitive measures. If a person does not transport the way you have prescribed, then what? If there are no punitive measures, it is a redundant clause. So, I agree with Hon. Bwanika that we delete this.

THE CHAIRPERSON: Hon. Aisha Kabanda, here we are saying you have kept the feeds well. Now, in the process of transportation, you must secure them from damage or contamination.

MS AISHA KABANDA: Thank you, Madam Chairperson. Let us speak reality. We are transporting from Kampala to Butambala to Kaberamaido. It is transport for a couple of hours and people transport on trucks. What do we expect them to do? These are not vaccines which are going to get spoiled or that need to be put in containers.

THE CHAIRPERSON: You package it well.

MS AISHA KABANDA: Maize bran is put in sacks. The practice - like for example, for maize bran, people get it from one maize mill to a homestead. Let us be very practical about how people will carry maize bran from supply points to their farms. It appears redundant.

THE CHAIRPERSON: Yes, Hon. Odur.

MR ODUR: Madam Chairperson, it is not redundant. Firstly, the punishment is provided under Clause 34(3). So, for any other place where there is need for punitive measures, the minister has leeway and it is provided there.

But also, by regulation, if it is necessary, the minister can then prescribe. So, I find the proposal of removing the license okay.

THE CHAIRPERSON: To the transporter?

MR ODUR: Yes, so under transport, the minister can then prescribe the standard necessary because we may have one vehicle, which is multi-purpose. If today I am transporting cows, I can remove certain things and then if I want to transport feeds, I can put in other things. The minister can deal with that.

THE CHAIRPERSON: I put the question that Clause 22 be amended by removing the license to a person who transports.

(Question put and agreed to.)

Clause 22, as amended, agreed to.

Clause 23

MS JANET OKORI-MOE: Madam Chairperson, Clause 23 is amended –

- (a) By substituting for subclause 2, the following:

“(2) The committee shall consist of the following persons:

- a) The commissioner responsible for animal production, who shall be the chairperson of the committee;
- b) The commissioner responsible for crop inspection and certification;
- c) The commissioner responsible for animal health;
- d) The commissioner responsible for aquaculture;
- e) A representative of the Uganda National Bureau of Standards;
- f) A representative of producers of animal feeds for commercial purposes;
- g) A representative of commercial livestock farmers;
- h) A representative of commercial poultry farmers;
- i) A representative of commercial fish farmers.”

- (c) Insert new subclauses immediately after subclause (2) to read as follows:

“The minister shall designate an officer responsible for animal nutrition as the secretary to the committee, who shall be ex-officio. The committee may delegate some of its functions to one of the commissioners who is a member of the committee.”

- (d) By substituting in subclause 3 the words “subsection 3(g)” with the words “subsection 2(g,h,i,j)” and

- (e) By substituting in subclause (5) for the word “invite”, the word “co-opt”.

Justification

- (i) The committee should have officers whose mandates are specifically related to animal feed production;
- (ii) Representation to the committee should be by the affected society that the law intends to regulate.

I beg to move.

MS AGNES KUNIHIRA: Thank you, Madam Chairperson. I think this amendment should be dropped. Looking at the composition in Clause 23, it is talking about the technical staff and looking at the responsibilities and duties they are going to carry out, it is about issuing licenses daily.

So, as they have recommended, bringing on board the other team members will not serve the purpose. However, under (5) in the same clause, they can take up those people as a special committee which can advise stakeholder committees on day-to-day activities, but not directly getting involved in issuing licenses and supervising everything. Thank you.

LT COL (RTD) RWAMIRAMA: Madam Chairperson, I have reservations about this recommendation of the committee. Firstly, this is a subject matter specialist and in the wisdom and spirit of the Bill, you have people who are already employed by the Government doing the jobs from different stakeholder perspectives.

Bringing in these people - As she said, you cannot have a representative of the farmers, producers, et cetera, appearing every time they meet in the committee. I think, as it is in the Bill, let me ask my learned Attorney-General to advise, but for us, we have reservations; we want to maintain it as it is in the Bill.

MS AISHA KABANDA: Chairperson, before the Attorney-General comes in, I was submitting that the minister is shooting down the proposal of the committee by saying that this is a committee of specialised people already in Government employment but subsection (G) talks of three animal farmers.

That means you envisaged the situation of bringing in animal farmers, except that the committee has been specific. Now, to mention the animal farmers - They are saying, no, where you said ‘animal farmers’, do not clamp it together. Bring one for fish, one for animals, and one for poultry. So, you cannot shoot down the committee’s argument of bringing in

farmers because in the Bill, you already put in farmers.

I want to know from the chairperson of the committee, why are you dropping the commissioner in charge of extension workers? I think it is (b), the commissioner responsible for extension services. Why are you dropping it out yet it is something that needs a lot of education, as they said and it deals with people?

Three, why don't you find it necessary to add someone responsible for the end users? You have said that even you who is rearing and producing feeds for your animals could go to the market. That means we are looking at the consumers. Couldn't we also have a commissioner from the Ministry of Health to be able to understand the effect of the animal feeds on human beings? We are looking at the animals alone, what about the consumers? One should look at the effects of the feeds that we are taking in. I have a question on that.

I would also like to know why she has phased out extension workers and also why the minister is shooting down the proposal of animal farmers, poultry and fish yet in the original Bill, the three farmers were looked at. Thank you.

DR BWANIKA: Madam Chairperson, I disagree with the ministry on the proposal of the Bill concerning the commissioner responsible for agricultural mechanisation which has nothing to do with feeds totally. That is not relevant. He is not a subject matter specialist on feeds. I see a commissioner responsible for crop protection which has nothing to do with feeds. The committee looked at crop inspection and certification. Crop comes in at inspection and certification because of the raw materials.

Madam Chairperson, I would like to implore the minister to look at the proposals of the committee critically. For instance, the committee added a commissioner responsible for aquaculture. Honourable minister, you know that most of the users of these feeds are in the fisheries. We need someone from fisheries and aquaculture on this committee because they are the users.

I request that we critically look – I understand your fears of people who are not employed by the ministry. Remember the reservation we had on the committee versus council. This would have been a council but the Government said that they did not want to create new bodies. That is why we have a problem. Therefore, we need to look at it critically. The proposals of the committee are good and they need to be looked at in detail.

MR KIRYOWA KIWANUKA: Thank you, Madam Chairperson. I dare not speak about the specialities of these particular persons. I will leave that to the minister and the technical people.

