

**BILLS**

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**BILLS SUPPLEMENT**

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**THE NATIONAL INFORMATION POLICY AND  
CO-ORDINATING AGENCY BILL, 1992.**

**MEMORANDUM**

SCANNED

The object of this Bill is to set up an Agency to be known as the National Information Policy and Co-ordinating Agency; to provide for its objects and functions; to provide for the National Information Policy and Co-ordinating Council and the National Executive Committee as the organs of the Agency; to provide for its finances and accounts; and for other matters connected therewith.

**SAM SEBAGEREKA,**  
*Minister of Public Service.*

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THE NATIONAL INFORMATION POLICY AND  
CO-ORDINATING AGENCY BILL, 1992.

ARRANGEMENT OF CLAUSES.

*Clause.*

PART I—PRELIMINARY.

1. Short title.
2. Interpretation.

PART II—ESTABLISHMENT, OBJECTIVES AND FUNCTIONS  
OF AGENCY.

3. Establishment of the National Information Policy and Co-ordinating Agency.
4. Objectives of the Agency.
5. Functions of the Agency.

PART III—ESTABLISHMENT OF THE NATIONAL INFORMATION  
POLICY AND CO-ORDINATING COUNCIL.

6. Establishment of the Council.
7. Functions of the Council.

PART IV—ESTABLISHMENT OF THE NATIONAL EXECUTIVE  
COMMITTEE OF THE AGENCY.

8. Establishment of the Committee.
9. Functions of the Committee.
10. Removal and remuneration of members.

PART V—EXECUTIVE DIRECTOR AND OTHER  
MEMBERS OF STAFF.

11. Executive Director.
12. Other staff of Agency.
13. Immunity from proceedings of members of Agency.

PART VI—FINANCES AND RELATED PROVISIONS.

14. Funds of the Agency.
15. Estimates.
16. Accounts.
17. Financial year of the Agency.

PART VII—MISCELLANEOUS.

18. Annual report.
  19. Regulations.
- Schedule.

A BILL for a Statute

ENTITLED

**THE NATIONAL INFORMATION POLICY AND  
CO-ORDINATING AGENCY STATUTE, 1992.**

**A Statute to provide for the establishment of the National Information Policy and Co-ordinating Agency to develop National Information Systems and services for Uganda; to provide for its objects and functions, to provide for organs of its management and its finances and for other connected matters.**

BE IT ENACTED by the President and the National Resistance Council as follows:

PART I—PRELIMINARY.

1. This Statute may be cited as the National Information Policy and Co-ordinating Agency Statute, 1992. Short title.
2. In this Statute, unless the context otherwise requires— Interpretation.  
“Agency” means the National Information Policy and Co-ordinating Agency established under section 3 of this Statute;

“Committee” means the National Executive Committee established under section 8 of this Statute;

“Information Systems” means National Information Systems and Services for Uganda;

“Council” means the National Information Policy and Co-ordinating Council established under section 6 of this Statute;

“Minister” means the Minister responsible for Public Service.

PART II—ESTABLISHMENT, OBJECTIVES AND  
FUNCTIONS OF THE AGENCY.

Establishment of the National Information Policy and Co-ordinating Agency.

3. (1) There is established an Agency to be known as the National Information Policy and Co-ordinating Agency.

(2) The Agency shall be a body corporate with perpetual succession and a common seal and shall be capable of suing or being sued in its corporate name and, subject to this Statute, may borrow money, acquire and dispose of property and do all such other things as a body corporate may lawfully do.

(3) The seal of the Agency shall be authenticated by the signatures of the Executive Director and any other member of the Council authorised by resolution or specially in that behalf.

(4) Every document purporting to be an instrument issued by the Agency and to be sealed with the seal of the Agency authenticated in the manner provided by subsection (3) shall be received and be deemed to be such an instrument without further proof unless the contrary is shown.

4. The objectives of the Agency shall be—

(a) to develop and manage a national co-ordinated network of information sources, systems and services;

Objectives of the Agency.

- (b) to provide information and data to the public and private sectors; and
- (c) to improve, integrate and co-ordinate information resources systems, services and activities in Uganda.

5. The functions of the Agency shall be—

Functions  
of the  
Agency.

