

BILLS SUPPLEMENT

to The Uganda Gazette No. 14, Volume CXVII, dated 15th February, 2024

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

Rationalisation of Government Agencies
Bill No. 9 (Social Development Sector) (Amendment) Bill 2024

**THE RATIONALISATION OF GOVERNMENT AGENCIES
(SOCIAL DEVELOPMENT SECTOR) (AMENDMENT) 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.

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, therefore, is to amend several Acts of Parliament in the social development sector to—

- (a) enable 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) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments, thereby avoiding duplication of mandates and functions;
- (c) promote 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;

- (d) to restructure and re-organise agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

4. Provisions of the Bill

The Bill has seven parts and 43 clauses.

Part I—Preliminary

Part I deals with preliminary matters including interpretation and the purpose of the Bill.

Part II—Amendment of Children Act, Cap 59.

The purpose of amending the Children Act, Cap. 59 is to mainstream the functions of the Children Authority established under Part IIA of the Act into the Ministry responsible for children. The amendment abolishes the Children Authority and the Board of directors established by the Act.

Part III—Amendment of Persons with Disabilities Act, 2020 (Act 3 of 2020)

The purpose of amending the Persons with Disability Act, 2020 is to repeal the provisions establishing the secretariat for the National Council for Persons with Disabilities and to give the objects and functions of the dissolved secretariat to the National Secretariat for Special Interest Groups which is responsible for providing secretariat functions to all special interest elective councils. The amendment abolishes the secretariat for the National Council for Persons with Disabilities established by the Act.

Part IV—Amendment of National Women’s Council Act, Cap. 318

The purpose of amendment of the National Women’s Council Act, Cap. 318 is to repeal the provisions establishing the secretariat for the National Women’s Council and to transfer the functions of the

secretariat to the National Secretariat for Special Interest Groups which is responsible for providing secretariat functions to all special interest elective councils. The amendment abolishes the secretariat for the National Women's Council established by Cap. 318.

Part V—Amendment of National Youth Council Act, Cap. 319

The purpose of amending the National Youth Council Act, Cap. 319 is to repeal the provisions establishing a secretariat for the National Youth Council and to give the secretariat to the National Secretariat for Special Interest Groups which is responsible for providing secretariat functions to all special interest elective councils. The amendment abolishes the secretariat for the National Youth Council established under the Act.

Part VI - Amendment of National Council for Older Persons Act, 2013 (Act 2 of 2013)

The purpose of amendment of the National Council for Older Persons Act, 2013 is to repeal the provisions establishing a secretariat for the National Council for Older Persons and to give the objects and functions of the secretariat to the National Secretariat for Special Interest Group: which is responsible for providing secretariat functions to all special interest group elective councils. The amendment abolishes the secretariat for the National Council for Older Persons established under the Act.

Part VII—General

This part of the Bill establishes the National Secretariat for Special Interest Groups.

BETTY ONGOM AMONGI (MP)

Minister of Gender, Labour and Social Development

**THE RATIONALISATION OF GOVERNMENT AGENCIES (SOCIAL
DEVELOPMENT SECTOR) (AMENDMENT) BILL, 2024**

ARRANGEMENT OF CLAUSES

PART I—PRELIMINARY

Clause

1. Interpretation
2. Objectives of this Act

PART II—AMENDMENT OF CHILDREN ACT, CAP 59.

3. Purpose of amendment of Children Act, Cap. 59
4. Dissolution of Children Authority
5. Amendment of section 1 of Act 1 of Cap. 59
6. Repeal of Part IIA of Cap. 59
7. Amendment of section 43I of Cap. 59
8. Amendment of section 114 of Cap. 59
9. Savings provisions for Act 1 of Cap. 59