However, I must state that agricultural mechanisation is an important part of the Government policy on agriculture today. If we are going to grow the sector of animal feeds, as you can see we are talking about feeds, we must prepare for mechanisation to make it big.

We must remember that this Animal Feeds Bill comes at a time when the Government is seriously encouraging people to carefully and maximally use the little available land. That is very important as far as policy is concerned.

We discussed earlier the issue of the Uganda National Bureau of Standards (UNBS) that sets the standards, but let someone else regulate them. UNBS is not a good player in this space.

How will you elect the representative of producers of animal feeds, commercial stock farmers, and poultry farmers? How will pick them or determine them? We cannot choose to make a law and we say we shall have a representative from a body that does not exist. The law that was made here says three animal farmers. They could be government employees or private employees as long as they are farmers and, therefore, they use – The minister will go out and look for farmers, even in his constituency, as long as it is in Uganda and make those people members of that committee. That is extremely important.

Therefore, regarding the issue of representation, the Government would like to hear the views of

the private players in the industry, but how we get them to participate is very important. If we write a law which entails the representatives - I would like members of the committee to advise us on how these representatives are going to be determined. What the law anticipated was that the minister was going to go and find farmers.

With associations, we are going to create unnecessary chaos in an industry which had no chaos. Let the minister go and find three farmers who are participating in this space and use their expertise to support this. I strongly wish to recommend to honourable colleagues that we keep the committee, as proposed in the Bill. What the minister probably needs to address the Members on is the issue of aquaculture. That subject matter expertise – *(Interjections)*– Concerning health, may be let me answer that.

Honourable colleagues, remember we were here earlier discussing the food and drug – NDA Bill, and its connection to animals. There is a whole industry dealing with that food and the Government operates that way. Once this committee operates and does its work, it ends up in Cabinet, Parliament and then we make Government policies on this. Otherwise, we are going to start blotting these committees. We do not want to create governments within governments. This is an industry meeting with another. Therefore, the Ministry of Health is definitely in Cabinet and it was present when we were discussing this Bill.

I must also tell you that there are serious legal matters involved in this and we might need to involve a legal expert in this committee. As you go on and on, you will find that practically all the professions that are sitting in this room are required in this, but it does not mean that they must all sit on this committee at the same time. I beg to submit.

MS AISHA KABANDA: Attorney-General, I need clarification. These animal feeds are majorly consumed by people in the fishing and poultry industry. How would we take care of all those departments regarding the three animal farmers you have put in the law?

MR KIRYOWA KIWANUKA: My understanding, Madam Chairperson –

THE CHAIRPERSON: Interest yourself on subclause 5 of the law.

MR KIRYOWA KIWANUKA: Yes, on the expert, but I was going to say that in clause 23(f), you have a commissioner responsible for animal health. If the animal is healthy then what you eat is healthy and your health is taken care of. However, if the committee needs expertise at any one time with respect to human health, they will go to clause 5.

Today, as they discuss FMD, it is directly in the Ministry of Agriculture, Animal Industry and Fisheries, but they get people from the Ministry of Health to make these determinations, as a matter of fact. I think the law, as is now, allows the committee sufficient room to get any expert that it requires to be able to do this work. I beg to submit.

THE CHAIRPERSON: Attorney-General, are you supporting the original Bill?

LT COL (RTD) RWAMIRAMA: I would like to allay the fears of the Members. We can amend the three farmers to mean one each from animal, crop and fisheries to take care of the Members' concerns. Otherwise, I agree with the Attorney-General that Clause 5(5) takes care and gives the minister room for recruitment.

DR BWANIKA: Madam Chairperson, I would like to propose that we substitute in Clause 23(c), “the commissioner responsible for aquaculture” instead of “commissioner responsible for crop” because we already have another commissioner who is an expert in crops.

THE CHAIRPERSON: Yes, it is aquaculture. Honourable members, I put the question that clause 23 be amended to include “Commissioner for Aquaculture in 2(c).”

MS AISHA KABANDA: There was an amendment about the three farmers - We can

remove it. Just leaving it as, "...and three animal farmers" is subject to being abused. After all, we already have a section below that provides for experts, if you need them. These commissioners can represent people in different fields.

I, therefore, move that we delete that particular one that calls for three farmers. If we cannot delete then let us take care of birds; include poultry and fisheries other than saying "three farmers of animals" because we are not legislating for only animal husbandry. There is also poultry and fishing.

MR KIRYOWA-KIWANUKA: We have so many animals - *(Interjection)* Madam Chairperson, I did not talk about those animals. There are so many animals that are not provided for here and the needs of the country are going to keep adjusting.

Today, we may be talking about a need for a farmer who is very astute in aquaculture, but that industry may grow and become astute enough that you can leave it alone and you need experts in another space. Here, you can only trust the minister to make a good choice of three animal farmers at any given time.

THE CHAIRPERSON: Honourable members, this is the new law. Where we feel we need an amendment, we will amend. I put the question that Clause 23 be amended into (c) as proposed by Dr Abed Bwanika.

(Question put and agreed to.)

Clause 23, as amended, agreed to.

THE CHAIRPERSON: Clause 24.

MS OKORI-MOE: Madam Chairperson, Clause 24 is amended in sub-clause 1 paragraph (a) by substituting the word "register" with the words "approve" and wherever it appears in the provision. In subclause 1, paragraph B, by deleting the word "transporters". In subclause 1 by inserting new paragraphs immediately after paragraph B to read as follows:

"Issue sanitary certificate and import permits."

"Approve feed quality control laboratories."

In subclause 2, by inserting the words "Secretary of" before the words "the committee" and by deleting paragraph E. Then by inserting a new subsection after subsection 3 as follows: "The secretary to the committee shall, in collaboration with the Local Governments, ensure that animal feeds are produced, stored or sold in safe and fit premises as prescribed in the Second Schedule."

By inserting a new subclause immediately after subclause 1 to read as follows: "The committee shall, in exercise of its function under subsection 1(b) in respect of imports and exports, comply with the international agreement for the creation of the World Organization for Animal Health."

Justification

- (i) Consequential amendments in clauses 3 and 12.
- (ii) To have an administrative body responsible for enforcing the Act.
- (iii) To link collaboration between the ministry responsible for animals and the ministry responsible for local Governments.

I beg to move.

THE CHAIRPERSON: Attorney-General -

MR KIRYOWA KIWANUKA: Madam Chairperson, I have no objection to the provisions in the proposals made in A, B, C, D. I would like to amend the requirement to comply with the Schedule, as we have been doing, to be a requirement to comply with the law.

