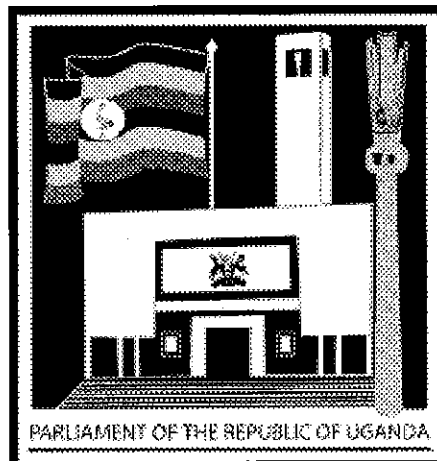


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REPUBLIC OF UGANDA



REPORT OF THE SECTORAL COMMITTEE ON TOURISM, TRADE AND
INDUSTRY ON THE UGANDA WILDLIFE RESEARCH AND TRAINING
INSTITUTE BILL, 2013

OFFICE OF THE CLERK TO PARLIAMENT
PARLIAMENT BUILDING
KAMPALA-UGANDA

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May 2015

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REPORT OF THE SECTORAL COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON THE UGANDA WILDLIFE RESEARCH AND TRAINING INSTITUTE BILL, 2013

1. Introduction

The Uganda Wildlife Research and 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:

- i. To establish the Uganda Wildlife Research and Training Institute to replace the current Uganda Wildlife Training Institute.
- ii. To re-orient the current Uganda Wildlife Training Institute into a modern institution based on specialised and well focused professional capacity to undertake research to ensure effective development of the wildlife sector human resource.
- iii. To avail reliable and adequate data on the complex issues associated with crop and livestock raiding, the threat to human life, encroachment, poaching and disease transmission.
- iv. To base wildlife sector program development process on well informed and effectively guided options for improvement of people's livelihoods and growth and development of the national economy.

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- v. To guide the exploitation of Uganda's wildlife resource potential to ensure value addition and job creation for improvement of people's livelihoods, growth and the development of the national economy.
- vi. To effectively and sustainably contribute to the wildlife sector for growth and development of the national economy and social transformation.
- vii. To fill the gaps in the research programme planning and priority setting for the wildlife sector resulting from the dissolution of the former Uganda Institute of Ecology; and
- viii. To return through a legal framework, the Uganda Wildlife Training Institute from the Ministry of Education, Science, Technology and Sports to the Ministry responsible for Tourism, Wildlife and Antiquities.

3. Methodology

In the process of analysing the Bill, the Committee;

- i. held meetings with the following stakeholders;
 - a. Shadow Minister of Tourism wildlife and antiquities.
 - b. The Uganda Wildlife Training Institute.
 - c. Ministry of Tourism, Wildlife and Antiquities.
 - d. Uganda Wildlife Authority.
- ii. held a workshop in which it discussed the Bill with the following stakeholders:

- a. Ministry of Tourism, Wildlife and Antiquities.
- b. Ministry of Justice and Constitutional Affairs.
- c. The Uganda Wildlife Training Institute.
- d. Uganda Wildlife Authority.

4.0 Observations and recommendations.

- i. The Committee observed that there is a research and monitoring department under UWA which carries out day to day research to help in running of the protected areas such as National Game Parks. However, the Uganda Wildlife Training and Research Institute Bill seeks to include the research component to enable the Institute carry out scientific research.

The Committee recommends that the Uganda Wildlife Authority continues to carry out its day to day research but works hand in hand with the Uganda Wildlife Research and Training Institute in carrying scientific research and capacity building of its staff.

- ii. The Committee observed that the Uganda Wildlife Training Institute admits students who have completed senior four and senior six only and does not offer graduate and other awards.

The Committee recommends that the Institute should be expanded so that it can offer certificates, diplomas and any other awards since it is going to be a centre of excellence.

5.0 CONCLUSION

The Bill, if passed into law will give a legal status to the Institute and will provide an adequate law to regulate its existence and operation.

