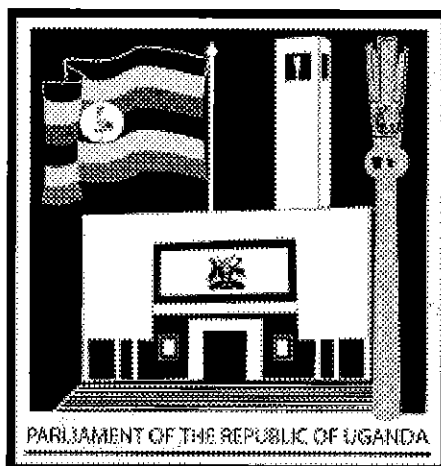


REPUBLIC OF UGANDA



REPORT OF THE COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON THE HOTEL AND TOURISM TRAINING INSTITUTE BILL, 2013

OFFICE OF THE CLERK TO PARLIAMENT
PARLIAMENT BUILDING
KAMPALA-UGANDA

March 2015

[Handwritten signatures and initials]

1. Introduction

The Hotel and Tourism Training Institute Bill, 2013 was read for the first time on 6th March 2014 and referred to the Committee on Tourism, Trade and Industry in accordance with Rules 117 and 118 of the Rules of Procedure of Parliament. In analysing the Bill, the Committee was guided by Rule 118 of the Rules of Procedure of Parliament.

2. Objectives of the Bill

The objectives of the Bill are:

To provide for the establishment, constitution, administration and functions of the Hotel and Tourism Training Institute and for other connected matters.

To re-orient the current Hotel and Tourism Training Institute into a modern institution based on specialised and well focused professional capacity, to undertake tourism and hospitality training and ensure effective development of the tourism sector's human resource.

To improve competitiveness of Ugandans for jobs in the hotel and hospitality sector especially under the East African Community Common Market Protocol, hence effectively and sustainably playing a key role in the growth and development of the National economy and social transformation.

To enable the Institute to provide full time and part time courses of study and training in fields of applied learning and research as the Minister may direct.

To enable the Institute to provide guidance on the National curriculum in consultation with the National Council for Higher Education, for all

[Handwritten signatures and initials are present at the bottom of the page, including names like 'Klano', 'MB', 'Fie', and '13'.]

public and private training providers in the hospitality industry at Tertiary level.

3. Methodology

In the process of analysing the Bill, the Committee held a workshop in which it discussed the Bill with the following stakeholders:

- i. Ministry of Tourism, Wildlife and Antiquities.
- ii. Ministry of Justice and Constitutional Affairs.
- iii. The Hotel and Training Institute.
- iv. Uganda Wildlife Authority.

4. Observations and recommendations

- i. The Committee observed that the tourism industry is one of the most important economic activities in our country. This is because the tourism sector contributes an annual estimate of US\$1.7 billion, representing 9.0% of Uganda's GDP. However, the Hotel and Tourism Training Institute is grossly under funded hence it is not able to produce sufficient number of graduates to provide services needed in the growing hospitality sector. This has led to employment of unqualified staff and non-Ugandans in most of hotels yet the rate of unemployment in Uganda is very high.

The Committee recommends that the Hotel and Tourism Training Institute be provided with the necessary facilitation for it to grow into a regionally and internationally acclaimed centre of excellence.

The Committee further recommends that HTTI sets very high standards so as to produce highly skilled people appropriate for the labour market in the hospitality and tourism sector.

[Handwritten signatures and initials]

- ii. The Committee observed that the Tourism Act 2008 mandates Uganda Tourism Board (UTB) to carry out inspection and classification of hotels. However, Institutions in Hotel and Tourism Training are not represented on the Board.

The Committee therefore recommends that the Hotel and Tourism and Training Institute be represented on the board of Uganda Tourism Board.

5. CONCLUSION

The Hotel and Tourism Training Institute has been in existence and requires a legal status to enable it to shift to the Ministry of Tourism, Wildlife and Antiquities and to access funding from the World Bank loan.

