

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 amend the National Forestry and Tree Planting Act, 2003, Act 8 of 2003, to—

- (a) enable the mainstreaming and rationalisation of the functions of the National Forestry Authority into the Ministry responsible for the environment thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure of maintaining an Authority yet the functions set out in the Act may be performed by the Ministry with less cost and expenditure like it was before the enactment of the Act;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the Ministry in respect to the new functions 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.

4. Provisions of the Bill

The Bill has 48 clauses. Clause 2 of the Bill stipulates the objectives of the Bill. Clause 3 of the Bill provides for the purpose of amendment of the National Forestry and Tree Planting Act, 2003, which is to mainstream the functions of the National Forestry Authority into the Ministry responsible for the environment. Clause 4 of the Bill seeks to dissolve the National Forestry Authority while clause 5 transfers the responsibilities of the National Forestry Authority to the ministry responsible for the environment. The rest of the clauses of the Bill seek to give effect to the dissolution of the National Forestry Authority.

SAM MANGUSHO CHEPTORIS (MP)
Minister of Water and Environment

**THE NATIONAL FORESTRY AND TREE PLANTING
(AMENDMENT) BILL, 2024****ARRANGEMENT OF CLAUSES*****Clause***

- 1. Interpretation**
- 2. Objectives**
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- 4. Dissolution of National Forestry Authority**
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- 6. Amendment of long title of the National Forestry and Tree Planting Act, 2003**
- 7. Amendment of section 3 of principal Act**
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- 9. Amendment of section 12 of principal Act**
- 10. Amendment of section 26 of principal Act**
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- 12. Amendment of section 45 of principal Act**
- 13. Amendment of section 48 of principal Act**
- 14. Amendment of title of Part VIII of principal Act**
- 15. Repeal of section 52 of principal Act**
- 16. Repeal of section 53 of principal Act**
- 17. Amendment of section 54 of principal Act**
- 18. Repeal of section 55 of principal Act**
- 19. Repeal of section 56 of principal Act**
- 20. Repeal of section 57 of principal Act**
- 21. Repeal of section 58 of principal Act**
- 22. Repeal of section 59 of principal Act**
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24. Repeal of section 61 of principal Act
25. Amendment of section 63 of principal Act
26. Amendment of section 64 of principal Act
27. Repeal of section 65 of principal Act
28. Repeal of section 66 of principal Act
29. Repeal of section 67 of principal Act
30. Repeal of section 68 of principal Act
31. Repeal of section 69 of principal Act
32. Repeal of section 70 of principal Act
33. Repeal of section 71 of principal Act
34. Repeal of section 72 of principal Act
35. Repeal of section 73 of principal Act
36. Repeal of section 74 of principal Act
37. Repeal of section 75 of principal Act
38. Repeal of section 76 of principal Act
39. Repeal of section 77 of principal Act
40. Repeal of section 78 of principal Act
41. Repeal of section 79 of principal Act
42. Repeal of section 80 of principal Act
43. Amendment of section 91 of principal Act
44. Repeal of section 94 of principal Act
45. Repeal of section 95 of principal Act
46. Repeal of section 96 of principal Act
47. Repeal of Second Schedule to principal Act
48. Savings

A Bill for an Act

ENTITLED

**THE NATIONAL FORESTRY AND TREE PLANTING
(AMENDMENT) ACT, 2024**

An Act to amend the National Forestry and Tree Planting Act, 2003, Act 8 of 2003 to dissolve the National Forestry Authority and transfer its functions to the Ministry responsible for the environment 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. Objectives

(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 amendment of Act 8 of 2003

The purpose of amending the National Forestry and Tree Planting Act, 2003, Act 8 of 2003 is to mainstream the functions of the National Forestry Authority into the Ministry responsible for the environment.

4. Dissolution of the National Forestry Authority

On the commencement of this Act, the National Forestry Authority established by Act 8 of 2003 shall be dissolved.

5. Responsibility for functions under Act 8 of 2003

On the commencement of this Act, the Ministry responsible for forestry shall be responsible for performing the functions of the dissolved National Forestry Authority.

6. Amendment of long title of the National Forestry and Tree Planting Act, 2003

The long title to the National Forestry and Tree Planting Act, 2003, hereinafter referred to as the “principal Act” is amended by repealing the words “to establish a National Forestry Authority”.

7. Amendment of section 3 of principal Act

Section 3 of the principal Act is amended—

(a) by repealing the definitions of “Authority”, “Board”, “Executive Director”; and

(b) by inserting immediately after the definition of “Minister” the following—

“Ministry” means the Ministry responsible for forestry;”.

8. Amendment of section 6 of principal Act

Section 6 of the principal Act is amended by repealing the words “on the advice of the Board”.

