

PART III—MANAGEMENT AND ADMINISTRATION OF THE INSTITUTE

Part III of the Bill deals with the management and general administration of the Institute. It defines the Parliamentary Commission as the overall governing body of the Institute but also makes provision for a Steering Committee, which shall be responsible of the general running of the Institute. It also provides for the Director and other staff of the Institute.

PART IV—FINANCES

Part IV of the Bill provides for financial matters of the Institute. It also provides for opening and management of bank accounts, the duty to keep proper books of accounts, audits, and the duty to operate on sound financial principles.

PART V—MISCELLANEOUS

Part V of the bill deals with miscellaneous matters such as annual and other reports. It also provides for the making of regulations and policies for the better implementation of the Act. It also makes provision permitting the use of the Parliamentary Service (Staff) Regulations and Policies where no specific regulations and policies are made in respect to the Institute.

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Member of Parliament for Dokolo District.

THE INSTITUTE OF PARLIAMENTARY STUDIES BILL, 2019

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A Bill for an Act

ENTITLED

THE INSTITUTE OF PARLIAMENTARY STUDIES ACT, 2019

An Act to provide for the establishment of the Institute of Parliamentary Studies and to provide for its objects, functions, composition, management and finances, and other related matters

BE IT ENACTED by Parliament as follows—

PART I—INTERPRETATION

1. Interpretation

In this Act, unless the context otherwise requires—

“Clerk” means the Clerk to Parliament appointed under article 87 of the Constitution;

“Commission” means the Parliamentary Commission established under article 87A of the Constitution.

“Institute” means Institute of Parliamentary Studies established under section 2 of the Act.

“Speaker” means the Speaker of Parliament elected under article 82 of the Constitution of Uganda.

PART II—ESTABLISHMENT AND FUNCTIONS OF THE INSTITUTE

2. Establishment of the institute

(1) There is established an Institute of Parliamentary Studies.

(2) The Institute shall be a body corporate with perpetual succession and a common seal, with the capacity to sue or be sued in its corporate name and, do or suffer any other thing a body corporate may lawfully do or suffer.

(3) The Institute shall be an agency of Government and shall be under the general supervision of the Parliamentary Commission.

3. Objects of the Institute.

The objects of the Institute are—

- (a) to conduct courses for the exposition and enhancement of the knowledge, skills and experience of members and staff of Parliament and other legislatures, including local government councils;
- (b) to contribute to the effective and efficient execution by Legislatures of their roles and functions in democratic governance;
- (c) to participate in the preservation and transmission of parliamentary knowledge;
- (d) to provide directly, or in collaboration with other institutions of higher learning, facilities for parliamentary research, studies and training; and

- (e) To mobilize external resources for implementation of unfunded priorities of the Institute.

4. Functions of the Institute

The functions of the Institute are—

- (a) to conduct training of Members of Parliament and Staff of the Parliamentary Service;
- (b) to conduct training of Local Government Councillors with a view of strengthening the linkages between the national Parliament and Local Government Councils;
- (c) to manage twinning arrangements between Parliament of Uganda and other Parliaments;
- (d) to offer in-bound courses for Members of Parliament and Staff of other Parliaments;
- (e) to collaborate with other National Assemblies and centres or institutes executing similar mandates; and
- (f) to undertake any other business which is incidental to the performance of any of the foregoing functions.

PART III—MANAGEMENT AND ADMINISTRATION OF THE INSTITUTE

5. Management of the Institute

(1) The Commission shall be the overall policy body of the institute and shall be responsible for the strategic direction of the institute.

(2) Subject to sub section (1), there shall be a Steering Committee appointed by the Clerk with the approval of the Commission responsible for general running of the Institute.

(3) The steering committee shall comprise of—

- (a) the Deputy Clerk in charge of Parliamentary Affairs or his/her appointed representative;
- (b) the Deputy Clerk in charge of Corporate Affairs or his/her appointed representative;
- (c) a lecturer at a recognized university who is at the level of senior lecturer or above and who possesses knowledge and experience in capacity building, training or research in the legislature sector;
- (d) Representative from the Ministry of Local Government not below the rank of Commissioner;
- (e) the Director who shall be secretary to the Steering Committee;
- (f) a legal counsel not below the rank of principal; and
- (g) Two other persons nominated by the Clerk one of whom shall be a certified trainer of the Institute.

(4) A member of the steering committee shall serve a term of two and a half years, which may be renewable, and shall be paid such honoraria or allowance as determined by the Commission.

(5) The Clerk may, at any time suspend or terminate the appointment of a member of the Steering Committee for—

- (a) abuse of office;
- (b) corruption;
- (c) incompetence;

- (d) any physical or mental incapacity that renders a person incapable of performing the duties of that office;
- (e) failure to attend three consecutive Committee meeting's without reasonable grounds;
- (f) conviction of an offence involving moral turpitude;
- (g) being adjudged bankrupt by a court of law;
- (h) any other reasonable ground.