It is in view of the above that the committee recommends that The Hotel and Tourism Training Institute Bill, 2013 be passed into law subject to the following amendments;

Eric
Klaus
Handwritten signatures and initials

PROPOSED AMENDMENTS TO THE HOTEL AND TOURISM TRAINING INSTITUTE BILL, 2013:

Amendment to the Bill Title

Propose to amend the Bill title by inserting the word "Uganda" after the word "The" and to accordingly amend all clauses where the Bill title appears.

Justification: to reflect the national character of the Institute.

Clause 1: Interpretation

Propose to amend clause 2 by:

Inserting a new paragraph to provide as:

"training levy" means a percentage of the tourism development levy as may be determined by the Minister in consultation with the Minister responsible for Finance.

Justification: to provide for the interpretation of "training levy" as used in clause 19(e).

Clause 4: Objects of the Institute

Propose to amend clause (4) by:

Deleting paragraph (f).

Justification:

It is outside the scope of the Institute.

In paragraph (g) by inserting the phrase "on hotel and tourism training" between the words "curriculum" and "in" on line 1.

Justification: to confine the objects of the Bill to manage only the curriculum on hotel and tourism training.

Handwritten signatures and initials are present at the bottom of the page, including a large signature on the left, a signature that appears to read 'Klaus J. Frie' in the center, and various initials and scribbles on the right side.

Clause 5: Functions of the Institute

Propose to amend clause (5) by:

- i) In sub-clause (1), paragraph (a) by substituting the word “the” for the word “such” and by substituting the phrase “hotel and tourism” for the word “applied” on line 2;

Justification: the areas of learning in the Institute are in hotel and tourism.

- ii) By deleting the phrase “as the Minister may direct” appearing at the end of paragraph (a)

Justification: the Minister should not direct the areas of learning and research in the Institute.

In paragraph (c) by deleting the word “national” appearing between the word “other” and “awards” on line 2.

Redraft as:

(c) to conduct national and other tourism and hotel examinations, grant national certificates, diplomas and other awards consistent with the national curriculum.

Justification: to enable the Institute award any other awards other than national qualifications.

Clause 6: Establishment and composition of the Board

Propose to amend clause (6) by:

In sub-clause (1) by deleting the phrase “consisting of” appearing at the end of the sub-clause;

Justification: to provide clearly for the establishment of the Board separately from its composition.

- i) Inserting a new sub-clause (2) to provide as:

(2) “the Board shall be appointed by the Minister and shall consist of:

(a) Chairperson

(b) A representative of the tourism private sector;

The bottom of the page contains several handwritten signatures and initials. On the right side, there is a large signature that appears to be 'Ji'. Below it are initials 'MB' and 'MK'. In the center, there are several overlapping signatures, including one that looks like 'Klaus'. At the bottom, there are more signatures, some of which are partially obscured by a horizontal line.

- (c) A representative of hotel owners Associations;
- (d) A representative of the Hotel and Catering Professionals;
- (e) A representative of the Ministry responsible for tourism;
- (f) A representative of the National Council for Higher Education;
- (g) A representative of the Ministry responsible for finance;
- (h) A representative of the Uganda Tourism Board;
- (i) A representative of the Student's Guild;
- (j) A representative of the staff of the Institute;
- (k) A representative of the Uganda Wildlife Authority.
- (l) Two other persons of integrity appointed from the public, with experience in the fields of management, economics, or tourism.

Justification: to provide for the composition of the Board.

ii) Re-drafting sub-clause (1)(a) as sub-clause (3), to provide as:

- (3) *"The Chairperson of the Board shall be a person of high moral character and proven integrity with expertise and experience in hotel or tourism management."*

Justification: to provide for the basic qualifications of the Chairperson of the Board.

iii) Re-drafting sub clause(2) as (4) to provide as:

- (4) *"The Principal shall be an ex-officio member and secretary to the Board;*

Justification: to provide for secretary to the Board as an ex-officio member of the Board.