The committee therefore recommends that The Uganda Wildlife Research and Training Institute Bill, 2013 be passed into law subject to the following amendments;

PROPOSED AMENDMENTS TO THE UGANDA WILDLIFE RESEARCH AND TRAINING INSTITUTE BILL, 2013:

Clause 2. Interpretation

Propose to amend clause 2 by;

Substituting the current interpretation of 'principal' with the phrase '*means the principal of the Institute or any person acting on that behalf.*'

Justification

To provide for persons who may act in the office of the principal in the absence of the substantive Principal of the Institute.

Clause 3. Establishment of Uganda Wildlife Research and Training Institute

Propose to amend clause 3 by:

In sub-clause (3) (a):

Deleting the phrase "and dispose of" appearing on line 1.

Justification

To align the mandate of the Institute with the provisions of the Public Finance Management Act, 2015.

Clause 5. Functions of the Institute

Propose to amend clause 5;

In sub-clause (1) by inserting a new paragraph (f) to read as:

to collaborate with other institutions of learning within and outside Uganda, as the Council may consider appropriate for the execution of its functions.

Justification

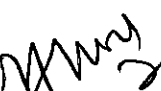
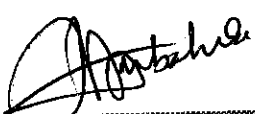
To allow the Institute to collaborate with other local and international Institutions offering the same or related training and research.

Clause 6. Governing Council of the Institute:

Propose to amend clause (6):

By re-drafting the entire clause as:

- (1) *There is established a Council which shall be the governing body of the Institute.*
- (2) *The Council shall be appointed by the Minister and shall comprise of:*
 - a) *a representative of the Ministry responsible for wildlife;*
 - b) *a representative of the Ministry responsible for Education;*
 - c) *a representative of the Uganda Wildlife Authority;*
 - d) *a representative of the staff of the Institute;*
 - e) *a representative of the academic board nominated by the board;*
 - f) *a representative of the district council where the Institute is located;*
 - g) *a representative of the students governing body of the Institute; and*
 - h) *two persons to represent the public.*
- (3) *the Principal shall be the secretary to the Council.*
- (4) *Save for a member appointed under paragraph (h) of sub-section (2), the members of the Council shall hold office for three years and shall be eligible for reappointment for only one other term.*
- (5) *The Minister shall designate the members appointed under paragraph (i) of sub-section (2) as the Chairperson and Vice Chairperson of the Council.*
- (6) *The Minister shall make the appointment or reappointment of a member of the Council at least three months before the expiry of the term of office of the incumbent council, and the appointment shall take effect from the date of assumption of office by the member.*
- (7) *At least one third of the members of the Council shall be women.*

 **Justification:** For clarity. 

Clause 8: Meetings of the Council and related matters.

Propose to amend clause (8):

In sub-clause (3):

By inserting the phrase "the Vice-Chairperson, and in the absence of both the Chairperson and the Vice Chairperson" between the words "chairperson" and "the" on line two.

Redraft as:

- (3) *The Chairperson shall preside at all meetings of the Council and in his or her absence, the Vice-Chairperson, and in the absence of both Chairperson and the Vice Chairperson, the members present shall elect one of their numbers to preside.*

Justification: to authorize the Vice-Chairperson to preside in the absence of the Chairperson.

Clause 10. Removal of council member from office.

Propose to amend clause (10):

In the head-note:

By substituting for the head-note the phrase:

"Vacation of office by council member"

Justification: to cater for even situations other than removal of member from office.

In sub-clause (1):

Paragraph (b):

By substituting for the phrase "is removed from or by" appearing on line two the phrase "ceases to be a representative of".

Redraft as:

- (b) *in the case of a person representing a Ministry, institution, agency or department, if that person ceases to be a representative of the Ministry, institution, agency or department in respect of which he or she was appointed a member.*

Justification: to cater for instances of ceasing to be representative other than removal.

In paragraph (c):

- (iv) By deleting the phrase "or insolvency"

Justification: it is redundant.

By inserting a new sub-paragraph (vii) as:

- (vii) "death"

Justification: to provide for death as a cause for vacating office.

Proposal to insert a new clause 11 to provide as:

Clause 11. Minister's powers of direction.

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

Justification: to empower the Minister to give policy directives to the Council of the Institute.

