
BILLS

SUPPLEMENT No. 4

27th March, 2024

BILLS SUPPLEMENT

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Bill No. 39 *Registration of Persons (Amendment) Bill* **2024**

**THE REGISTRATION OF PERSONS (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 is to amend the Registration of Persons Act, 2015, Act 4 of 2015, to—

- (a) to transfer to the National Identification and Registration 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, the Marriage Act, Cap. 251, the Hindu Marriage and Divorce Act, Cap. 250 and the Marriage and Divorce of Mohammedans Act, Cap. 252, thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure by rationalising civil registration in one agency and not two;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the National Identification and Registration Authority in respect to civil registration, thereby avoiding duplication of mandates and functions with other government agencies and departments;
- (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 the National Identification and Registration Authority to effectively perform the civil registration function by eliminating bloated structures and functional ambiguities in respect to civil registration.

4. Provisions of the Bill

The Bill has four clauses. Clause 2 of the Bill provides for the objectives of the Bill. Clause 3 provides for the purpose of the Bill, which is to transfer to the National Identification and Registration 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, the Marriage Act, Cap. 251, the Hindu Marriage and Divorce Act, Cap. 250 and the Marriage and Divorce of Mohammedans Act, Cap. 252.

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

THE REGISTRATION OF PERSONS (AMENDMENT) BILL, 2024

ARRANGEMENT OF CLAUSES

Clause

1. Interpretation
2. Objectives
3. Purpose of amendment of Act 4 of 2015
4. Amendment of section 5 of Act 4 of 2015

A Bill for an Act

ENTITLED

**THE REGISTRATION OF PERSONS (AMENDMENT)
ACT, 2024**

An Act to amend the Registration of Persons Act, 2015 to grant the National Identification and Registration Authority the power to administer the Children Act, Cap. 59, the Customary Marriage (Registration) Act, Cap. 248, the Marriage Act, Cap. 251, the Hindu Marriage and Divorce Act, Cap. 250 and the Marriage and Divorce of Mohammedans Act, Cap. 252 and give effect to civil registration in order to give effect to the Government Policy on Rationalisation of Government Agencies and Public Expenditure, and for related purposes.

BE IT ENACTED by Parliament as follows:

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

(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 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;
- (c) the Marriage Act, Cap 251.
- (d) the Hindu Marriage and Divorce Act, Cap. 250; and
- (e) the Marriage and Divorce of Mohammedans Act, Cap. 252

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 54 of the Children Act, Cap. 59, the Customary Marriage (Registration) Act, Cap. 248 and the Marriage Act, Cap 251; the Hindu Marriage and Divorce Act, Cap. 250; and the Marriage and Divorce of Mohammedans Act, Cap. 252”.