

BILLS SUPPLEMENT

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Bill No. 8 *Rationalisation of Government Agencies
(Internal Affairs Sector) (Amendment) Bill* **2024**

**THE RATIONALISATION OF GOVERNMENT AGENCIES
(INTERNAL AFFAIRS 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 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 four parts and 29 clauses.

Part I—Preliminary

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

Part II—Amendment of Registration of Persons Act, 2015 (Act 4 of 2015)

The purpose of amending the Registration of Persons Act, 2015 is to empower the National Identification and Registration Authority to administer and give effect to the laws on civil registration including the Children Act, Cap. 59, the Customary Marriage (Registration) Act, Cap. 248 and the Marriage Act, Cap 251.

Part III—Amendment of Non-Governmental Organisations Act, 2016 (Act 5 of 2016)

The purpose of amendment of the Non-Governmental Organisations Act, 2016 (Act 5 of 2016) is to mainstream the functions of the National Bureau of Non-Governmental Organisations established into the Ministry responsible for internal affairs. The amendment abolishes the board of directors of the National Bureau of Non-Governmental Organisations as a distinct legal entity and re-establishes National Bureau of Non-Governmental Organisations as a Government department within the structure of the Ministry responsible for internal affairs.

Part IV—Amendment of Uganda Registration Services Bureau Act, Cap. 210

The purpose of amending the Uganda Registration Services Bureau Act, Cap. 210 is to transfer to the National Identification and Registration

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Authority the power to administer and give effect to the laws on civil registration including the Children Act, Cap. 59, the Customary Marriage (Registration) Act, Cap. 248 and the Marriage Act, Cap. 251.

MAJ. GEN. (RTD) KAHINDA OTAFIIRE
Minister for Internal Affairs.

**THE RATIONALISATION OF GOVERNMENT AGENCIES
(INTERNAL AFFAIRS SECTOR) (AMENDMENT) BILL, 2024**

ARRANGEMENT OF CLAUSES

PART I—PRELIMINARY

Clause

1. Interpretation
2. Objectives of this Act

**PART II—AMENDMENT OF REGISTRATION OF PERSONS
ACT, 2015 (ACT 4 OF 2015)**

3. Purpose of amendment of Act 4 of 2015
4. Amendment of section 5 of Act 4 of 2015

**PART III—AMENDMENT OF NON-GOVERNMENTAL
ORGANISATIONS ACT, 2016 (ACT 5 OF 2016)**

5. Purpose of amendment of Act 5 of 2016
6. Dissolution of National Bureau of Non-Governmental Organisations
7. Amendment of long title of Act 5 of 2016
8. Amendment of section 3 of Act 5 of 2016
9. Amendment of section 5 of Act 5 of 2016
10. Amendment of section 6 of Act 5 of 2016
11. Amendment of section 8 of Act 5 of 2016
12. Substitution of title of Part III of Act 5 of 2016
13. Amendment of section 9 of Act 5 of 2016

14. Amendment of section 10 of Act 5 of 2016
15. Repeal of section 11 of Act 5 of 2016
16. Amendment of section 12 of Act 5 of 2016
17. Amendment of section 13 of Act 5 of 2016
18. Amendment of section 14 of Act 5 of 2016
19. Substitution of title to Part IV of Act 5 of 2016
20. Amendment of section 15 of Act 5 of 2016
21. Substitution of title to Part V of Act 5 of 2016
22. Substitution of section 16 of Act 5 of 2016
23. Substitution of section 17 of Act 5 of 2016
24. Repeal of section 18 of Act 5 of 2016
25. Repeal of Part VII of Act 5 of 2016
26. Repeal of section 42 of Act 5 of 2016
27. Savings provisions for Act 5 of 2016

**PART IV—AMENDMENT OF UGANDA REGISTRATION
SERVICES BUREAU ACT, CAP. 210**

28. Purpose of amendment of Cap. 210
29. Amendment of First Schedule to Cap. 210

A Bill for an Act

ENTITLED

**THE RATIONALISATION OF GOVERNMENT AGENCIES
(INTERNAL AFFAIRS SECTOR) (AMENDMENT) ACT, 2024**

An Act to repeal, and to make amendments to, certain Acts of Parliament establishing statutory bodies in the internal affairs 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 responsible for internal affairs.