Clause 11. Academic Board

Propose to amend clause (11):

In sub-clause (2)

By inserting the phrase "be appointed by the council and" between 'shall' and 'consist'

Redraft as:

- (2) *The Academic Board shall be appointed by the Council and shall consist of-*

Justification: to provide for the appointment of the Academic Board by the council.

In sub-clause (4):

Paragraph (f)

By inserting the phrase "to the council" between the words "submit" and "academic" on line 1.

Redraft as:

- (f) *To initiate, prepare, evaluate, and submit to the council, academic programs for the Institute.*

Justification: for clarity.

Clause 12. Meetings of the Academic Board.

Propose to amend clause (12):

In sub-clause (2):

By substituting for the phrase "on behalf" appearing on line 4, the phrase "by at least two thirds".

Redraft as:

- (2) *Without prejudice to subsection (1), the chairperson of the academic board may at any time call a meeting of the Academic Board within fourteen days after receipt of a written requisition for that purpose addressed to him or her signed by at least three members of the board.*

Justification: to provide the number of members who may request for the convening of a meeting of the academic board.

Clause 13. Tenure of office of members of the Board.

Propose to delete the entire clause 13

Justification: the academic board being an internal board, its tenure of office can be regulated internally by the council, under sections 9(3) and by the regulations made under section 31(2)(b).

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Clause 14. Removal of Board members.

Propose to amend clause (14):

In the head-note:

By re-drafting the head-note as:

"Vacation of office by member of the Academic board"

Justification: to specify that it's a member of the academic board; and to cater for situations other than removal of board member from office.

In sub-clause (1):

Paragraph (a)

By substituting for the phrase "removed from or by" appearing on line 2 the phrase "ceases to be a member of".

Redraft as:

(a) in the case of a person representing a Ministry, institution, agency or department, if that person ceases to be a representative of the Ministry, institution, agency or department in respect of which he or she was appointed member.

Justification: to cater for situations of vacation other than of removal from office.

Paragraph (b):

By substituting for the word "Minister" appearing on line 1, the word "Council".

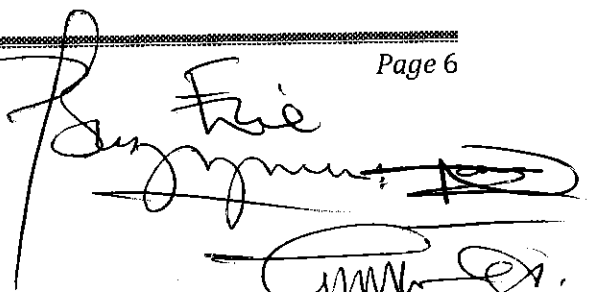
Justification: to empower the Council to remove a member of the academic board from office.

In paragraph (b)(iv) by deleting the phrase 'or insolvency'

Justification: the phrase is redundant.

In paragraph (b)(vi) by substituting for the word 'three' appearing on line 3 the word "six".



Justification: To align the provision with the existing laws on vacation of office on grounds of conviction.

In sub-clause (2):

- 1) By substituting for the word "Minister" appearing on lines 1 and 2 the word "Council".

Justification: to empower the Council to remove a member of the academic board from office.

- 2) By deleting the phrase "of that member" appearing at the end of sub-clause (2).

Justification: the phrase is redundant.

Clause 15: Principal.

Propose to amend clause (15)

In sub-clause (1) by deleting the phrase 'and a deputy principal' appearing on line 1.

Justification: to provide solely for the office of the Principal.

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

- (2) *The Principal shall be a person of high moral character and proven integrity, with professional knowledge and experience in wildlife conservation, research and training.*

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

In sub-clause (4) by deleting the entire sub-clause (4).

Justification: it is wrongly housed under the provision on the office of the Principal.

By inserting a new sub-clause (5) to provide as follows:

- (5) *'The Minister may, on the recommendation of the Council, suspend or terminate the appointment of the Principal for-*

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- (a) Misbehavior;
- (b) Inability to perform the functions of the office; or
- (c) any other sufficient cause.

Justification: to provide for circumstances of suspension or termination of appointment of the Principal from office.

