

BILLS SUPPLEMENT

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Bill No. 27 *Constitutional (Amendment) Bill* **2023**

CONSTITUTION (AMENDMENT) BILL, 2023

MEMORANDUM

1. Policy and principles of 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 the Uganda Human Rights Commission and the Equal Opportunities Commission. It has been observed that the work of the two commissions is similar. To avoid duplication of the roles and functions of the two commissions and to cut costs of administration, there is need to merge the Equal Opportunities Commission with the Uganda Human Rights Commission to form one commission that performs the functions of both commissions.

Also, the Constitution establishes the Uganda Law Reform Commission as the body responsible for law reform in Uganda. However, the functions performed by the Law Reform Commission may be performed by a department in the Ministry of Justice and Constitutional Affairs instead of having a distinct commission.

3. Remedies proposed in Bill.

The intention of the Bill is to repeal, and to make amendments to, certain provisions of the Constitution to merge the Equal Opportunities

Commission with the Uganda Human Rights Commission and to rationalise the administrative framework for the performance of the law reform function in Uganda by establishing a department responsible for law reform in the Ministry responsible for justice.

Provisions of Bill

The Bill has 8 clauses. The clauses deal with the merger of the Equal Opportunities Commission with the Uganda Human Rights Commission and the rationalisation of the administrative framework for the performance of the law reform function in Uganda by dissolving the Uganda law Reform Commission and establishing a department responsible for law reform in the Ministry responsible for justice.

WILSON MURULI MUKASA (MP)

Minister of Public Service

THE CONSTITUTION (AMENDMENT) BILL, 2023.

Clauses

ARRANGEMENT OF CLAUSES

1. Amendment of article 32 of the Constitution
2. Amendment of article 51 of the Constitution
3. Amendment of article 52 of the Constitution
4. Amendment of article 53 of the Constitution
5. Amendment of article 58 of the Constitution
6. Substitution of article 248 off the Constitution

A Bill for an Act

ENTITLED

THE CONSTITUTION (AMENDMENT) ACT, 2023.

An Act to repeal, and to make amendments to provisions of the Constitution establishing constitutional bodies in order to give effect to the Government program on rationalisation of Government agencies and public expenditure; to merge the Equal Opportunities Commission with the Uganda Human Rights Commission and rename the Uganda Human Rights Commission as the Uganda Human Rights and Equal Opportunities Commission; to rationalise the administrative framework for the performance of the law reform function in Uganda; and for related matters.

BE IT ENACTED by Parliament as follows:

1. Amendment of article 32 of the Constitution

Article 32 of the Constitution is amended by repealing clauses (3) and (4).

2. Amendment of article 51 of the Constitution

Article 51 of the Constitution is amended by substituting for “Uganda Human Rights Commission” wherever it appears, the words “Uganda Human Rights and Equal Opportunities Commission”.

3. Amendment of article 52 of the Constitution

Article 52 of the Constitution is amended by substituting for “Uganda Human Rights Commission” wherever it appears, the words “Uganda Human Rights and Equal Opportunities Commission”.

4. Amendment of article 53 of the Constitution

Article 53 of the Constitution is amended by substituting for “Uganda Human Rights Commission” wherever it appears the words “Uganda Human Rights and Equal Opportunities Commission”.

5. Amendment of article 58 of the Constitution

Article 58 of the Constitution is amended by substituting for “Uganda Human Rights Commission” the words “Uganda Human Rights and Equal Opportunities Commission”.

6. Substitution of article 248 off the Constitution

For article 248 of the Constitution, there is substituted the following—

“248. Parliament to make laws for the reform of laws of Uganda.

Parliament shall make laws for the reform of the laws of Uganda.”