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 REGISTRATION OF PERSONS
ACT, 2015 (ACT 4 OF 2015)**

3. Purpose of amendment of Act 4 of 2015

The purpose of amending the Registration of Persons Act, 2015 (Act 4 of 2015) is to empower the National Identification and Registration Authority to administer and give effect to the following laws on civil registration—

- (a) the Children Act, Cap. 59;
- (b) the Customary Marriage (Registration) Act, Cap. 248; and
- (c) the Marriage Act, Cap 251.

4. Amendment of section 5 of Act 4 of 2015

Section 5 of Act 4 of 2015 is amended in subsection (1) by inserting immediately paragraph (l) the following—

“(la) to administer and give effect to section 56 of the Children Act, Cap. 59, the Customary Marriage (Registration) Act, Cap. 248 and the Marriage Act, Cap 251;”

**PART III—AMENDMENT OF NON-GOVERNMENTAL ORGANISATIONS
ACT, 2016 (ACT 5 OF 2016)**

5. Purpose of amendment of Act 5 of 2016

(1) The purpose of amendment of the Non-Governmental Organisations Act, 2016 (Act 5 of 2016) is to mainstream the functions of the National Bureau of Non-Governmental Organisations established under the Act into the Ministry responsible for internal affairs.

(2) The amendment abolishes the board of directors of the National Bureau of Non-Governmental Organisations as a distinct legal entity and re-establishes the National Bureau of Non-Governmental

Organisations as a Government department within the structure of the Ministry responsible for internal affairs.

6. Dissolution of National Bureau of Non-Governmental Organisations

(1) The National Bureau of Non-Governmental Organisations established under Act 5 of 2016 as a distinct legal entity is dissolved.

(2) The National Bureau of Non-Governmental Organisations shall continue to exist under this Act as a government department, within the structure of the Ministry responsible for internal affairs.

7. Amendment of long title to Act 5 of 2016

The long title to Act 5 of 2016 is amended by repealing the words “to provide for the board of directors”.

8. Amendment of section 3 of Act 5 of 2016

Section 3 of Act 5 of 2016 is amended by repealing the definitions of “board of directors”, “Chairperson” and “Executive Director”.

9. Amendment of section 5 of Act 5 of 2016

Section 5 of Act 5 of 2016 is amended by repealing subsections (2) and (3).

10. Amendment of section 6 of Act 5 of 2016

Section 6 of Act 5 of 2016 is amended by repealing paragraph (c).

11. Amendment of section 8 of Act 5 of 2016

Section 8 of Act 5 of 2016 is amended by substituting for “Executive Director” wherever it appears the word “secretary”.

12. Substitution of title to Part III of Act 5 of 2016

For the title of Part III of Act 5 of 2016 there is substituted the following—

“PART III—COMPOSITION OF BUREAU”

13. Amendment of section 9 of Act 5 of 2016

Section 9 of Act 5 of 2016 is amended—

- (a) by substituting for the headnote the following—

“9. Composition of Bureau”

- (b) by repealing subsection (1);

- (c) by substituting for subsection (2) the following—

“(2) The members of the bureau shall be appointed by the Minister and approved by Cabinet and shall consist of—

- (a) a chairperson;

- (b) a vice chairperson;

- (c) two representatives from the non-governmental organisations sector in Uganda; and

- (d) three other persons.”;

- (d) in subsection (3) by substituting for “board of directors” the word “Bureau”;

- (e) in subsection (4) by substituting for “board of directors” the word “Bureau”;

- (f) in subsection (5) by substituting for “board of directors” the word “Bureau”;

- (g) in subsection (6) by substituting for “board of directors” wherever it appears the word “bureau”; and

- (h) in subsection (7) by substituting for “board of directors” the word “Bureau”.

14. Amendment of section 10 of Act 5 of 2016

Section 10 of Act 5 of 2016 is amended by substituting for “board of directors” wherever it appears the word “Bureau”.

15. Repeal of section 11 of Act 5 of 2016

Section 11 of Act 5 of 2016 is repealed.

16. Amendment of section 12 of Act 5 of 2016

Section 12 of Act 5 of 2016 is amended by substituting for “board of directors” wherever it appears the word “bureau”.

17. Amendment of section 13 of Act 5 of 2016

Section 13 of Act 5 of 2016 is amended by substituting for “board of directors” wherever it appears the word “bureau”.