**PART III—AMENDMENT OF PERSONS WITH DISABILITIES
ACT, 2020 (ACT 3 OF 2020)**

10. Purpose of amendment of Act 3 of 2020
11. Dissolution of secretariat for National Council for Persons with Disabilities
12. Substitution of section 26 of Act 3 of 2020
13. Repeal of section 27 of Act 3 of 2020
14. Repeal of section 28 of Act 3 of 2020
15. Repeal of section 29 of Act 3 of 2020
16. Repeal of section 30 of Act 3 of 2020
17. Savings provisions to Act 3 of 2020

**PART IV—AMENDMENT OF NATIONAL WOMEN’S COUNCIL
ACT, CAP. 318**

18. Purpose of amendment of Cap. 318
19. Dissolution of secretariat for National Women’s Council
20. Substitution of section 9 of Cap. 318
21. Repeal of section 10 of Cap. 318
22. Amendment of section 11 of Cap. 318
23. Repeal of section 12 of Cap. 318
24. Repeal of section 13 of Cap. 318
25. Savings provisions for Act 3 of Cap. 318

**PART V—AMENDMENT OF NATIONAL YOUTH COUNCIL
ACT, CAP. 319**

26. Purpose of amendment of Cap. 319
27. Dissolution of secretariat for National Youth Council
28. Amendment of section 1 of Cap. 319
29. Substitution of section 10 of Cap. 319
30. Repeal of section 11 of Cap. 319
31. Amendment of section 12 of Cap. 319
32. Repeal of section 13 of Cap. 319
33. Repeal of section 14 of Cap. 319
34. Savings provisions for Cap. 319

**PART VI—AMENDMENT OF NATIONAL COUNCIL FOR
OLDER PERSONS ACT, 2013 (ACT 2 OF 2013)**

35. Purpose of amendment of Act 2 of 2013
36. Dissolution of secretariat for National Council for Older Persons
37. Amendment of section 1 of Act 2 of 2013
38. Substitution of section 11 of Act 2 of 2013
39. Repeal of section 12 of Act 2 of 2013
40. Amendment of section 13 of Act 2 of 2013
41. Repeal of section 14 of Act 2 of 2013
42. Savings provisions for Act 2 of 2013

PART VII—GENERAL

43. Establishment of National Secretariat for Special Interest Groups

A Bill for an Act

ENTITLED

**THE RATIONALISATION OF GOVERNMENT
AGENCIES (SOCIAL DEVELOPMENT SECTOR)
(AMENDMENT) ACT, 2024**

An Act to repeal, and to make amendments to, certain Acts of Parliament establishing statutory bodies in the social development sector in order to give effect to the Government program on rationalisation of Government agencies and public expenditure, and for related purposes.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

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;

“Ministry” means the Ministry of Gender, Labour and Social Development.

2. Objectives of this Act

(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.

PART II—AMENDMENT OF CHILDREN ACT, CAP 59.

3. Purpose of amendment of Children Act, Cap. 59

The purpose of amending the Children Act, Cap. 59 is to dissolve the Children Authority and mainstream the functions of the dissolved Children Authority into the Ministry responsible for children.

4. Dissolution of the National Children Authority

On the commencement of this Act, the Children Authority shall be dissolved.

5. Amendment of section 1 of Cap. 59

Section 1 of Cap. 59 is amended by repealing the definitions of “Authority”, and “board”.

6. Repeal of Part IIA of Cap. 59

Part IIA (sections 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X and 9Y) is repealed.

7. Amendment of section 43I of Cap. 59

Section 43I of Cap. 59 is amended in subsection (1) by repealing the following—

“and submit a copy of the order to the National Children Authority.”

8. Amendment of section 114 of Cap. 59

Section 114 of Cap. 59 is repealed.

9. Savings provisions for Cap. 59

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Children Authority shall vest in the Ministry responsible for children.

(2) Any proceedings commenced by or against the National Children Authority may be continued by or against the Attorney General.

(3) The members of the Board of directors and staff of the of the National Children Authority serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(4) Compensation is not payable to any member of the of the Board of directors of the National Children Authority for loss of office resulting from the abolition of the of the Board by this Act.