Insert a new sub-clause (5) to provide as:

- (5) *The Minister shall in appointing the members of the Board ensure that at least one third of the members are women.*

Justification: to provide for affirmative action in line with Article 33(5) of the Constitution.

Insert a new sub-clause (6) to provide for the appointment of vice chairperson of the Board to provide as:

(6) "The Minister shall designate one of the members appointed under subsection (2), other than the Principal, representative of the Students Guild or staff of the Institute as vice chairperson of the Board".

Justification: to provide for the appointment of the vice chairperson of the Board.

Re-draft sub-clause (3) as (7) to provide as:

(7) *Members of the Board, appointed under paragraphs (b), (c) and (d) of subsection (2) shall hold office for five years and shall be eligible for reappointment for one more consecutive term only.*

Justification: to provide the term of office for members representing private sector.

Insert a new sub-clause (8), to provide as:

(8) *"the Minister shall appoint the chairperson, vice chairperson, or member of the Board, at least three month before the end of the term of office of the incumbent chairperson, vice chairperson or member of the Board."*

Justification: To ensure that the Board is fully constituted at all times, and to avoid delays in the appointment process.

Introduce a new clause (7) to provide as:

7. Vacation of office by Chairperson, Vice Chairperson or member of the Board.

- 1) *The Chairperson or Vice Chairperson of the Board may resign from office by giving three months notice in writing addressed to the Minister.*
- 2) *A member of the Board may resign from his or her office by giving three months notice in writing addressed to the secretary to the Board.*
- 3) *Where a person appointed or elected member of the Board ceases to be member other than by effluxion of time, the appointing or electing authority shall appoint or elect another person in that person's place.*
- 4) *A person appointed or elected under sub-section (3) shall hold office for the remaining period of the person in whose place that person is appointed.*

Justification: To provide for vacation of office by chairperson or members of the Board.

Handwritten signatures and initials are present at the bottom of the page, including a large signature that appears to be 'S. M. Khan' and other initials like 'CMS', 'LKS', and 'KLB'. There are also some scribbles and a signature that looks like 'The'.

Clause 7: Functions of the Board.

Propose to renumber the clause as (8), and to amend it as follows:

- i) In paragraph (h) by substituting the word “collaborate” for the clause “enter into any association” appearing at the beginning of the paragraph.

Justification: for clarity.

- ii) In paragraph (i) by deleting the phrase “in consultation with the academic Board and the staff welfare committee” appearing at the end of the paragraph;

Justification: it is redundant.

- iii) Insert a new paragraph (k) to provide as:
 - k) “To recruit, remunerate and discipline the staff of the Institute”

Justification: to empower the Board to recruit, remunerate and discipline the staff of the Institute.

- iv) Re-numbering the subsequent clauses accordingly.

Justification: for consistency.

Clause 9. Establishment of the academic Board.

Propose to re-number the clause as (10), and to amend it by:

- 1) deleting paragraphs (c).

Justification: the academic board reports to the board of directors, and so there is no need for a representative of the Board of Directors.

- 2) By re-numbering paragraphs (f) as (h) and (g) as (i) respectively.

Justification: for chronological flow of the provisions.

The bottom of the page contains several handwritten signatures and initials. On the right side, there is a large signature that appears to be 'Ji'. Below it are initials 'VMB' and '10'. In the center, there is a signature that looks like 'Suzanne' with 'Klaas' written above it. To the right of 'Suzanne' is another signature that looks like 'Suzanne' with 'Klaas' written above it. At the bottom right, there is a signature that looks like 'Suzanne' with 'Klaas' written above it. There are also some other scribbles and marks.

Clause 10. Functions of the academic Board

Propose to amend clause (10):

In paragraph (f) by inserting the word "of" between the words "appointment" and "examiners" on line one.

Justification: for clarity.

Clause 11. Committees of the academic Board.

Propose to amend clause (11):

by substituting for the word "seem", on line 2, the word "deem";

Justification: for clarity.