9. Amendment of section 12 of principal Act

Section 12 of the principal Act is amended by substituting for “Authority” wherever it appears, the word “Ministry”.

10. Amendment of section 26 of principal Act

Section 26 of the principal Act is amended by substituting for “Authority” the word “Ministry”.

11. Amendment of section 36 of principal Act

Section 36 of the principal Act is amended by substituting for “Authority” the word “Ministry”.

12. Amendment of section 45 of principal Act

Section 45 of the principal Act is amended by substituting for “Authority” the word “Ministry”.

13. Amendment of section 48 of principal Act

Section 48 of the principal Act is amended in subsection (3)(b) by substituting for “Authority” the word “Ministry”.

14. Amendment of title of Part VIII of principal Act

For the title to Part VIII of the principal Act, there is substituted the following—

“PART III—ROLE OF MINISTRY”

15. Repeal of section 52 of principal Act

Section 52 of the principal Act is repealed.

16. Repeal of section 53 of principal Act

Section 53 of the principal Act is repealed.

17. Amendment section 54 of principal Act

Section 54 of the principal Act is amended by substituting for “Authority” wherever it appears, the word “Ministry”.

18. Repeal of section 55 of principal Act
Section 55 of the principal Act is repealed.

19. Repeal of section 56 of principal Act
Section 56 of the principal Act is repealed.

20. Repeal of section 57 of principal Act
Section 57 of the principal Act is repealed.

21. Repeal of section 58 of principal Act
Section 58 of the principal Act is repealed.

22. Repeal of section 59 of principal Act
Section 59 of the principal Act is repealed.

23. Repeal of section 60 of principal Act
Section 60 of the principal Act is repealed.

24. Repeal of section 61 of principal Act
Section 62 of the principal Act is repealed.

25. Amendment of section 63 of principal Act
Section 63 of the principal Act is amended—

- (a) by substituting for “Authority” wherever it appears the word “Ministry”; and
- (b) in subsection (3) by substituting for “Board” the word “Ministry”.

26. Amendment of section 64 of principal Act
Section 64 of the principal Act is amended—

- (a) by substituting for “Authority” wherever it appears the word “Ministry”; and

- (b) in subsection (3) by substituting for “Board” the word “Ministry”.

27. Repeal of section 65 of principal Act

Section 65 of the principal Act is repealed.

28. Repeal of section 66 of principal Act

Section 66 of the principal Act is repealed.

29. Repeal of section 67 of principal Act

Section 67 of the principal Act is repealed.

30. Repeal of section 68 of principal Act

Section 68 of the principal Act is repealed.

31. Repeal of section 69 of principal Act

Section 69 of the principal Act is repealed.

32. Repeal of section 70 of principal Act

Section 70 of the principal Act is repealed.

33. Repeal of section 71 of principal Act

Section 71 of the principal Act is repealed.

34. Repeal of section 72 of principal Act

Section 72 of the principal Act is repealed.

35. Repeal of section 73 of principal Act

Section 73 of the principal Act is repealed.

36. Repeal of section 74 of principal Act

Section 74 of the principal Act is repealed.

37. Repeal of section 75 of principal Act

Section 75 of the principal Act is repealed.

38. Repeal of section 76 of principal Act
Section 76 of the principal Act is repealed.

39. Repeal of section 77 of principal Act
Section 77 of the principal Act is repealed.

40. Repeal of section 78 of principal Act
Section 78 of the principal Act is repealed.

41. Repeal of section 79 of principal Act
Section 79 of the principal Act is repealed.

42. Repeal of section 80 of principal Act
Section 80 of the principal Act is repealed.

43. Amendment of section 91 of principal Act
Section 91 of the principal Act is amended in subsection (1) by substituting for “Authority” the word “Ministry”.

44. Repeal of section 94 of principal Act
Section 94 of the principal Act is repealed.

45. Repeal of section 95 of principal Act
Section 95 of the principal Act is repealed.

46. Repeal of section 96 of principal Act
Section 96 of the principal Act is repealed.

47. Repeal of Second Schedule to principal Act
The Second Schedule to the principal Act is repealed.

48. Savings

(1) The board members and staff of the National Forestry Authority shall be paid their terminal benefits in accordance with the terms and conditions of their service.

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(2) Compensation is not payable to any member of the board of the National Forestry Authority for loss of office resulting from the dissolution of the National Forestry Authority.

(3) The staff of the National Forestry Authority may be redeployed to serve in the public service subject to availability of positions.

(4) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Forestry Authority shall vest in the Government of Uganda under the Ministry.

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

(6) A licence, permit, certificate or authorisation issued by the National Forestry Authority under the Act 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 Ministry or Minister, whichever is applicable.

(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.