PART III—AMENDMENT OF THE PERSONS WITH
DISABILITIES ACT, 2020 (ACT 3 OF 2020)

10. Purpose of amendment of Act 3 of 2020

The purpose of amending the Persons with Disability Act, 2020 (Act 3 of 2020) is to dissolve the secretariat for the National Council for Persons with Disabilities established by Act 3 of 2020 and transfer the objects and functions of the dissolved secretariat to the National Secretariat for Special Interest Groups established by this Act and which shall be responsible for providing secretariat functions to all special interest elective councils.

11. Dissolution of secretariat for National Council for Persons with Disabilities

On the commencement of this Act, the secretariat for the National Council for Persons with Disabilities shall be dissolved.

12. Substitution of section 26 of Act 3 of 2020

For section 26 of Act 3 of 2020, there is substituted the following—

“26. Secretariat

The secretariat of the council shall be the National Secretariat for Special Interest Groups in the Ministry”.

13. Repeal of section 27 of Act 3 of 2020

Section 27 of Act 3 of 2020 is repealed.

14. Repeal of section 28 of Act 3 of 2020

Section 28 of Act 3 of 2020 is repealed.

15. Repeal of section 29 of Act 3 of 2020

Section 29 of Act 3 of 2020 is repealed.

16. Repeal of section 30 of Act 3 of 2020

Section 30 of Act 3 of 2020 is repealed.

17. Savings provisions for Act 3 of 2020

(1) The staff of the council including the Executive Secretary serving immediately before the commencement of this Act, shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) The staff of the of the council serving immediately before the commencement of this Act may be redeployed to serve in the public service subject to availability of positions.

PART IV—AMENDMENT OF THE NATIONAL WOMEN’S
COUNCIL ACT, CAP. 318

18. Purpose of amendment of Cap. 318

The purpose of amending the National Women’s Council Act, Cap. 318 is to dissolve the secretariat for the National Women’s Council

and transfer the objects and functions of the dissolved secretariat to the National Secretariat for Special Interest Groups established by this Act and which shall be responsible for providing secretariat functions to all special interest group elective councils.

19. Dissolution of secretariat for National Women’s Council

On the commencement of this Act, the secretariat for the National Women’s Council shall be dissolved.

20. Substitution of section 9 of Cap. 318

For section 9 of Cap. 318, there is substituted the following—

“9. Secretariat

The secretariat of the council shall be the National Secretariat for Special Interest Groups in the Ministry”.

21. Repeal of section 10 of Cap. 318

Section 10 of Cap. 318 is repealed.

22. Amendment of section 11 of Cap. 318

Section 11 of Cap. 318 is amended—

- (a) in the marginal note, by substituting for “secretary” the word “secretariat”;
- (b) by repealing subsection (1);
- (c) in subsection (2), by substituting for “secretary” the word “head of the secretariat or his or her representative”;
- (d) by repealing subsection (3).

23. Repeal of section 12 of Cap. 318

Section 12 of Cap. 318 is repealed.

24. Repeal of section 13 of Cap. 318

Section 13 of Cap. 318 is repealed.

25. Savings provisions for Cap. 318

(1) The staff of the council including the secretary serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) The staff of the of the council serving immediately before the commencement of this Act may be redeployed to serve in the public service subject to availability of positions.

PART V—AMENDMENT OF NATIONAL YOUTH COUNCIL ACT,
CAP. 319

26. Purpose of amendment of Cap. 319

The purpose of amending the National Youth Council Act, Cap. 319 is to dissolve the secretariat for the National Youth Council and transfer the functions of the dissolved secretariat to the National Secretariat for Special Interest Groups established by this Act and which shall be responsible for providing secretariat functions to all special interest group elective councils.

27. Dissolution of secretariat for National Youth Council

On the commencement of this Act, the secretariat for the National Youth Council is abolished.

28. Amendment of section 1 of Cap. 319

Section 1 of Cap. 319 is amended by repealing the definition of “secretary”.