18. Amendment of section 14 of Act 5 of 2016

Section 14 of Act 5 of 2016 is amended by substituting for “board of directors” wherever it appears the word “bureau”.

19. Substitution of title to Part IV of Act 5 of 2016

For the title of Part IV of Act 5 of 2016 there is substituted the following—

“PART IV—COMMITTEES OF BUREAU”

20. Amendment of section 15 of Act 5 of 2016

Section 15 of Act 5 of 2016 is amended by substituting for “board of directors” the word “bureau”.

21. Substitution of title to Part V of Act 5 of 2016

For the title of Part V of Act 5 of 2016 there is substituted the following—

“PART V—SECRETARIAT OF THE BUREAU”

22. Substitution of section 16 of Act 5 of 2016

For section 16 of Act 5 of 2016, there is substituted the following—

“16. Secretariat of Bureau

(1) The Bureau shall have a secretariat in the Ministry which shall be headed by a secretary whose office shall be a public office within that Ministry.

(2) The secretary, shall be appointed by the Minister, in consultation with the Ministry responsible for the public service.

(3) The secretary shall not be a member of the Bureau

(4) The secretary shall be responsible for—

(a) the day to day operations of the Bureau;

(b) the management of the funds of the Bureau;

(c) the administration and management of the property of the Bureau;

(d) the supervision and control of the officers and other staff of the Bureau;

(e) keeping a register of registered organisations;

(f) implementing the decisions of the Bureau;

(g) reporting to the Ministry on the operations of the Bureau;

(h) certifying documents upon payment of the prescribed fee; and

(i) performing any other functions assigned to him or her by the Bureau.”

23. Substitution of section 17 of Act 5 of 2016

For section 17 of Act 5 of 2016, there is substituted the following—

“17. Secretary to the Bureau

(1) There shall be a Secretary to the Bureau who shall be a public officer appointed by the Minister, in consultation with the Minister responsible for the public service, for a period of four years and is eligible for reappointment, for one further term.

(2) The Secretary to the Bureau shall perform such functions as the Bureau may direct and in addition, shall be responsible for—

- (a) arranging the business at meetings of the Bureau;
- (b) taking the minutes of the meetings of the Bureau; and
- (c) keeping the records of the decisions and other policy records of the Bureau.

(3) In the performance of his or her duties, the Secretary shall report to the Bureau.”

24. Repeal of section 18 of Act 5 of 2016

Section 18 of Act 5 of 2016 is repealed.

25. Repeal of Part VII of Act 5 of 2016

Part VII (sections 22, 23, 24, 25, 26, 27, 28) of Act 5 of 2016 is repealed.

26. Repeal of section 42 of Act 5 of 2016

Section 42 of Act 5 of 2016 is repealed.

27. Savings provisions for Act 5 of 2016

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Bureau of Non-Governmental Organisations as established by Act 5 of 2016 shall vest in the Government of Uganda under the Ministry responsible for internal affairs.

(2) Any proceedings commenced by or against the National Bureau of Non-Governmental Organisations as established by Act 5 of 2016 may be continued by or against the Attorney General.

(3) A licence, permit, certificate or authorisation issued by the National Bureau of Non-Governmental Organisations 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 Bureau under this Act.

(4) 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.

(5) The board of directors and staff of the National Bureau of Non-Governmental Organisations serving immediately before the commencement of this Act shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(6) Compensation is not payable to any member of the board of directors of the National Bureau of Non-Governmental Organisations for loss of office resulting from the abolition of the board of directors by this Act.

(7) The staff of the National Bureau of Non-Governmental Organisations 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 UGANDA REGISTRATION
SERVICES BUREAU ACT, CAP. 210**

28. Purpose of amendment of Cap. 210

The purpose of amending the Uganda Registration Services Bureau Act, Cap. 210 is to transfer to the National Identification and Registration Authority the power to administer and give effect to the following laws on civil registration—

- (a) the Children Act, Cap. 59;
- (b) the Customary Marriage (Registration) Act, Cap. 248; and
- (c) the Marriage Act, Cap. 251.

29. Amendment of First Schedule to Cap. 210

The First Schedule to Cap. 210 is amended by repealing—

- (a) item 6 (section 56 of the Children Act);
- (b) item 8 (Customary Marriage (Registration) Act, Cap. 248);
and
- (c) item 9 (Marriage Act, Cap. 251).