Propose to replace clause (12) to provide for other committees of the Board as follows:

12. Other Committees of the Board.

- 1) *The Board may constitute committees from among its members for the effective discharge of its functions*
- 2) *The Board may assign to a committee appointed under this section such functions as the Board may determine.*
- 3) *The Board may prescribe procedures for its committees.*

Justification: to empower the Board to constitute its committees, assign functions and prescribe procedures to such committees.

Clause 13. Office of Principal.

Propose to amend clause (13):

- 1) By inserting a new sub-clause (2), to provide as follows:

Handwritten signatures and initials:
 - A large signature: *Ric*
 - A signature: *Shankar*
 - A signature: *Shankar*
 - A signature: *Shankar*
 - Initials: *MB*
 - Initials: *hk*
 - Initials: *ps*
 - A signature: *Shankar*
 - A signature: *Shankar*

(2) The Principal shall be a person of high moral character and proven integrity, with professional knowledge and experience in hotel, tourism and hospitality education.

Justification: to provide for the qualifications of the person suitable for appointment as Principal.

2) In sub clause (2) by deleting the phrase "for only one consecutive term" appearing on line two.

Justification: to enable the principal being a technical person to be appointed to serve for more than two terms.

Clause 14. Office of Deputy Principal.

Propose to amend clause (14) by re-drafting sub clause (1) (a) to provide as follows:

(1) There shall be a deputy principal who

(a) shall be appointed by the Minister on the recommendation of the Board, on terms and conditions that may be specified in the instrument of appointment.

Justification: to provide for the appointment of the Deputy Principal by the Minister.

Clause 16. Other staff

Propose to amend clause (16);

1) By deleting the phrase "officers and" appearing on line one;

Justification: the phrase is redundant.

2) By deleting the phrase "officers and other" appearing on line two.

Justification: the phrase is redundant.

The bottom of the page contains several handwritten signatures and initials. On the right side, there is a signature that appears to be 'S. J.' with a circled 'YAB' below it. In the center, there is a signature that looks like 'The' followed by some illegible text. Below that, there is a signature that appears to be 'Khan' and another that looks like 'S. J.' with a circled 'YAB' below it. There are also some other illegible signatures and initials scattered around.

Clause 17. Staff responsible to the Board.

By deleting sub-clause (2).

Justification: it shall be taken care of in the transitional provision.

Clause 18. Incapacity of member of staff.

Propose to delete the entire clause

Justification: the clause is redundant as sub-clause (1) is on issues catered for under the Public Service Standing Orders; and may be properly provided for in the Staff Regulations; and sub-clause (2) is already addressed in clause 14(2).

Clause 21. Investment.

Propose to amend clause (21);

By substituting for the entire clause the following provision:

“Any funds of the Institute that are not immediately required to be applied for the purpose of the Institute under this Act, may be invested by the Board for the purpose of the Institute, as may be determined by the Board with the approval of the Minister and the Minister responsible for Finance.”

Justification: to empower the Board to invest with the approval of the Minister and the Minister of Finance.

Clause 22. Borrowing Powers.

Propose to amend clause (22);

By substituting for the entire clause the following provision:

“Subject to Article 159 of the Constitution, the Board may in consultation with the Minister, obtain loans and other credit facilities as may be required for meeting its obligations and for carrying out its functions under this Act”

Handwritten signatures and initials are present at the bottom of the page. On the right side, there is a signature that appears to be 'CMB' with a checkmark. Below it, there are several other signatures and initials, including 'Kie', 'Alans', 'Shyngun', and 'AMH'. There are also some scribbles and arrows pointing to specific parts of the page.

Justification: to subject the borrowing powers of the Board to Article 159 of the Constitution.

Clause 23. Financial year.

Propose to re-draft the clause as:

The financial year of the Institute shall be the same as the financial year of Government.

Justification: To conform with the Government financial year.

Clause 24. Estimates

Propose to amend clause (24);

by deleting the entire sub-clause (2)

Justification: it is redundant as they are provided for in the Government Financial Instructions.