29. Substitution of section 10 of Cap. 319

For section 10 of Cap. 318, there is substituted the following—

“10. Secretariat

The secretariat of the council shall be the National Secretariat for Special Interest Groups in the Ministry”.

30. Repeal of section 11 of Cap. 319

Section 11 of Cap. 319 is repealed.

31. Amendment of section 12 of Cap. 319

Section 12 of Cap. 318 is amended—

- (a) in the marginal note by substituting for “secretary” the word “secretariat”;
- (b) by repealing subsection (1);
- (c) in subsection (2) by substituting for “secretary” the word “head of the secretariat or his her representative”; and
- (d) by repealing subsection (3).

32. Repeal of section 13 of Cap. 319

Section 13 of Cap. 319 is repealed.

33. Repeal of section 14 of Cap. 319

Section 14 of Cap. 319 is repealed.

34. Savings provisions to Cap. 319

(1) The staff of the council including the secretary serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) The staff of the of the council serving immediately before the commencement of this Act may be redeployed to serve in the public service subject to the availability of positions.

PART VI—AMENDMENT OF NATIONAL COUNCIL FOR
OLDER PERSONS ACT, 2013 (ACT 2 OF 2013)

35. Purpose of amendment of Act 2 of 2013

The purpose of amending the National Council for Older Persons Act, 2013 is to dissolve the secretariat for the National Council for Older

Persons and transfer the functions of the dissolved secretariat to the National Secretariat for Special Interest Groups established by this Act and which shall be responsible for providing secretariat functions to all special interest group elective councils.

36. Dissolution of secretariat for National Council for Older Persons

On the commencement of this Act, the secretariat for the National Council for Older Persons shall be dissolved.

37. Amendment of section 1 of Act 2 of 2013

Section 1 of Cap. 319 is amended by repealing the definition of “Executive Secretary”.

38. Substitution of section 11 of Act 2 of 2013

For section 11 of Cap. 318, there is substituted the following—

“10. Secretariat

The secretariat of the council shall be the National Secretariat for Special Interest Groups in the Ministry”.

39. Repeal of section 12 of Act 2 of 2013

Section 12 of Act 2 of 2013 is repealed.

40. Amendment of section 13 of Act 2 of 2013

Section 13 of Act 2 of 2013 is amended—

- (a) in the marginal note by substituting for “Executive Secretary” the word “secretariat”;
- (b) by repealing subsection (1);
- (c) in subsection (2) by substituting for “Executive Secretary” the words “head of the secretariat or his or her representative”; and
- (d) by repealing subsection (3).

41. Repeal of section 14 of Act 2 of 2013

Section 14 of Act 2 of 2013 is repealed.

42. Savings provisions for Act 2 of 2013

(1) The staff of the council including the Executive Secretary serving immediately before the commencement of this Act, shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) The staff of the of the council serving immediately before the commencement of this Act may be redeployed to serve in the public service subject to the availability of positions.

PART VII—GENERAL

43. Establishment of National Secretariat for Special Interest Groups

(1) There shall be established in the Ministry responsible for special interest groups (women, youth, older persons, persons with disability) a National Secretariat for Special Interest Groups which shall be staffed in accordance with the public service rules and regulations.

(2) The head of the National Secretariat for Special Interest Groups shall be at the level of Commissioner.

(3) The head of the secretariat of the National Secretariat for Special Interest Groups shall be the secretary of the councils; and in his or her absence, the secretary may nominate any officer of the Secretariat to be the secretary of any council.

(4) For the purposes of this section, “councils” refers to—

(a) the Council for Older Persons established by the National Council for Older Persons Act, 2013 (Act 2 of 2013);

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- (b) the National Youth Council established by the National Youth Council Act, Cap. 319;
- (c) the National Women’s Council established by the National Women’s Council Act, Cap. 318; and
- (d) the National Council for Persons with Disabilities established by the Persons with Disabilities Act, 2020 (Act 3 of 2020).