- (a) to provide appropriate and timely information to the public and private sectors;
- (b) to support and identify the need for information services in Uganda;
- (c) to co-ordinate, promote and monitor information activities, systems and services in Uganda;
- (d) to formulate and implement legislation and administrative procedures for information provision, accessibility and flow;
- (e) to promote the publishing industry;
- (f) to support research and development in information handling, informatics norms and standards, library science, documentation, archives and records management;
- (g) to improve on the management of the information system in Uganda;
- (h) to acquire, promote, develop, preserve and make available all publications produced in Uganda and about Uganda;
- (i) to enhance information sharing, exchange and co-operation within and outside Uganda; and
- (j) to do all such other things as are incidental or conducive to the attainment of the objectives of the Agency under this Statute.

† PART III—ESTABLISHMENT OF THE NATIONAL  
INFORMATION POLICY AND CO-ORDINATING  
COUNCIL.

Establish-  
ment of the  
Council.

6. (1) There shall be the National Information Policy and Co-ordinating Council.

(2) The Council shall consist of a Chairman and not less than thirteen members and not more than fifteen members appointed by the Minister on such terms and conditions as the Minister may determine.

(3) The members of the Council shall include representatives of the following Government Ministries—

- (a) Office of the President;
- (b) Office of the Prime Minister;
- (c) Public Service;
- (d) Education and Sports;
- (e) Health;
- (f) Agriculture, Animal Industry and Fisheries;
- (g) Industry and Technology;
- (h) Information;
- (i) Local Government;
- (j) Works, Transport and Communications;
- (k) Women in Development, Culture and Youth;
- (l) Finance;
- (m) Commerce, Co-operatives and Marketing;
- (n) Water, Energy, Minerals and Environment Protection; and
- (o) the Executive Director of the Agency.

(4) The provisions of the Schedule to this Statute shall apply to the meetings of the Council and the Minister may, by Statutory Instrument, amend the Schedule.

7. The functions of the Council shall be—

Functions  
of the  
Council.

- (a) to advise the Government on all matters concerning the proper usage and application of information and data;
- (b) to consider and approve various policy proposals of the Agency and to establish priorities concerning the development of the information system in Uganda; and
- (c) to consider and approve the budgetary estimates of the Agency.

PART IV—ESTABLISHMENT OF NATIONAL EXECUTIVE  
COMMITTEE OF THE AGENCY.

8. (1) There shall be the National Executive Committee of the Agency which shall consist of not less than twelve and not more than fifteen members appointed by the Minister on the advice of the Council for a period of three years on such terms and conditions as the Minister may determine.

Establish-  
ment of the  
Commit-  
tee.

(2) The Minister shall appoint the Chairman from among the members appointed under subsection (1) of this section.

(3) The members of the Committee shall be appointed from the following—

- (a) the publishing industry;
- (b) academic organisations;
- (c) information specialists; and
- (d) other user groups.

9. The functions of the Committee shall be to advise and assist the Executive Director to ensure the effective implementation of the policies and decisions of the Council.

Functions  
of the  
Committee.



Removal and  
Remunera-  
tion of  
members.

**10.** (1) A member of the National Executive Committee appointed by the Minister shall, unless he resigns or is removed from office, continue in office for three years and is eligible for re-election for three more years.

(2) A member referred to in subsection (1) may resign his office by notice in writing delivered to the Minister.

(3) If the Minister is satisfied that a member referred to in subsection (1) without reasonable cause or without the permission of the Chairman has been absent from four consecutive meetings of the Committee or is by virtue of physical or mental incapacity or for any other sufficient cause, unable or unfit to discharge his functions as a member, he may remove him from office.

(4) Remuneration of members of the National Executive Committee shall be on such terms and conditions as shall be determined from time to time by the Minister.

**PART V—EXECUTIVE DIRECTOR AND  
OTHER MEMBERS OF STAFF.**

Executive  
Director.

**11.** (1) The Agency shall have an Executive Director who shall be a person with substantial experience in, and knowledge of matters relating to information systems and services.

(2) The Executive Director shall be appointed by the Minister on such terms and conditions as the Minister may determine.

(3) The Executive Director shall consider and implement projects, programmes and activities related to the objectives of the Agency as the Council may direct.

(4) Subject to the provisions of this Statute and to the general control of the Council on matters of policy, the Executive Director shall be responsible for the management of the funds, property and business of the Agency, the administration and organisation of its affairs and the control of its staff.

12. The Council may, with the approval of the Minister from time to time, and on such terms and conditions as it thinks fit—

Other staff  
of Agency.

- (a) appoint such other officers and employees for the proper and efficient discharge of the functions of the Agency;
- (b) grant pensions, gratuities or retiring allowances to the staff and employees of the Agency and require them to contribute to any pension, provident fund or superannuation scheme.