Clause 25. Accounts and Audits

Propose to amend clause (25);

- 1) In sub-clause (1) by substituting for the phrase "the 31st day of March in the following year" appearing on line three the phrase "three months after the end of the preceeding financial year"

Justification: for clarity.

- 2) In sub-clause (3) by substituting for the word "four", appearing on line 1, the word "three";

Justification: to require the auditing to be done within the statutory period of three months from the end of the financial year.

- 3) In sub-clause (3) by deleting the phrase "for auditing" appearing on line three.

Justification: for clarity.

The bottom of the page contains several handwritten signatures and initials. On the left, there is a large signature that appears to be 'Raj Kumar'. To its right, there are several other signatures and initials, including one that looks like 'K. K. K.' and another that looks like 'M. B.'. There are also some scribbles and marks scattered around these signatures.

4) By deleting sub-clause (7)

Justification: it is redundant.

Clause 26. Contracts.

Propose to amend clause (26) by:

Re-drafting the sub-clause (1) as:

(1) A contract on behalf of the Institute shall bind the Institute and its successors and all other parties to it, if made in the following manner:

(a) If it is contract required to be in writing and under seal, it shall be executed by the expressly authorized officer of the Institute, under the seal of the Institute.

(b) If it is a contract not made in writing, it shall be made orally by parole on behalf of the Institute by the expressly authorized officer of the Institute.

Justification: for clarity.

(2) By deleting sub-clause (2)

Justification: It has been catered for in the re-drafted sub-clause (1).

(3) By re-numbering sub clause (3) as sub-clause (2)

Justification: For a chronological flow of the provisions.

Clause 27. Exemption from tax

Propose to delete the entire clause (27)

Justification: Statutory exemption from taxation is not necessary as this is done on case by case basis.

Clause 29. Annual Report

Propose to amend clause (29);

A collection of handwritten signatures and initials in black ink, located at the bottom right of the page. The signatures are overlapping and include names like 'Hie', 'Khan', and 'S'. There are also some initials and a large scribble.

- 1) By substituting for the word "calendar" appearing on line 1, the word "financial".

Justification: to provide for a financial year

- 2) By substituting for the word "send" appearing on line 1, the word "submit".

Justification: for clarity.

Clause 30. Minister's powers of direction

Propose to amend clause (30);

By redrafting the clause as:

"The Minister may give policy directions to the Board, and the Board shall comply".

Justification: To restrict the directives of the Minister to policy and to allow the Board to evaluate the directives of the Minister.

Clause 31. Institute to work with organizations.

Propose to amend clause (31);

By substituting for the phrase "non governmental" appearing on line 1, the phrase "other relevant and appropriate".

Justification: to empower the Institute to work with other relevant and appropriate organizations.

Clause 33. Regulations

Propose to amend clause (33);

In sub-clause (2)

- 1) In paragraph (a) by deleting the word "national" appearing on lines 1 and 2;

The bottom of the page contains several handwritten signatures and initials. On the left, there is a large signature that appears to be 'Shri. ...'. In the center, there are several smaller signatures, including one that looks like 'Tie' and another that looks like 'Khan'. On the right side, there are initials 'MS' and 'MB' written vertically. There are also some other scribbles and marks.

5) *For avoidance of doubt, a person who is not accepted under sub-section (1) as an employee of the Institute is entitled to terminal benefits and the Government shall be responsible for the payment of all outstanding benefits and severance pay payable as appropriate, to the employees referred to in subsection (1)*

Justification: to provide for the Transitional provision.

SCHEDULE

In Part I:

Paragraph 1. Meetings of the Board.

Propose to amend paragraph (1) by:

In sub- paragraph (4) by:

Inserting the phrase “the vice chairperson, and in the absence of both chairperson and vice chairperson, then” between the words “absence” and “the” on line two.

Justification: to empower the Vice Chairperson to preside over meetings in the absence of the Chairperson.

