

BILLS SUPPLEMENT

to The Uganda Gazette No. 65, Volume CXVII, dated 30th September, 2024

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

Bill No. 77 *The Administration of Parliament (Amendment) Bill* **2024**

THE ADMINISTRATION OF PARLIAMENT (AMENDMENT)
BILL, 2024

MEMORANDUM

1.0. Object of the Bill

The Object of the Bill is to amend the Administration of Parliament Act, Cap. 272 to provide for the election of the Leader of the Opposition by members of the opposition in Parliament, from among the members of the party in opposition to Government having the greatest numerical strength in Parliament; to provide additional grounds upon which the Leader of the Opposition may cease to hold office; to require the shadow cabinet to be approved by members of the opposition parties in Parliament; to require the Leader of the Opposition to consult opposition political parties represented in Parliament when appointing chairpersons and deputy chairpersons of standing Committees of Parliament; and for related matters.

2.0. Defects in the existing legislation

In July 2005, Uganda transitioned from the Movement political system to a multiparty political system through a national referendum. The adoption of the multi-party system of governance saw the amendment of the Constitution of the Republic of Uganda, 1995 to create the office of Leader of the Opposition in Parliament and subsequently, in 2006, the Administration of Parliament Act, Cap. 272 was amended to provide for the office of Leader of the Opposition.

Section 8 of the Administration of Parliament Act, Cap. 272 provides for the election of Leader of the Opposition by the party in opposition to the Government having the greatest numerical strength in Parliament.

Whereas section 8 of the Administration of Parliament Act requires the Leader of the Opposition in Parliament to be determined through an elective process, it is silent on the composition of the electoral college for the election of the Leader of the Opposition and currently the Leader of the Opposition is designated by the party with the highest numerical strength among opposition parties in Parliament and is simply imposed on the members of opposition in Parliament without their will and consent.

Suffice to note is that there are various political parties in opposition with representation in Parliament, including Democratic Party, Forum for Democratic Change, Uganda People's Congress, Justice Forum and People's Progressive Party and the Leader of the Opposition superintend all members of the opposition in Parliament. However, the current manner of election of Leader of the Opposition in Parliament has not only led to the suppression of the views of other opposition political parties in Parliament but also made it impossible for the members in opposition in Parliament to hold the Leader of the Opposition accountable.

As a result, there is need to amend the Administration of Parliament Act, Cap. 272 to allow for the participation of all members of opposition in Parliament in the election of the Leader of the Opposition in Parliament in order to achieve effective representation.

3.0. Remedies

This Bill therefore seeks to provide for—

- (a) the election of the Leader of the Opposition by members of the opposition in Parliament, from among the members of the party in opposition to Government having the greatest numerical strength in Parliament;

- (b) additional grounds upon which the Leader of the Opposition may cease to hold office;
- (c) the shadow cabinet to be approved by members of the opposition parties in Parliament;
- (d) the Leader of the Opposition to consult opposition political parties represented in Parliament when appointing chairpersons and deputy chairpersons of standing Committees of Parliament which are chaired and deputised by members of the opposition in Parliament;

LUMU RICHARD KIZITO, MP

Mityana County South

THE ADMINISTRATION OF PARLIAMENT (AMENDMENT)

BILL, 2024

ARRANGEMENT OF CLAUSES

Clauses

1. Amendment of Cap. 272
2. Amendment of section 8 of principal Act
3. Amendment of section 9 of principal Act
4. Amendment of section 11 of principal Act

A Bill for an Act

ENTITLED

**THE ADMINISTRATION OF PARLIAMENT (AMENDMENT)
BILL, 2024**

The Object of the Bill is to amend the Administration of Parliament Act, Cap. 272 to provide for the election of the Leader of the Opposition by members of the opposition in Parliament; to provide additional grounds upon which the Leader of the Opposition may cease to hold office; to require the shadow cabinet to be approved by members of the opposition in Parliament; to require the Leader of the Opposition to consult opposition political parties represented in Parliament when appointing chairpersons and deputy chairpersons of the relevant Standing Committees of Parliament; and for related matters.

BE IT ENACTED by Parliament as follows:

1. Amendment of Cap. 272

The Administration of Parliament Act, in this Act referred to as the principal Act, is amended in section 1 by substituting for the definition of “Leader of the Opposition”, the following—

“Leader of the Opposition” means the member of Parliament who is the leader in Parliament, of members of the opposition parties in Parliament;”.

2. Amendment of section 8 of principal Act

Section 8 of the principal Act is amended—

- (a) by substituting for subsection (1), the following—

“(1) Subject to subsection (3), the Leader of the Opposition shall be elected by members of the opposition parties in Parliament;”

- (b) by substituting for subsection (2), the following—

“(2) The party in opposition to Government having the greatest numerical strength in Parliament shall nominate from among its members in Parliament, at least three members, from whom the Leader of the Opposition shall be elected.”;

- (c) by inserting immediately after subsection (3), the following—

“(4) The procedure for election of Leader of the Opposition shall be prescribed under the Rules of Procedure of Parliament.”

3. Amendment of section 9 of principal Act

Section 9 of the principal Act is amended—

- (a) by repealing paragraph (a);

- (b) by substituting for paragraph (c), the following—

“(c) he or she ceases to be a member of the political party in opposition to the Government having the greatest numerical strength in Parliament;

- (c) by inserting immediately after paragraph (e), the following—

“(f) he or she is removed from the office of Leader of the Opposition by a resolution of the members of the opposition parties in Parliament;

- (g) he or she is unable to perform the functions of his or her office due to infirmity of body or mind;
 - (h) he or she is incompetent; or
 - (i) he or she misbehaves.”
- (d) by numbering the current provision as subsection (1) and inserting immediately after subsection (1), the following—
- “(2) The procedure for removing the Leader of the Opposition shall be prescribed under the Rules of Procedure of Parliament.”

4. Amendment of section 11 of principal Act

Section 11 of the principal Act is amended—

- (a) in subsection (2), by repealing the words “in consultation with his or her party leadership”;
- (b) by inserting immediately after subsection (2), the following—

“(2a) The shadow cabinet appointed under subsection (2) shall be approved by members of the opposition parties in Parliament, by resolution.”
- (c) by inserting immediately after subsection (4), the following—

“(5) The Leader of the Opposition may, in consultation with opposition political parties represented in Parliament, appoint chairpersons and deputy chairpersons of Standing Committees which are required to be chaired and deputized by members from the opposition.”