However, I propose that the proposal in D, that, "The committee shall, in exercise of its function under subsection 1(b) in respect of imports and exports, comply with international agreement for the creation of World Organization for Animal Health" be deleted.

Fortunately, the committee has not even given a justification for doing that. It is also not very good drafting to bring the import of agreements out there into applications in the law because then, we are asking the Ugandans to go and get the World Organization on Animal Health. We do these Acts so that a person can pick the law and read everything in there.

Secondly, if we have ratified these agreements, there is a process provided for in the Constitution under which they are brought into operation by law. They have to be ratified by Cabinet, brought to Parliament and domesticated by law. This is not a good idea to try and domesticate an agreement through a provision in a law. I beg to submit. Thank you.

THE CHAIRPERSON: Thank you.

MR OGUZU: Madam Chairperson, I foresee a situation where persons who will be beneficiaries of this law get aggrieved and must appeal to this committee to hear their grievances and determine whatever concerns they may have.

As a function, and also building on the minister's assurance that there may be functions they can delegate to the lower local administrative units, I also foresee a situation where decisions made by those people may injure someone or someone disagrees with them. It is only right that somebody should be able to come to this committee and appeal such decisions.

Attorney-General, if you permit, I therefore move that one of the functions of this committee should be to hear and determine appeals from people who feel that there was breach of any of these obligations provided within the Act.

MS OBIGAH: Madam Chairperson, before the Attorney-General answers, I see either a lacuna or an ambiguity on the various bodies to handle the cases as they are not definite. If a law is left in suspension, you will find other people abusing it.

There is a section, as she was finishing, which states "other bodies". Which bodies? Thugs or

LCIs can arraign those who do not even know the level of crime committed and say, "We want to hear this and pass a judgment." Thank you.

THE CHAIRPERSON: Attorney-General, maybe you would refer to Clause 34 on appeals. All that is being done in the law can be appealed under Clause 34.

MR KIRYOWA-KIWANUKA: Madam Chairperson, Clause 34 is the decision of the committee. This law is making the decisions of all these people across the country. There is a delegated decision of the committee.

We do not want to have so many decision makers all over the country. If a person is delegated a function at a district to issue licences, he is issuing that on delegated authority of the committee. Therefore, when a decision is made and a person is aggrieved, he does not go back to the committee because he is delegated. He goes to the minister. We are trying to avoid the number of times a person could appeal - you appeal to the committee then you appeal to the minister - and this is business. When a decision is made and you are aggrieved on the delegated function, you carry it straight to the minister.

THE CHAIRPERSON: Honourable members, I put the question that Clause 24 be amended as proposed by the committee and the Attorney-General.

(Question put and agreed to.)

Clause 24, as amended, agreed to.

Clause 25

THE CHAIRPERSON: Can we move a little faster?

MS OKORI-MOE: Madam Chairperson, Clause 25 is amended -

- (a) In subclause (3) by substituting the words, "have an interest in," with the words, "be a producer, importer, exporter or seller of";

(b) by inserting a new subsection as follows:
“The minister may, by regulations, prescribe the qualification of the animal feeds inspector.”

Justification

The use of the words “have an interest” is misleading and ambiguous. I beg to move.

THE CHAIRPERSON: Minister?

LT COL (RTD) RWAMIRAMA: Madam Chairperson, I have no objection.

THE CHAIRPERSON: Attorney-General?

MR KIRYOWA KIWANUKA: No objection.

THE CHAIRPERSON: I put the question that Clause 25 be amended as proposed.

(Question put and agreed to.)

Clause 25, as amended, agreed to.

Clause 26

MS OKORI-MOE: Madam Chairperson, clause 26 is amended -

(a) In subclause (1) by substituting for paragraph (a), the following: “Inspect premises approved for the production, storage or sale of animal feeds under this Act to verify compliance with the condition of approval or standards, as may be prescribed by regulations made under this Act”;

(b) in subclause (1), by deleting paragraph (b);

(c) in subclause (1), by inserting a new paragraph immediately after paragraph (c) as follows: “To inspect animal feeds produced, stored, imported, or sold, to ascertain the compliance with the standards formulated by the Uganda National Bureau of Standards (UNBS).”

Justification

(i) Paragraph (b) is already covered in paragraph (a).

(ii) Consequential amendments of clause 3.

(iii) To empower the animal feed inspector to enforce compliance with the standards formulated by UNBS.

I beg to move.

THE CHAIRPERSON: Honourable minister?

LT COL (RTD) RWAMIRAMA: Madam Chairperson –

THE CHAIRPERSON: Can you say “by established standards” so that it is beyond UNBS?

LT COL (RTD) RWAMIRAMA: I agree to the amendment.

THE CHAIRPERSON: Own the amendment by saying, “by established standards.”

LT COL (RTD) RWAMIRAMA: I agree to the amendment to replace “UNBS” with “established standards”.

THE CHAIRPERSON: I put the question that Clause 26 be amended as proposed by the committee and Minister Bright.

(Question put and agreed to.)

Clause 26, as amended, agreed to.

Clause 27

MS OKORI-MOE: Madam Chairperson, clause 27 is amended –

(a) In subclause (I) –

(i) by deleting the words, “during daytime,”

(ii) In paragraph(a)(iii) by inserting the words, “for analysis and testing to

determine the conformity of the animal feeds to the standard set by UNBS” immediately after the words, “preparation of animal feeds.”

- (iii) In paragraph (a)(iv), by inserting the words, “use in production, importation, exportation or sale of animal feeds” at the end of the subparagraph;
- (iv) In paragraph (c)(iii) by inserting the words, “for analysis and testing in unapproved laboratory to determine the conformity of the animal feeds to the standards set by the UNBS”, immediately after the words, “animal feeds,”;
- (b) In subclause (3), by deleting the word “suitably”.
- (c) In subclause (4), by substituting for the following: “Where the animal feeds inspector is satisfied that the animal feeds examined are unfit for animal consumption, the inspector shall apply to court for an order of destruction.”
- (d) Insert a new subsection immediately after subsection (4) as follows: “Where the court orders destruction in subsection (4), the cost of destruction shall be borne by the producer, importer, exporter or seller, as the case may be.”