Insert a new clause (16)

Clause 16. Deputy Principal

- (1) The institute shall have a deputy principal who shall be appointed by the Council on terms and conditions that may be specified in the instrument of appointment.
- (2) A person to be appointed as the deputy principal shall qualify for appointment by virtue of his or her professional knowledge and experience in wildlife conservation.
- (3) The Deputy Principal shall perform the functions of Principal in the absence of the Principal from office and shall perform such other duties as the Principal or Council may direct.
- (4) The Council may with approval of the Minister, suspend or terminate the appointment of the Deputy Principal for-
 - (a) Misbehavior;
 - (b) Inability to perform the functions of the office; or
 - (c) any other sufficient cause.

Justification: to provide for the office of Deputy Principal.

Clause 17. Appointment of other officers.

Propose to amend clause (17):

In the head-note:

By substituting for the word "officers" on the head-note, the phrase "staff of the Institute"

Redraft the head note as: *Appointment of other staff of the Institute.*

Justification: for clarity

By deleting the word "senior" appearing on line 1.

Justification: it is redundant.

Clause 19. Award and recognition of certificates of the Institute.

Propose to amend clause 19 by;

Substituting for sub-clause (1) the following:

(1) The Institute shall award certificates, diplomas and other qualifications for courses conducted by the Institute.

Justification: to enable the Institute award qualifications other than only certificates and diplomas.

In sub-clause (2) by re-phrasing the sub-clause as:

(2) Courses leading to the award of certificates, diplomas and other qualifications to be awarded by the Institute, shall be subject to approval of the National Council of Higher Education.

Justification: To empower the Institute to award other qualifications other than certificates, diplomas.

Clause 20. Funds of the Institute.

Propose to amend clause (20):

In sub-section (1) by:

Deleting paragraphs (c), (d) and (e)

Justification: To align the provision with the Public Finance Management Act, 2015.

In sub-section (2) by;

Deleting sub-clause (2)

Justification: subsequent amendment.

In sub-clause (3) by substituting the provision with the following;

(3) "Subject to section 33 of the Public Finance Management Act, the Centre shall open and maintain bank accounts as are necessary for the performance of its functions on which all monies of the institute shall be deposited"

Justification: To align the provision with the Public Finance Management Act, 2015.

In sub-section (4) by:

Re-drafting the provision as:

(4) The fees to be charged by the Institute shall be determined by the Council with approval of the Minister.

Justification: to require the Council to determine the fees to be paid at the Institute with approval of the Minister.

Clause 21. Borrowing powers

Propose to amend clause (21):

By substituting for the clause the following:

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

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

Clause 22. Estimates

Propose to amend clause (22):

In sub-clause (2)

- 1) By deleting the entire sub-clause (2).

Justification: It is redundant as it is provided for by the Government Financial Instructions.

Clause 23. Financial year of the Institute.

Re-draft the clause as:

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

Justification: To conform to the Government Financial year.

Clause 24. Accounts

Propose to amend clause (24):

In sub-clause (2)

- 1) By inserting the word "financial" between the words "a" and "statement" on line 3;
- 2) By deleting the phrase "a statement which shall include a report on the performance of the Institute during that financial year" appearing on line 4.

Redraft the sub-clause as:

- (2) *Subject to any direction given by the Minister, the Council shall prepare in respect of each financial year, and not later than three months after the close of the financial year, a financial statement for that year.*

Justification: for clarity.

In sub-clause (3) by deleting the entire sub-clause.

Justification: it is an unnecessary detail since it is provided for under the Public Finance Management Act.

Clause 25. Audit

Propose to amend clause (25):

By substituting the entire clause as follows:

25. Accounts and audit.

- (1) *The Auditor General or an auditor appointed by the Auditor General shall, in each financial year, audit the accounts of the Institute.*
- (2) *The Auditor General shall within three months after receipt of the accounts submit to the Minister a report of the audited accounts of the Institute.*
- (3) *The Minister shall submit a report of audited accounts of the Institute to Parliament in accordance with the Public Finance Management Act.*

Justification: To conform to the Public Finance Management Act, 2015.

Clause 26. Investment of surplus funds of the institute.

By deleting entire clause 26.

Justification: It is well catered for under the Public Finance Management Act, 2015.

Clause 30. Offences and Penalties.