13. No act or thing done or omitted to be done by any member or employee of the Agency shall, if done or omitted in good faith in the execution or purported execution of his duties as a member or employee of the Agency, render him personally liable to any civil liability in respect thereof.

Immunity  
from pro-  
ceedings of  
members of  
Agency.

#### PART VI—FINANCES AND RELATED PROVISIONS.

14. The funds available for the purpose of enabling the Agency to perform its functions under this Statute shall consist of—

Funds of  
the Agency.

- (a) money from time to time appropriated by the legislature for that purpose;
- (b) grants, gifts and donations that may be received by the Agency from any source within or outside Uganda;
- (c) any such other moneys received by or made available to the Agency for the purpose of performing its functions under this Statute.

15. The Committee shall, within a period of three months before the end of each financial year, make and submit to the Council for its approval, estimates and expenditure of the Agency for the next ensuing year.

Estimates.

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Accounts.

16. (1) The Agency shall keep proper books of accounts and proper records in relation thereto.

(2) The accounts shall, in respect of every financial year, be subject to audit by the Auditor-General or an auditor appointed by him.

(3) The Auditor-General shall deliver to the Minister a copy of the audited accounts of the Agency not later than six months from the end of the financial year to which they relate.

(4) The Minister shall lay or cause to be laid before the legislature a copy of the audited accounts delivered under subsection (3).

Financial year of the Agency.

17. The financial year of the Agency shall be, in respect of the first accounting period, the period starting from the date of commencement of this Statute, and ending on the 30th June the following year, and in respect of any subsequent accounting period, the period of twelve months ending on the 30th June.

#### PART VII—MISCELLANEOUS.

Annual Report.

18. The Executive Director shall, after consultations with the Committee, and within three months after the end of each financial year, submit to the Minister a report of the activities of the Agency in respect of that financial year and the report shall include a record of the performance of the Agency during that financial year.

Regulations.

19. The Minister may, after consultations with the Council, make regulations for the better carrying into effect of this Statute.

#### SCHEDULE.

s. 6.

Tenure of office.

1. A member of the Council or Committee shall vacate office by either—

(a) resignation; or

(b) removal from office by the Minister.

2. (1) The first meeting of the Council shall be convened by the Chairman and thereafter the Council shall meet for the transaction of business at such places and at such times as may be decided upon by the Council, but the Council shall meet at least once every three months. Meetings of  
the Council.

(2) The Chairman, or in his absence a member appointed by the Council to act in his place, may at any time call a special meeting upon a written request by a majority of the members of the Council.

(3) The Chairman shall preside at every meeting of the Council and in his absence inability to act as such, the members present may appoint a member from amongst themselves to preside at that meeting.

3. The quorum at a meeting of the Council shall be eight members. Quorum.

4. (1) All questions proposed at a meeting of the Council shall be decided by a majority of the votes of the members present and in the event of an equality of votes the person presiding shall have a casting vote in addition to his deliberative vote. Decisions of  
the Council.

(2) A decision may be made by the Council without a meeting of the Council by the circulation of the relevant papers among the members of the Council and by the expression of the views of the majority of the members in writing but any member shall be entitled to require that the decision be deferred and the matter on which a decision is sought be considered at a meeting of the Council.

5. (1) A member of the Council who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Council shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest to the Council. Disclosure  
of Interest.

(2) A disclosure of interest under sub-paragraph (1) shall be recorded in the minutes of the meeting of the Council and the member making such disclosure shall not, unless the Council otherwise determines in respect of that matter—

(a) be present during any deliberation on the matter by the Council;

(b) take part in the decision of the Board.

(3) For the purpose of the making of a decision by the Council under sub-paragraph (2) in relation to a member who has made a disclosure under sub-paragraph (1), the member who has made such disclosure shall not—

(a) be present during the deliberations of the Council for the making of such determination; or

(b) influence any other member or take part in the making by the Board of the determination.

Minutes of proceedings.

6. (1) The Council shall cause the minutes of all proceedings of its meetings to be recorded and kept and the minutes of each meeting shall be confirmed by the Council at the next meeting and signed by the Chairman of the meeting.

(2) The Chairman of the Council shall submit to the Minister a copy of the minutes of each meeting of the Council as soon as such minutes have been confirmed.

Council to regulate proceedings of Committee.

7. The Council shall provide for the manner in which the Committee shall regulate its proceedings.

Council to regulate its proceedings.

8. Subject to the provisions of this Schedule, the Council may regulate its own proceedings.