Justification

- (i) Animal feeds inspector may pick samples or any substances for purposes of analysing and testing them as to whether the animal feeds produced contravene this Act.
- (ii) Subclause (1), the provision for seizure of books or any other documents is not necessary as books are just literature and such literature is not related anywhere to the contravention of this Act. I beg to move.

THE CHAIRPERSON: Let us first hear from the honourable minister.

LT COL (RTD) RWAMIRAMA: I agree with the amendments except in paragraph (a) (iii) where they are inserting the word, “for analysis and testing to determine the conformity of the animal feeds to the standard set by the...”

I would like to use the earlier consequential amendment to say, “the animal feeds as per the established standards.”

MS OBIGAH: To help the minister make it better all through, we should substitute “UNBS standards” with “established standards,” other than going back to the same thing. The chairperson should be able to put “established standards” so that we do not repeat ourselves. Thank you so much, Madam Chairperson.

THE CHAIRPERSON: Okay. Yes, Taaka -

MS TAAKA: Madam Chairperson, there is something about testing the feeds in the laboratory. I wonder about our capacity, as we legislate. Where are these laboratories located for testing of these feeds?

THE CHAIRPERSON: We have them. The silage that we give to cows is tested in the laboratory. You know, until you are a cattle keeper –

MS TAAKA: No, they are not everywhere.

THE CHAIRPERSON: They are there. Yes, Amos.

MS AMOS OKOT: Thank you, Madam Chairperson. I have a small issue on clause 27(iv) where the animal feeds inspector – If we grant the person the power to chase any books, records, documents found in or upon such premises, or placed -

In a situation where maybe somebody has been given a licence to produce or to store then on the other hand, somebody may not become so professional and then allege that you have not been given the power to do what you are

doing, in the event that the person comes and professionally removes all the documentation you have, the person who has been granted permission may have nothing to use to make an appeal to that effect.

I was thinking maybe they can do away with other things, but documentation and records of that person who is operating under those activities should remain. If the person did it wrongfully, then the person has somewhere to start from. So the power to remove my books, records, or documents found in such premises should be left untouched. Therefore, I propose that, that provision should be deleted.

THE CHAIRPERSON: But those are exhibits. Hon. Agnes, for those laboratories, I want you to go to Kasole in Kamuli, Makerere, and Serere, you will get one. Actually, honourable minister, I pray you place one in Bukedea.

MR BASALIRWA: I can see we are creating the animal feed inspector, but remember, colleagues, we have our extension workers. So, are we giving this to the minister to determine who should be an inspector? Because by not empowering our extension workers and creating - Remember, in the afternoon, we were receiving the Bills to rationalise and the reason is to reduce costs, but I can now see creation of another expenditure to have the animal feed inspectors. What about our extension workers?

THE CHAIRPERSON: When you look at Clause 25, that is an animal feeds inspector. "For purpose of this Act, the minister shall, in consultation with the committee, designate a qualified person as animal feeds inspector." It is covered in Clause 25.

Clause 27

MR KIRYOWA KIWANUKA: Madam Chairperson, I just wanted to inform -

THE CHAIRPERSON: No, let us first put the question for Clause 27. I put the question that Clause 27 be amended as proposed and improved by the honourable minister, Lt Col Bright Rwamirama.

(Question put and agreed to.)

Clause 27, as amended, agreed to.

Clause 28

MS OKORI-MOE: Madam Chairperson, Clause 28 is amended by substituting the words "One hundred" with the words "Three hundred fifty", and words "Two years" with the words "Seven years". This is to make the provision more deterrent since obstructing an animal feeds inspector from doing his work is a serious offence. I beg to move.

LT COL (RTD) RWAMIRAMA: We agree.

MR KIRYOWA KIWANUKA: I agree.

THE CHAIRPERSON: I put the question that Clause 28 be amended as proposed.

(Question put and agreed to.)

Clause 28, as amended, agreed to.

Clause 29

THE CHAIRPERSON: Clause 29 - Remember we are getting what was in 15 to 29 with an amendment of 4 from 15.

MR KIRYOWA KIWANUKA: In light of our discussion on Clause 15, I would like to propose that we redraft Clause 29 to read as follows: Heading not "adulterated or contaminated animal feeds", but "Prohibition of sale of animal feeds that do not comply with standards".

"A person shall not sell animal feeds which do not comply with the established standards. A person who reasonably believes that animal feeds being sold do not comply with the established standards may file a complaint to the animal feeds inspector. A person who sells feeds that does not comply with the established standards commits an offence and is liable, on conviction, to a fine not exceeding 250 currency points or a term of imprisonment not exceeding five years." I beg to submit.

THE CHAIRPERSON: Then (5)?

MR BASALIRWA: I had proposed, learned Attorney-General that 15(4), with your indulgence and that of the committee, we consider -

THE CHAIRPERSON: First of all, do we limit it to only selling, according to your draft?

MR KIRYOWA KIWANUKA: No, I think we can include production, importation, exportation and sale. So it should be, "A person shall not produce, import, export or sell animal feeds which do not comply with the established standard."

THE CHAIRPERSON: Yes, or use knowingly -

MR KIRYOWA KIWANUKA: No, use was provided for there.

MR BASALIRWA: I am proposing that, that clause 15(4) be added on Clause 29. That was my earlier proposal. Whereas we can delete 15, subclause (4) has a lot of meaning that can be added to Clause 29.

DR BWANIKA: I want to propose that we find a provision where the minister should come up with a regulation on what is not - This issue of contamination is very important. Whoever wants to buy feeds from here first checks - It is important that we capture it.

THE CHAIRPERSON: What should we capture?

DR BWANIKA: In addition to what the Attorney-General has proposed, we should have a provision that the minister should prescribe the contamination levels. Those who import should look at that; it is very critical in feeds.

THE CHAIRPERSON: First of all, on subclause 4, regarding the importation of subclause (4) from Clause 15 to Clause 29, are we not now defining what courts should do? Ordering destruction?

MR KIROWA KIWANUKA: It is one of those clauses that we try to stay away from, but if this House feels that - It is one of those clauses where you want to say to the court that this is in your jurisdiction, whatever you wish to do, you do.

THE CHAIRPERSON: It is discretionary.

MR KIRYOWA KIWANUKA: It is not harmful if this House feels that it would like to import it, but I think you will want to allow the court to have its discretion. It is not a bad clause either.

MR BASALIRWA: Yes, but Madam Chairperson, even the way it is drafted is in itself discretionary so, I do not think there is harm in having it.

