
BILLS

SUPPLEMENT No. 4

27th March, 2024

BILLS SUPPLEMENT

to The Uganda Gazette No. 22, Volume CXVII, dated 27th March, 2024

Printed by UPPC, Entebbe, by Order of the Government.

Uganda Export Promotions Board Act
Bill No. 40 *(Repeal) Bill* **2024**

**THE UGANDA EXPORT PROMOTIONS BOARD ACT (REPEAL)
BILL, 2024**

MEMORANDUM

1. Policy and principles of the Bill

The policy behind the Bill is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure (RAPEX) which was adopted by the Cabinet on 22nd February 2021.

2. Defects in existing law

The Constitution establishes a definite number of Government agencies, including constitutional commissions, authorities, boards, local councils and other statutory bodies. These were established to perform certain specified constitutional functions. Over the years, however, there has been a proliferation of agencies established by Acts of Parliament, Executive Orders and administrative arrangements. Whereas most of the agencies are necessary due to the critical nature of the functions they perform, Government has established that a certain limited number of agencies were established without due consideration to the aspects of institutional harmony, functional duplications, overlaps and affordability. Government has also established that some agencies have served the purpose for which they were established. The mandate of a few other agencies has been overtaken by events. Such agencies need to be rationalised.

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More importantly, the proliferation of agencies has created mandate overlaps and jurisdictional ambiguities among the agencies. Additionally, the high cost of administering the agencies has drained the national treasury at the expense of effective service delivery. This has overstretched the capacity of Government to sustain them. Government has also established that the generous salary structures of the agencies has created salary disparities between employees of the agencies and public officers in the traditional civil service leading to demotivation of human resources in the mainstream public service.

3. Remedies proposed in the Bill.

The intention of the Bill is to repeal the Uganda Export Promotions Board Act, Cap. 102 to enable the merger of the Export Promotions Board and the Uganda Free Zones Authority thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure of maintaining two agencies which perform similar functions or functions which may be performed by one agency.

4. Provisions of the Bill

The Bill has 5 clauses. Clause 2 of the Bill provides for the objectives of the Bill. Clause 3 of the Bill provides for the purpose of repealing Cap. 102 which is to enable the merger of the Export Promotions Board and the Uganda Free Zones Authority. Clause 4 provides for the repeal of the Uganda Export Promotions Board Act, Cap. 102.

FRANCIS MWEBESA,
Minister for Trade, Industry and Cooperatives.

THE UGANDA EXPORT PROMOTIONS BOARD ACT (REPEAL)
BILL, 2024

ARRANGEMENT OF CLAUSES

Clause

1. Interpretation
2. Objective
3. Purpose of repeal of Cap. 102
4. Repeal of Cap. 102
5. Savings

A Bill for an Act

ENTITLED

**THE UGANDA EXPORT PROMOTIONS BOARD ACT
(REPEAL) BILL, 2024**

An Act to repeal the Uganda Export Promotions Board Act, Cap. 102 to enable the merger of the Uganda Export Promotions Board and the Uganda Free Zones Authority in order to give effect to the Government Policy on Rationalisation of Government Agencies and Public Expenditure, and for related purposes.

BE IT ENACTED by Parliament as follows:

1. Interpretation

In this Act, unless the context otherwise requires—

“agency” means a body established by an Act of Parliament and includes an authority;

“commission” means a body established by the Constitution;

“Government” means the Government of Uganda.

2. Objective

(1) The main objective of this Act is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure adopted by the Cabinet on 22nd February, 2021 and contained in Cabinet Minute No. 43(CT 2021).

(2) Without prejudice to the general effect of subsection (1), the following objectives shall be deemed to fall under the objective specified in that subsection—

- (a) the merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- (b) the facilitation of efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments and thereby avoiding duplication of mandates and functions;
- (c) the promotion of coordinated administrative arrangements, policies and procedures for—
 - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
 - (ii) enabling the Government to play its proper role more effectively; and
 - (iii) enforcing accountability; and
- (d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

3. Purpose of repeal of Cap. 102

The purpose of repealing the Uganda Export Promotions Board Act, Cap. 102 is to enable the merger of the Export Promotions Board and the Uganda Free Zones Authority into an entity called the Uganda Free Zones and Export Promotions Authority under the supervision of the Ministry responsible for trade.

4. Repeal of Cap. 102

(1) The Uganda Export Promotions Board Act, Cap. 102 is repealed.

(2) On the commencement of this Act, the Uganda Export Promotions Board shall be dissolved.

5. Savings

(1) The board members and staff of the Export Promotions Board who, because of the merger of the Uganda Free Zones Authority and the Uganda Export Promotions Board, are not appointed as members of the Board of the Uganda Free Zones and Export Promotions Authority, shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) Compensation is not payable to any member of board of the Uganda Export Promotions Board for loss of office resulting from the merger of Uganda Free Zones Authority and the Uganda Export Promotions Board.

(3) Any person employed by the Uganda Export Promotions Board immediately before the commencement of this Act whose services are transferred to the Uganda Free Zones and Export Promotions Authority shall transfer to the Uganda Free Zones and Export Promotions Authority on similar or better terms than those enjoyed by those employees before the transfer.

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(4) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the Uganda Export Promotions Board shall vest in the Uganda Free Zones and Export Promotions Authority.

(5) Any proceedings commenced by or against the Uganda Export Promotions Board may be continued by or against the Uganda Free Zones and Export Promotions Authority.

(6) A licence, permit, certificate or authorisation issued by the Uganda Export Promotions Board which is in force immediately before the commencement of this Act shall have effect from the commencement of this Act as if granted by the Uganda Free Zones and Export Promotions Authority.

(7) The terms and conditions including the rights and obligations under a licence, permit, certificate or authorisation in force immediately before the commencement of this Act, shall not be less favourable than those that applied immediately before the commencement of this Act.