Propose to amend clause (30):

In paragraph (a) by deleting the word "or" appearing on line 1 and inserting the phrase "or any other award" between "diploma" and "of".

In paragraph (b) by deleting the word 'or' appearing on line 1 and inserting the phrase "or any other award" between "diploma" and "of".

In paragraph (d) by deleting the word 'or' appearing on line 1 and inserting the phrase "or any other award" between "diploma" and "of".

In the third last line of the clause;

By substituting for the phrase "forty- eight" appearing on line 2; the phrase "seventy two"; and for the word "two" appearing on the second last line, the word "three".

Redraft the provision as:

30. Offences and penalties:

Any person who-

- (a) Makes use of any certificate, diploma **or any other award** of the Institute to which he or she is not issued;
- (b) Alters or defaces a certificate diploma **or any other award** issued under this Act or makes a copy with intent to deceive or defraud;
- (c) Reveals or discloses examination or test paper information to an unauthorized person
- (d) Sells, buys or steals a certificate diploma **or any other award** issued under this Act with intent to impersonate,

Commits an offence and is liable on conviction to a fine not exceeding **seventy-two** currency points or imprisonment not exceeding **three** years or both.

Justification:

To protect all other awards of the Institute other than certificates and diplomas from falsification; and to enhance the penalty for offences against the awards of the Institute.

Clause 31. Regulations

Propose to amend clause 31;

In paragraph (c) of sub section (2) by:

Inserting the phrase "or other awards" between the word "diplomas" and "issued".

Redraft the paragraph as:

- (b) The form of certificates, diplomas or other awards issued under this Act.

Justification: to empower the Minister to make regulations on the form of any other awards issued by the Institute other than certificates and diplomas.

SCHEDULE 2

Meetings of the Council.

Propose to amend paragraph (1):

In item (1) by: substituting for the phrase "four times a year" appearing on line 2, the phrase "quaterly"

Justification: For clarity

In item (3) by: deleting the entire item.

Justification: it is a repetition of item (2)

In item (5) by: amending the item by:

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

Redraft the item as:

(5) *The Chairperson shall preside at all meetings of the Council and in his or her absence, the Vice-Chairperson, and in the absence of both Chairperson and the Vice Chairperson, the members present shall elect one of their numbers to preside.*

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

Item (6) Propose to amend item (6) by:

Deleting the phrase "a second or" appearing on line 4.

Justification: it is redundant.

Propose to amend paragraph (3):

Item (1) by substituting for the word "chairperson" appearing on line 1 the word "secretary".

Justification: to require the secretary to keep the minutes of board meetings.

Item (2) by:

- (1) inserting the phrase "and secretary" between the words "Chairperson" and 'in';

Justification: To require the secretary to counter-sign the Minutes of the Council meetings.

- (2) deleting the word "other" appearing on line 4.

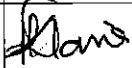

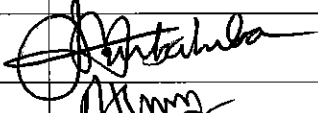
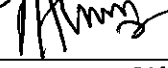

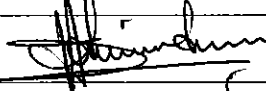
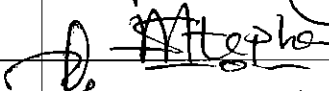
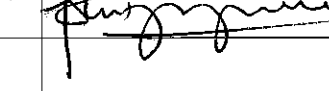
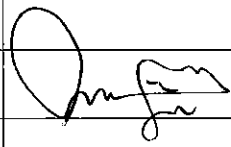
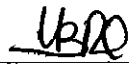

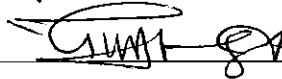
Justification: it is redundant.

Cross references

Propose to amend the cross reference by inserting a new item (3) as:

- (3) The Public Finance Management Act, 2015.

**REPORT OF THE COMMITTEE ON TOURISM, TRADE AND INDUSTRY ON
THE UGANDA WILDLIFE RESEARCH AND TRAINING INSTITUTE BILL, 2013**

NO	NAME	PARTY	SIGNATURE
1.	Kabahenda Flavia R. C/P	NRM	
2.	Namara Grace VC/P	INDEP	
3.	Kasaija 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	