THE CHAIRPERSON: So we are bringing subclause (4) to add to Clause 29? And then -

MR BASALIRWA: I wanted Dr Bwanika to address his mind to Clause 35 and see whether your concerns can be addressed by Clause 35. It generally makes provision for regulations and reading it, somewhere somehow, it is very empowering to the minister. Unless we are talking about specifics, but in terms of empowering, Clause 35 can create a mandate for the minister for issues that are not specifically provided.

MSAISHAKABANDA: Madam Chairperson, I had a question for the Attorney-General and I see him moving out - he is listening. My question is about the inconsistencies in the penalties.

In Clause 3, we said, "A person who contravenes the provision of this section commits an offence and is liable, on conviction, to a fine not exceeding 100 currency points or a term of imprisonment not exceeding six years". The Attorney-General is now proposing 250 currency points or five years. The inconsistency in the penalty is something I seek his guidance on.

MR KIRYOWA KIWANUKA: In Clause 3, it is an offence relating to registration. You are registering a company and bringing premises and do not comply with that. In Clause 29, you have products ending up in human bodies and contaminating them.

In fact, I was hoping that at the end of your submission, you would say, “We are a bit lenient” because I think we should be going to 7. You can cause so much chaos; you can destroy an entire animal family and even human beings with it. We should be thinking about increasing this penalty.

MS AISHA KABANDA: Honourable Attorney-General, that is what I am saying in a nutshell. Having proposed 250 currency points, then as far as imprisonment is concerned, you would raise it from five to eight years. Where we had 100 currency points, we said six years. Now, where we have 250 currency points, shouldn't it be higher? In a way, we could say eight years of imprisonment to be consistent.

THE CHAIRPERSON: She wants 10 years.

MS AISHA KABANDA: Yes.

MR KIRYOWA KIWANUKA: I have no objection.

MR BASALIRWA: Learned Attorney-General, before you have no objection –

THE CHAIRPERSON: Can we first redraft what we have talked about?

MR KIRYOWA KIWANUKA: With Hon. Aisha's amendment, “A person who imports, exports, sells or produces animal feed that does not comply with the established standard commits an offence and is liable, on conviction, to a fine not exceeding 250 currency points or a term of imprisonment not exceeding 10 years, or both.”

THE CHAIRPERSON: I put the question that Clause 29 –

LT COL (RTD) RWAMIRAMA: Thank you, Madam Chairperson. Hon. Dr Abed Bwanika is a member of the committee and I appeared before him. We agreed on most of these amendments. I would like to let him know that by adopting established standards, we are taking care of levels of aflatoxins. Under Clause 35, we can have an opportunity to do it there. Otherwise, I agree with the amendment.

THE CHAIRPERSON: Thank you. I put the question that Clause 29 be amended, as proposed by the Attorney-General.

(Question put and agreed to.)

Clause 29, as amended, agreed to.

Clause 30

MS OKORI-MOE: Madam Chairperson, Clause 30 is amended by substituting for the following:

- “1. The minister may, on the advice of the committee and by notice in the Gazette, designate an officer of the ministry or any other accredited institution as an animal feeds analyst.
2. The minister shall, by statutory instrument, prescribe the qualifications of animal feed analysts.”

The justification is for clarity and better drafting. I beg to move.

THE CHAIRPERSON: AG –

MR KIRYOWA KIWANUKA: No problem. I have no objection to that.

THE CHAIRPERSON: Minister?

LT COL (RTD) RWAMIRAMA: Madam Chairperson, we agree to the amendment.

THE CHAIRPERSON: I put the question that Clause 30 be amended, as proposed.

(Question put and agreed to.)

Clause 30, as amended, agreed to.

Clause 31

MS OKORI-MOE: Clause 31 is amended by substituting the words “one hundred” with the words “five hundred” and the words “one year” with the words “ten years”.

This is to make the provision more deterrent since obstructing an animal feed inspector from doing his work is a serious offence. I beg to move.

THE CHAIRPERSON: Honourable minister -

LT COL (RTD) RWAMIRAMA: Madam Chairperson and Members, we agree.

THE CHAIRPERSON: AG –

MR KIRYOWA KIWANUKA: Madam Chairperson and Members, I have no objection.

THE CHAIRPERSON: I put the question that Clause 31 be amended, as proposed.

(Question put and agreed to.)

Clause 31, as amended, agreed to.

Clause 32

MS OKORI-MOE: Madam Chairperson, Clause 32 is amended:

- (a) By inserting the word “analyse” at the end of subclause (2); and
- (b) By deleting subclauses (3) and (4).

The justification is that advertising is part of the business and prohibiting advertising using the certified results disadvantages those who are producing animal feeds to the established standards set by UNBS. I beg to move.

THE CHAIRPERSON: Thank you. Honourable minister –

MR KIRYOWA KIWANUKA: Madam Chairperson, I have no problem with the proposals in subclause (1).

I have a problem with the proposal to delete subclauses (3) and (4). I think we need to get the spirit in which this provision was made. “A feed analysis report issued under this section shall not be used for advertising the animal feeds for which the report is made.”

What they are saying is now this is - you get the report and put it out and advertise. You are now saying to the public that this is what my product is. For which batch? How many times? How many weeks? How many inspections have you done?

It is not a good practice; it is not ordinarily advertised. You can advertise and say, “I am UNBS certified”, but for you to send out a report and say, “I was inspected last week and I am like this” is a problem.

Two, even if we allow -

THE CHAIRPERSON: Isn’t that under the consumer protection clause?

MR KIRYOWA KIWANUKA: Yes, but that is why, in consumer protection, they allow what you can state in the report. These reports, Madam Chairperson, are going to have a lot of information. You may not necessarily need some of it in the public domain at any given time. Also, you may encourage a bad practice of forgery. You may get people doing that. If you delete number 3 and number 4, that means you have not prohibited the use of that report.

Therefore, you cannot now turn around and hold me if I use it. But if it is forged, you would also have a problem. I do not see what we are trying to – the information that is given to you is yours. However, to get the information of UNBS and say, this is the UNBS thing, that is what I think is the spirit of this.

For you to say that my product has been inspected by UNBS and was found to be good is okay. But to get the report of UNBS and put it on an advert is not correct. I beg to submit.

THE CHAIRPERSON: So, we are not deleting number 3 and number 4?

MR SSENKYONYI: Madam Chairperson, I do not know - maybe if we want to stretch what advertising is. You find in some of these shops, people print and laminate certificates of all sorts. I do not know whether you want to bar that too. It could be on the inside or outside, but that could qualify as advertising.

