

BILLS SUPPLEMENT

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Bill No. 20

National Population Council Act, 2014
(Repeal) Bill

2024

THE NATIONAL POPULATION COUNCIL ACT, 2014
(REPEAL) 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 is to amend the National Population Council Act, 2014, Act 8 of 2014, to—

- (a) enable the transfer of the functions of the National Population Council to the National Planning Authority established by Act 15 of 2002 and which is generally in charge of planning, including planning relating to population matters, 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 the National Planning Authority government and other 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.

4. Provisions of the Bill

The Bill has 6 clauses. Clause 1 of the Bill provides for the interpretation of terms used in the Bill. Clause 2 of the Bill provides for the objectives of the Bill. Clause 3 of the Bill provides for the purpose of amending the National Population Council Act, 2014. Clause 4 of the Bill seeks to repeal the National Population Council Act, 2014. Clause 5 of the Bill seeks to dissolve the National Population Council.

MATIA KASAIJA (MP)

Minister of Finance, Planning and Economic Development

THE NATIONAL POPULATION COUNCIL ACT, 2014
(REPEAL) BILL, 2024

ARRANGEMENT OF CLAUSES

Clause

1. Interpretation
2. Objectives
3. Purpose of amendment of Act 8 of 2014
4. Repeal of Act 8 of 2014
5. Dissolution of National Population Council
6. Savings

A Bill for an Act

ENTITLED

NATIONAL POPULATION COUNCIL ACT, 2014
(REPEAL) ACT, 2024

An Act to amend the National Population Council Act, 2014 to give effect to the Government Policy on Rationalisation of Government Agencies and Public Expenditure; to enable the transfer of the functions of the National Population Council to the National Planning Authority; to dissolve the National Population Council, 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 finance.

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 2014

(1) The purpose of amending the National Population Council Act, 2014 is to enable the transfer of the functions of the National Population Council to the National Planning Authority established by the National Planning Authority Act, 2002.

(2) The amendment dissolves the National Population Council.

4. Repeal of Act 8 of 2014

The National Population Council Act, 2014 is repealed.

5. Dissolution of National Population Council

On the commencement of this Act, the National Population Council shall be dissolved.

6. Savings

(1) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the National Population Council shall vest in the National Planning Authority.

(2) Any proceedings commenced by or against the National Population Council may be continued by or against the National Planning Authority.

(3) A licence, permit, certificate or authorisation issued by the National Population Council 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 National Planning Authority 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 members and staff of the National Population Council 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 National Population Council for loss of office resulting from the abolition of the National Population Council by this Act.

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