Paragraph 3. Minutes of Meetings

Propose to amend paragraph (3) in sub paragraph (2) by:

Deleting the phrase “present at the later meeting” appearing in line four.

Justification: it is redundant.

In Part II:

Paragraph 1. Meetings of the Academic Board

Propose to amend paragraph (1) by:

Handwritten notes and signatures:
- A circled "1783" at the top right.
- A signature "Fie" with a large flourish.
- A signature "Klans" below it.
- A signature "Surya" with a large flourish.
- A signature "Kishore" with a large flourish.
- A signature "Anand" with a large flourish.
- A signature "Surya" with a large flourish.
- A signature "Kishore" with a large flourish.
- A signature "Anand" with a large flourish.
- A signature "Surya" with a large flourish.
- A signature "Kishore" with a large flourish.
- A signature "Anand" with a large flourish.

- 1) In sub-paragraph 2 by inserting the word "academic" between the words "the" and "board" on line 1;

Justification: the board referred to in this part is specifically the academic board.

Paragraph. 2 Quorum.

Propose to amend paragraph (2) by:

In sub-paragraph (1) by substituting the word "a half" for the phrase "one-third" appearing on line 1; and by inserting the word "academic" between the word "the" and "board" appearing on line 1.

In sub-paragraph (2) by:

Inserting the word "academic" between the word "the" and "board" on line 1

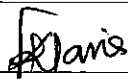
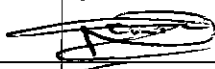
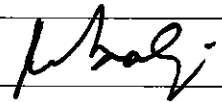
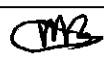
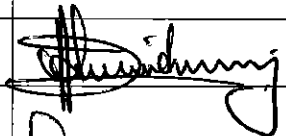
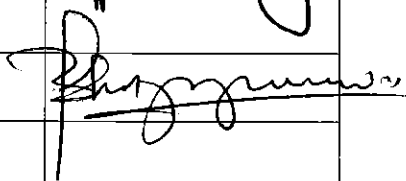
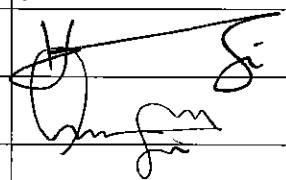

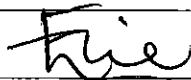
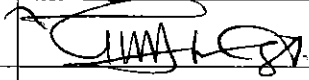
Paragraph. 3 Board may regulate its procedure.

By deleting the entire sub-paragraph (3).

Justification: the procedure of committees is already regulated by the Board under paragraph (7) of part I of the schedule.

Handwritten signatures and initials are present at the bottom of the page. A large signature, possibly 'Shaymura', is written across the middle. To its right, there are initials 'MA' and 'K'. Below these, there are several other signatures and initials, including 'Klaus', 'Klaus', 'Klaus', and 'Klaus'. There are also some scribbles and marks.

**REPORT OF THE COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON
THE HOTEL AND TOURISM TRAINING INSTITUTE BILL, 2013**

NO	NAME	PARTY	SIGNATURE
1.	Kabahenda Flavia R. C/P	NRM	
2.	Namara Grace VC/P	INDEP	
3.	Kasajja Steven Kagwera	NRM	
4.	Tete Everline Chelangat	NRM	
5.	Balyeku Moses Grace	NRM	
6.	Mbahimba James	NRM	
7.	Mugema Peter	NRM	
8.	Mpairwe Beatrice	NRM	
9.	Ssimbwa John	NRM	
10.	Mayende Steven Dede	NRM	
11.	Okot Ogong Felix	NRM	
12.	Nakabaale Patrick	NRM	
13.	Karungi Elizabeth	NRM	
14.	Mulimba John	NRM	
15.	Naggayi Nabilah Sempala	FDC	
16.	Ajok Lucy	UPC	
17.	Lubogo Kenneth	INDEP	
18.	Businge-Rusoke Victoria	NRM	
19.	Aleper Margaret Achilla	NRM	
20.	Lubega Godfrey	INDEP	
21.	Kamara John Nizeyimana	NRM	