I would think that maybe the focus should be on those who fraudulently use this or alter it. However, for somebody who has been certified and all is good, I do not think that there is a major problem with that. I am saying, what I have is clean, it is good to go, so I can show it on my shop, on a media house or whatever the case might be. If somebody has altered that particular report, then that is a problem.

I think we should go after that one who will forge because if you have not been certified and they are saying, no, you do not have a clean bill on health, and you alter that and say all is good, that person is problematic. The other one does not seem to have an issue.

THE CHAIRPERSON: The inspection is not a one-off; it is a routine thing. If you use that, you are now influencing consumer behaviour. So, I do not see any problem with the original.

MR SSENKYONYI: My assumption is that they will be dated. Whenever you are given a field analysis report, it is dated from this time to this time and it expires. That is my assumption and I hope I am right. Maybe you can clarify.

THE CHAIRPERSON: No.

MR KIRYOWA KIWANUKA: Inspection of a batch - If a person says, I have inspected this batch and it is okay, this batch has 100 tons of good products. But you need to inspect the next one and now I get the 100 batch that was compliant and put it out and say I am certified. The person who is coming to buy from me will say, this is the other batch. We are saying that the problem with this advertising is that it can lead a customer to be misguided. The issue

here – (*Interjection*) – it can be good also. Thank you.

MR AMOS OKOT: Thank you. To the contrary, I think it would be good because somebody will not hide. For example, if you have given a report, the batch has been approved and somebody is hiding it, sometimes you may not realise that they are selling another batch of the feeds.

In other words, if somebody said, yes, this is it; it is easy for you to detect than hiding it and then somebody does it silently. A customer may come wanting feeds then they ask, have you been certified or approved? Somebody may go and hide saying, yes, it is approved then a farmer just buys and goes away.

If somebody has even gone further to advertise using what you have done and the batch has already maybe expired some months or years ago –

MS OBIGAH: Madam Chairperson, I would like to give a better view; a good product is self-advertised.

Secondly, if you are going to advertise, you can make other people who have wrong intentions to inspect once, and then that same certificate is used for advertising others. Once you are doing the right thing, it is self-advertised and it will not mislead consumers. Thank you.

MS AISHA KABANDA: If I could submit to that effect, this subsection is to protect the consumers. I beg honourable colleagues to accept the Attorney-General's submission that we retain that section. The intention is to protect consumers because advertisement is made to the discretion of the business owner.

He will only bring it out if it is good. If it is bad, he will not bring it out. He will bring it out to exploit the consumers. I submit that we retain subsection (3).

However, I propose that number 4 should be amended. When we were discussing sections 11 and 12, the Attorney-General promised to

come up with an amendment for a person to take care of an individual and a body corporate. I am happy you have it. Now, subsection (4) is talking about the individual and the body corporate.

I propose that we take it as a person and talk about a penalty to that person, which person can be an individual or a body corporate to avoid ambiguity, because we shall request to go and do it all through.

THE CHAIRPERSON: We are going to define a body corporate in Clause 2.

MS AISHA KABANDA: This particular one is talking about a person and a body corporate yet under 11 and 12, we chose to say that a person shall be representative of both; an individual and a body corporate. We can make that amendment and move on.

DR BWANIKA: I understand where we are coming from when we talk about advertisements. If I am an affluent farmer, I come to your outlet and I want to look at that analysis before I buy. I am not talking about someone who has put it in the public. Before I buy, I am taking this feed for my poultry and I would like to know what is in that feed.

You are not the one who has advertised, but I want to know. Should there be a clause that allows these users to access that information without that advertisement? I know what the advert can do; it can be misused, but that access to information - Attorney-General, the access to information, that analysis.

MRARIKO: Thank you, Madam Chairperson. I think that the proposition of the learned Attorney-General is partly to look at the aspect of saying, who among the persons in this industry is qualified to attest to whether that particular certification or that report is genuine or not.

If we allow for the certificate or report to be used and therefore, to be interpreted by me who is coming there to procure it then there is a high possibility that it can be subject to

manipulation. It is the reason why professional products are usually restricted from being put out to advertisement. Like the honourable member said, for instance in the legal profession or some of you who are accountants, you cannot go peddling and say, I am the most qualified lawyer on the land and this is what it shows. It must be able to demonstrate itself. Thank you, Madam Chairperson.

THE CHAIRPERSON: I think we need to keep the provision as is, but be mindful of what Hon. Aisha Kabanda said on part B in the case of body corporate since we have been consistent on a person. Then you harmonise the currency points.

MR KIRYOWA KIWANUKA: Madam Chairperson, we have prepared the definition for “person” and “body corporate” because when we went out to discuss it, we found that in some cases we needed to specifically state “body corporate”. But here, we were defining “person” to include –

THE CHAIRPERSON: So we bring it under Clause 2?

MR KIRYOWA KIWANUKA: Yes, Madam Chairperson. We had reserved it so that we look at it when handling the definition in Clause 2 on what “person” means and what “body corporate” means.

THE CHAIRPERSON: Okay. I put the question that Clause 32 be amended as proposed by the committee and modified by the Attorney-General.

(Question put and agreed to.)

Clause 32, as amended, agreed to.

Clause 33, agreed to.

Clause 34

MS OKORI-MOE: Madam Chairperson, Clause 34 is amended in subclause (2) by substituting the words “ten working days” with the words “twenty-one working days.”

This is to provide adequate time for the minister to study the committee's decision and give feedback to the applicant. I beg to move.

MR KIRYOWA KIWANUKA: Madam Chairperson, we do not agree. The Executive has told you that, "we will do it in 10 days." You want to increase it to 21 working days. What would be the justification? Yes, we have told you we are going to be efficient and we are going to do it because we are an efficient machine. I pray that this provision be left as it is.

Madam Chairperson, these appeals relate to people's businesses. They cannot be left to be decided - 21 working days is 45 days. Some are perishable. These are feeds, which are being kept in stores. I pray that we keep this provision as it is and the minister should be required to comply with it within the time provided.

THE CHAIRPERSON: Honourable members, I put the question that Clause 34 stands part of the Bill.

(Question put and agreed to.)

New clause

MS OKORI-MOE: Madam Chairperson, the proposal is that the Bill is amended by inserting a new subclause immediately after clause 34 as follows:

"The minister may, by statutory instrument with the approval of Cabinet, amend the schedules to this Act."

