



THE PARLIAMENT OF UGANDA

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any correspondence on
subject please quote No.

MP 153/10

21st April, 2020



The Clerk,
Parliament of Uganda,
P. O Box 7178,
KAMPALA

Dear Madam,

NOTICE OF MOTION TO INTRODUCE A PRIVATE MEMBER'S BILL ENTITLED "THE "LEADERSHIP CODE (AMENDMENT) BILL, 2020"

In accordance to the Rules of Procedure of Parliament, I give notice for a motion to introduce a Private Member's Bill entitled "The Leadership Code (Amendment) Bill, 2020".

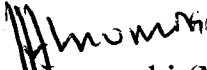
The objects and principles of this Bill are to amend the Leadership Code Act, 2002, Act no. 17 of 2002 to strengthen the code by prohibiting leaders and prospective leaders from offering or granting corruptible money, gifts or benefits to citizens and to provide for other related matters.

At present, the influence of money and incentives have compromised the quality of leadership, and the expectations of the public, in the country. Whereas the leadership code prohibits leaders from being bribed and or compromised by money, gifts, benefits and related things, it doesn't provide for a standard against influence peddling created by money and incentives by leaders and prospective leaders during and before office. Overwhelming pecuniary pressures by constituents and the resultant bribery has clouded the role of leaders leading to the demise of transformational in favour of contractual leadership.

A standard is thus critical to enforce values of integrity and proper conduct in pursuit of development, democracy, good governance and promotion of the rule of law.

I request your office to include this on the Order Paper.

Find attached the draft Bill


Dr. Sam Lyomoki (MP)

MEMBER OF PARLIAMENT FOR WORKERS

Cc The Rt. Hon Speaker of Parliament

Cc The Rt. Hon Deputy Speaker of Parliament

**PRIVATE MEMBER'S BILL ENTITLED
THE LEADERSHIP CODE (AMENDMENT) BILL, 2020**

THE REPUBLIC OF UGANDA

THE LEADERSHIP CODE (AMENDMENT) BILL, 2020

MEMORANDUM

1. Objects and Principles of the Bill

The objects and principles of this Bill are to amend the Leadership Code Act, 2002, Act no. 17 of 2002 to strengthen the code by prohibiting leaders and prospective leaders from offering or granting corruptible money, gifts or benefits to citizens and to provide for other related matters.

2. Defects in the existing law

At present, the influence of money and incentives have compromised the quality of leadership, and the expectations of the public, in the country. Whereas the leadership code prohibits leaders from being bribed and or compromised by money, gifts, benefits and related things, it doesn't explicitly prohibit leaders and prospective leaders bribing their way into office through money, gifts, benefits and other related incentives. The code doesn't provide for a standard against influence peddling created by money and incentives by leaders and prospective leaders during and before office. Overwhelming pecuniary pressures by constituents and the resultant bribery has clouded the role of leaders leading to the demise of transformational in favour of contractual leadership.

3. Remedies

A standard is critical to enforce values of integrity and proper conduct in pursuit of development, democracy, good governance and promotion of the rule of law. It has, therefore, become necessary strengthen the code by prohibiting leaders and prospective leaders from offering or granting




corruptible money or benefits to citizens as an inducement or reward and to provide for other related matters.

Provisions of the Bill

4. Clauses 1 and 2 are preliminary clauses.

5. Clause 3 seeks to amend section 10 of the Leadership Code Act, 2002, in this Act referred to as the principal Act, in order to exempt certain gifts, like personal gifts or donations from or to relatives or personal friends recognised by custom, from the prohibitions imposed by clause 11.

6. Clause 4 seeks to replace section 11 of the principal Act in order to expand prohibited conduct of leaders to include the offering of money, benefits or gifts which influence or are likely to influence favour to the leader. The clause further seeks to disqualify a person involved in any prohibited conduct from election to an office specified in Part A of the Second Schedule to the Code if that person has, within the seven years immediately preceding the election, been involved in the prohibited conduct.



Dr. Sam Lyomoki (MP)

MEMBERS OF PARLIAMENT FOR WORKERS

A Bill for an Act

ENTITLED

THE LEADERSHIP CODE (AMENDMENT) BILL, 2020

An Act to amend the Leadership Code Act, 2002, to strengthen the code by prohibiting leaders and prospective leaders from offering or granting corruptible money or benefits to citizens and to provide for other related matters.

BE IT ENACTED by Parliament as follows:

PART I – PRELIMINARY

1. This Act may be cited as the Leadership Code (Amendment) Act, 2020
2. This part of the Act shall be read and construed as one with the Leadership Code Act, 2002, Act referred to as the Principal A Leadership Code Act, 2002.

PART II – AMENDMENT TO THE LEADERSHIP CODE ACT, 2002

3. Amendment of section 10 of the Leadership Code Act, 2002.

Section 10 of the Leadership Code Act, 2002, in this Act referred to as the principal Act, is amended—

(a) For subsection (2) there is substituted the following—

" (2) A leader may accept or grant a personal gift or donation from or to a relative or personal friend to such an extent and on such occasion as is recognised by custom."

(b) For subsection (3) there is substituted the following—



"(3) Notwithstanding the provisions of this section and the prohibitions imposed by section 11, a leader may accept or grant a gift if the gift is in the nature of a souvenir or ornament and does not exceed five currency points in value."

4. Replacement of section 11 of the principal Act.

For section 11 of the principal Act there is substituted the following —
"11. Prohibited conduct

(a) A leader who directly or indirectly accepts any property, money, benefit or gift which influences or is likely to influence the leader to do a favour to any person commits a breach of this Code.

(b) A leader referred to in Part A of the Second Schedule to this Code shall not, other than as contemplated in sub sections (2) and (3) of section 10, directly or indirectly by himself or herself or through any other person, offer, confer, grant, give or be involved in the giving or agree to offer to any citizen, any money, or goods of monetary value, or other benefit, such as a gift, favour, promise or advantage or any other form of gratification, or other consideration, for himself or herself or for another person or entity;

(c) Any person who receives, solicits, accepts, obtains or agrees to accept or attempts to obtain any money, good, benefit, gift or other consideration under subsection (b) commits an offence.

(d) A person is not qualified for election to an office specified in Part A of the Second Schedule to this Code if that person has, within the seven years immediately preceding the election, been involved in offering or granting, directly or indirectly, to any citizen, any money, good, benefit, gift or other consideration referred to in subsection (b).

(e) A person who fails to comply with the provisions of this section commits a breach of this Code."