(6) Subject to the powers of the Commission and without prejudice to the generality of subsection (2) of this section, the Steering Committee shall have power to—

- (a) Recommend to the Commission for approval of all programs of the Institute;
- (b) administer the property and funds of the institute in such manner and for such purposes as shall promote the best interests of the Institute and Parliament;
- (c) receive, on behalf of the Institute or the Parliament, gifts, donations, or grants meant for the Institute;
- (d) do such other things as the Commission may from time to time direct.

6. Director

(1) There shall be a public officer designated Director of the Institute appointed by the Parliamentary Commission.

(2) The Director shall be the Secretary to the Steering Committee, but shall have no right to vote at any meeting of the Steering Committee.

7. Functions of the Director

(1) The Director is the accounting officer and is responsible for the day-to-day operations and administration of the Institute.

(2) Subject to this Act and to the general supervision and control of the Commission, the Director is responsible for—

- (a) the implementation of the policies and programmes of the Institute and reporting on them through the Steering Committee to the Commission;
- (b) the proper management of the funds and property of the Institute;
- (c) the organisation and control of the staff of the Institute;
- (d) the development of an operational plan to guide the Institute in achieving its objectives;
- (e) co-operation with other lead agencies and organisations in matters related to functions of the Institute;
- (f) the development of an economic, efficient and cost effective internal management structure;
- (g) proposing and implementing the strategic, operational and annual plans of the Institute;
- (h) ensuring that the policies of the Institute are implemented and that the agreed objectives, targets and service standards are met;
- (i) providing advice as required on all matters within the Institute's responsibility; and

- (j) performing any other duty necessary for the implementation of this Act as may be assigned to him or her by the Commission through the Steering Committee.

8. Other officers and staff of the Institute.

(1) The Parliamentary Commission may appoint other officers and staff of the Institute as may be necessary for the proper and efficient performance of the functions of the Institute.

(2) The employees appointed under this section shall hold office on such terms and conditions as may be determined by the Parliamentary Commission and specified in their instruments of appointment.

(3) The salary, emoluments and gratuity of the staff of the Institute shall be charged on the consolidated fund.

PART IV—FINANCES

9. Funds and sources of revenue of the Institute.

(1) The funds and sources of revenue of the Institute shall consist of—

- (a) money appropriated by Parliament for the purposes of the Institute;
- (b) grants, gifts or donations from the Government or other sources made with the approval of the Commission;
- (c) externally mobilized grants;
- (d) revenue earned from activities of the Institute under this Act; and
- (e) any other funds received by the Institute in the performance of its functions under this Act.

(2) All non-tax revenue raised by the Institute shall be remitted to the consolidated fund.

10. Duty to operate on sound financial principles.

In the performance of its functions under this Act, the Institute shall have due regard to sound financial principles.

11. Power to open and operate bank accounts.

The Institute with the authority of the Accountant General shall open and maintain such accounts as are necessary for the performance of the functions of the Institute.

12. Estimates.

(1) The Director shall, within three months before the end of each financial year, prepare and submit to the Steering Committee for its consideration, estimates of the income and expenditure of the Institute for the next financial year.

(2) The Steering Committee shall, within two months of receipt of the estimates referred to in subsection (1), cause to be submitted to the Parliamentary Commission for its approval, the estimates of income and expenditure as recommended by the Steering Committee.

13. Financial year of Institute.

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

14. Accounts and audit.

(1) The Institute shall keep proper books of accounts and all records relating to the transactions and affairs of the Institute.

(2) The Auditor General or an auditor appointed by the Auditor General shall, in each financial year, audit the accounts of the Institute.

(3) The Auditor General or an auditor appointed by the Auditor General shall within three months after receipt of the accounts submit to Parliament a report on the audited accounts of the Institute.

(4) The Auditor General shall submit the audited accounts of the Institute to Parliament in accordance with the Public Finance Management Act, 2015.

PART V—MISCELLANEOUS

15. Annual and other reports

(1) The Director shall, not later than six months after the end of a financial year, make and submit to the Commission, through the Steering Committee, a report on the activities of the Institute during that financial year.

(2) The Director shall also through the Steering Committee submit to the Commission quarterly reports and other reports as the Commission may from time to time require.

16. Regulations and Policies

(1) The Parliamentary Commission may make regulations and policies for the better implementation of this Act.

(2) All regulations made under this Act shall be laid before Parliament.

(3) Where no regulations or policies are made under this Act or where the regulations and policies made under this Act do not make provision, the Parliamentary Service (Staff) Regulations and Policies shall apply.

17. Transitional Provisions

(1) All rights, assets, liabilities and obligations of the Institute immediately before the commencement of this Act are transferred to the Institute.

(2) All officers of the Commission earlier appointed in the service of the Institute before the coming into force of this Act, shall be deemed to have transferred their service under this Act.

(3) All officers of the Commission earlier appointed in the service of the Institute on permanent and pensionable terms before the coming into force of this Act, shall continue to be members of the Parliamentary Pension Scheme.