The justification is to empower the minister to amend the requirements as may be necessary from time to time. I beg to move.

LT COL (RTD) RWAMIRAMA: I have no objection, Madam Chairperson.

MR KIRYOWA KIWANUKA: Madam Chairperson, I have no objection.

THE CHAIRPERSON: I put the question that the proposed new clause after Clause 34 stands as part of the Bill.

(Question put and agreed to.)

Clause 35, agreed to.

The First Schedule, agreed to.

New Schedules

MS OKORI-MOE: Madam Chairperson, the proposal is that the Bill is amended by inserting new schedules as follows:

- (a) Second Schedule, providing for the requirement for issuance of a certificate of approval of premises.
- (b) Third Schedule, providing for requirements for issuance of a license to produce, store or sell animal feeds.
- (c) Fourth Schedule, providing for requirements for issuance of import permit of animal feeds, and
- (d) Fifth Schedule, providing for requirements for issuance of export permit of animal feeds.

I beg to move.

MR KIRYOWA KIWANUKA: Madam Chairperson, we are proposing to amend the Second Schedule by deleting (1), (2), (3) which requires for the Building Control Act –

THE CHAIRPERSON: Honourable minister, can the committee chairperson read schedule by schedule in detail. Do you want to do an omnibus -like -

MS OKORI-MOE: Madam Chairperson, the proposal in Schedule 2 is as follows:

"Requirements for approval of premises for production of animal feeds

- (1) The applicant shall have evidence that the premises are approved by the Building Control Committee, established by the Building Control Act, 2013.
- (2) Environmental impact assessment report, approved by National Environment

- Management Authority, established under the National Environment Act.
- (3) Occupation permit issued under the Building Control Act, 2013.
 - (4) Premises shall have a smooth floor, the outer part including walkways shall be paved and maintained appropriately, so that the habitats of pests are easily removed.
 - (5) The floors, interior walls, ceilings of the premises shall be designed in a way to make it easy for safety, hygiene control and maintenance.
 - (6) The premises shall be designed in a way to:
 - a) Provide for adequate control of the entry of people to the premises.
 - b) Prevent cross-contamination among different types of animal feeds stored at the production unit.
 - c) Provide for appropriate disposal, drainage and waste management system.
 - d) Provide for a separate area for storage of ingredients and packing material.
 - e) Provide different areas for storing different types of animal feeds separately.
 - (7) The premises shall be equipped with appropriate control of lighting, ventilation, temperature and humidity.
 - (8) The premises shall have a designated person to periodically perform the self-inspection on cleanliness.
 - (9) Any other requirement, as the minister may prescribe by regulations.

Part B

The applicant shall have evidence -

THE CHAIRPERSON: First of all, on Part A, aren't you making regulations for the minister in the Schedule?

MR KIRYOWA KIWANUKA: Madam Chairperson, we hold the same view that these Schedules should not be here. I am responding to the Second Schedule, but it will apply to all these Schedules.

We do not even have sufficient data and material on the requirements and how we will set up the needs for these different feed areas. We are creating some of these things that must be smooth flow, outer part walkways paved - We may be prescribing things which are utopian. They are not necessarily in our society's actual settings. The provisions of the law allow the minister to make regulations for these requirements.

I would like to try and convince you, Madam Chairperson and Members, that let us allow the minister to prescribe those regulations at that time for the different circumstances. We cannot prescribe for all the animal feeds because animal feeds are different. Therefore, you cannot have animal feeds and say this is the requirement for all of them. They are going to be different. Fisheries are different, poultry is different and animals are different. I pray that we drop the schedules and allow the minister to make these by regulation. I beg to submit.

THE CHAIRPERSON: Thank you. We have dropped all the schedules.

Clause 2

MR KIRYOWA KIWANUKA: Madam Chairperson, Clause 2 is proposing three amendments to the definition/interpretation. The first is to have the definition of "corporate body" coming immediately after the word "committee". It will read, "For purposes of this Act, corporate body means an entity incorporated under the laws of Uganda, excluding a natural person".

The meaning of that, Madam Chairperson is that wherever you find the word "corporate body" used in this Act, it does not include a natural person.

Then insert, immediately after “ministry”, the word “Person”. “Person means an individual, company, association or body corporate of persons.” Therefore, where you find persons in this Act, it includes all those.

After that, add the definition of “established standards” as a consequential amendment from what we have done here. “Established standards, for purposes of this Act, shall mean standards developed by Uganda National Bureau of Standards (UNBS) or any other body from time to time authorised under the laws of Uganda to set such standards.” We have some standards from the East African community which are also set up under our East African Community Act.

We are saying, “standards developed and established by UNBS in accordance with UNBS and any other authorised body in accordance with the laws of Uganda set from time to time”. I beg to submit.

THE CHAIRPERSON: Thank you. Chairperson -

MS OKORI-MOE: Thank you, Madam Chairperson. I agree with what the Attorney-General has presented although I thought when you called Clause 2, as the chairperson, I would first present what the committee had proposed. He was about to take my chair.

Madam Chairperson, Clause 2 is amended by –

- (a) deleting the word “bees” from the definition of the word “animal”
- (b) deleting the definition of the word “commission”
- (c) substituting for the definition of “animal feed” and “animal feed additive” the following:

“Animal feeds means any single material or multiple materials whether processed, semi-processed or raw, whether or not containing animal feeds additives which are intended to be used for oral feeding to animals”.

“Animal feeds additive means a substance intentionally added to animal feeds to have a desired effect on the animal feeds, animals consuming the animal feeds or animal products.”

(b) by inserting the following definitions:

“Produce” includes formulating, manufacturing, compounding, mixing or constituting animal feeds.”

“Premises include any land, building or other place where animal feeds are produced, stored or sold.”

Justification

- (i) Animal feeds are beyond plant materials. They include pastures, crop animal tissues and minerals. The interpretation provided is not exhaustive and needs to be inclusive.
- (ii) To be clear, since animal feed additives are given for a particular purpose, like to increase the shelf life of feeds, nutritional status, prevent diseases, digestibility, enhancers or sensor attributes.

I beg to move.

THE CHAIRPERSON: On top of what was presented by the Attorney- General, if you are making an amendment, make an amendment on what she has –

MR KIRYOWA KIWANUKA: Yes. I think everything else is very technical and I have no objection to them. However, I have a problem with the removal of “bees” from among animals.

In the current world today, bees are actually fed and they are kept as real animals. The committee did not offer us a justification for removal of bees. If it does not hurt the committee so badly, I propose that we leave bees in the definition of animals so that as we encourage our development in this area, we do not have to come back for an amendment.

THE CHAIRPERSON: Yes, honourable minister -

LT COL (RTD) RWAMIRAMA: Thank you. Madam Chairperson, bees are animals and we feed them. In the current world, where we are doing extensive farming, we used to feed them, but in the process of feeding them, they do pollination.

In the third world, bee farming is sometimes mobile. You move them from place to place. Therefore, I agree with the Attorney-General and I think we maintain it as an animal and also be aware that we feed them.

MR BASALIRWA: Madam Chairperson, the definition by the learned Attorney-General has clearly created certainty, but there is a bigger issue which flows through the Bill that is creating distinct punishments for persons and corporate bodies. I will give an example.

When you look at Clause 7(3), the Bill clearly punishes the individual and the corporate body, which is very clear. Even Clause 8, the individual and body corporate -

When you go to Clauses 11, 12 and subsequent clauses, the assumption there is that body corporate do not commit those offences, and I do not think it is correct yet the punishment is silent.

The point I raised earlier is for the Bill to be consistent in creating distinct offences for both the person and the corporate body, just like we did in Clauses 7 and 8.

THE CHAIRPERSON: I think he is referring to what is strict and vicarious; where there is strict liability and vicarious liability.

MSAISHAKABANDA: Madam Chairperson, at an opportune moment -

MR KIRYOWA KIWANUKA: I think what the chairperson has said is correct. There are some offenses where it is a brain of that entity. But there is another place where you want to also punish the vehicle, which is now - you

want licensing. Licensing has got two-folds; you have the owners of the company, and then you have the managers of the company. That is where we are. And you can see, we do not use it much until you get to Clause 32 where we use it again. I think you will be able to get clarity.

However, like I said, this law is a very new space. There are some places we want to warn the company to be more interested and there are other places where we want to tell the individual that you will not even attempt to hide behind the corporate veil. That is what we are saying.

MR BASALIRWA: For example, Clause 11 -

THE CHAIRPERSON: Hon. Basalirwa, are you recommitting?

MR BASALIRWA: No, I am making a -

THE CHAIRPERSON: No, what I am saying - *Hajji*, where we find that the law is not satisfying to what we expect, we make an amendment.

MR BASALIRWA: Madam Chairperson, I was making a general principle of law, which can be a drafting issue. It is really a general principle of law. It does not even need committing.

THE CHAIRPERSON: Actually, there is a problem with this law. How can you have a law with amendments on all clauses? There was a problem in drafting.

MR BASALIRWA: Because in the words of the learned Attorney-General, it is a nascent law and we are looking at a nascent industry. That was the argument.

MS AISHA KABANDA: Madam Chairperson, I think section 11 will have to be recommitted because the Attorney-General submits to section 8 as a grave issue, 'the mind that avoids licensing and goes into a business without licensing'.

But now, section 11 is talking about importation. The same person who evades the processes and goes to import without going through processes should be treated the same way as that person who avoids licensing. Therefore, having put penalties on both the human being and the corporate on section 8, in the same vein on importation, we should look at the human being and the corporate.

At an opportune moment we should recommit section 11 and treat the corporate the same way.

THE CHAIRPERSON: Honourable members, let us have this law tested. I am seeing the minister here excited. He says, tonight he is going to take champagne - *(Laughter)* - because this law has stayed for three years. Let us have it tested. It is a living document. Let us have this law tested and where we find a challenge, we will come back to this House and amend it.

However, for now, let us test this law. I therefore put the question that Clause 2 be amended as proposed by the committee and by the Attorney-General.

(Question put and agreed to.)

Clause 2, as amended, agreed to.

The Title, agreed to.

MOTION FOR THE HOUSE TO RESUME

8.30

THE MINISTER FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (LT COL (RTD) BRIGHT RWAMIRAMA): Madam Chairperson, I beg to move that the House do resume and the Committee of the whole House reports thereto.

THE CHAIRPERSON: I put the question that the House does resumes and the Committee of the whole House reports thereto.

(Question put and agreed to.)

(The House resumed, the Speaker presiding.)

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

THE CHAIRPERSON: Honourable Minister?

8.31

THE MINISTER FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (LT COL (RTD) BRIGHT RWAMIRAMA): Madam Speaker, I beg to report that the Committee of the whole House has considered-

THE SPEAKER: Welcome back, Hon. Elijah - *(Laughter)* 2023 -

LT COL (RTD) BRIGHT RWAMIRAMA): Madam Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled, "The Animal Feeds Bill, 2023" and passed it with amendments.

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

THE SPEAKER: Honourable Minister?

8.31

THE MINISTER FOR AGRICULTURE, ANIMAL INDUSTRY AND FISHERIES (LT COL (RTD) BRIGHT RWAMIRAMA): Madam Speaker, I beg to move that House adopts the report from the Committee of the Whole House.

THE SPEAKER: Honourable members, the motion is for the adoption of the report of the Committee of the whole House. I put the question that the House adopts the report from the Committee of the Whole House.

(Question put and agreed to.)

Report adopted.

BILLS
THIRD READING

THE ANIMAL FEEDS BILL, 2023

8.31

**THE MINISTER FOR AGRICULTURE,
ANIMAL INDUSTRY AND FISHERIES
(LT COL (RTD) BRIGHT RWAMIRAMA):**

Madam Speaker, I beg to move that the Bill entitled, “The Animal Feeds Bill, 2023” be read for the third time and do pass.

THE SPEAKER: I put the question that, “The Animal Feed Bill, 2023”, be read the third time and do pass.

A BILL FOR AN ACT ENTITLED, “THE
ANIMAL FEED ACT, 2024”

THE SPEAKER: Title settled and the Bill passed. Congratulations, honourable minister. *(Laughter)*

I congratulate you so much for this Bill and thank the Attorney-General and the committee very much. You did a good job. I also want to thank the vet doctor and you, Members, for staying around up to this time. I know it is late, but you should also thank me for staying up to this late. *(Applause)*

Honourable members, this brings us to the end of today. I know it is late and I am sorry for keeping you up to this time. I now adjourn the House to Tuesday, 27 February 2023 at 10.00 a.m. We will be receiving our first reports and passing our Bills. Have a blessed evening, House adjourned.

*(The House rose at 8.32 p.m. and adjourned
until Tuesday, 27 February 2024 at 10.00
a.m.)*