



**Monday, 26 July 2021**

*Parliament met at 10.13 a.m. in Parliament House, Kampala*

## PRAYERS

*(The Deputy Speaker, Ms Anita Among, in the Chair.)*

## COMMUNICATION FROM THE CHAIR

**THE DEPUTY SPEAKER:** Honourable members, I welcome you to today's special sitting whose main objective is to elect a Member of the East African Legislative Assembly to replace hon. Mathias Kasamba who passed on.

This election is aimed at filling that vacancy that was created when the representative passed away on 27 April 2021. The late hon. Mathias Kasamba had previously been elected to EALA on 28 February 2017 on the NRM ticket.

Pursuant to section 8 (1) of the East African Legislative Assembly Elections Act, 2011, the Speaker of EALA notified the Parliament of Uganda on 18 May 2021 of the vacancy at EALA.

On 4 June 2021, during the sitting to receive the State-of-the-Nation Address by His Excellency the President, the Speaker of Parliament formally notified the House of the existence of the vacancy in Uganda's representation to EALA, and guided that the vacancy had to be filled within 90 days of nomination as required by the EALA Elections Act, 2011. In the same line, he instructed the Clerk to Parliament to initiate the process of filling the vacancy.

The Clerk to Parliament, on 19 July 2021, appointed two nomination days, namely 21 and 22 July 2021. Further, in line with paragraph 3 of Appendix B of the Rules of Procedure of the Parliament of Uganda, on 19 July 2021 the Clerk to Parliament, through general notice No. 875 of 2021 published in the *Uganda Gazette*, Vol. CXIV No.58, issued a public notice for election to fill the vacancy of Uganda's representation to EALA, which was announced would take place today, 26 July 2021 at 10.00 a.m.

A total of two duly completed nomination forms were picked and returned to the Office of the Clerk to Parliament. In compliance with paragraph 10 of Appendix B of the Rules of Procedure of the Parliament of Uganda, 2021, these forms were forwarded to the verification committee earlier set up by this Parliament.

The verification committee has completed the task given to it under paragraph 11 of Appendix B as required by paragraph 11(3) and paragraph 12 and submitted the report to the Clerk to Parliament. The same has been brought to my attention.

Ordinarily, I would be required to proceed and process the communication from the verification committee to the Clerk to Parliament. However, due to the circumstances surrounding the election and the recommendations made by the verification committee, I will invoke the discretion of the Speaker and permit the chairperson of the verification committee to present the report to this House.

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Hon. Fox Odoi-Oywelowo, the chairperson of the verification committee, please present your report to the House.

THE REPORT OF THE VERIFICATION COMMITTEE OF THE NOMINEES AND APPLICANTS  
FOR THE BY-ELECTION TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY – UGANDA  
CHAPTER

10.20

**THE CHAIRPERSON, VERIFICATION COMMITTEE OF THE NOMINEES AND APPLICANTS FOR THE BY-ELECTION TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY – UGANDA CHAPTER (Mr Fox Odoi-Oywelowo):** Thank you, Madam Speaker. I rise to present a report of the Verification Committee of the nominees and applicants for the by-elections to the East African Legislative Assembly - Uganda Chapter. The report is dated July 2021 and it is signed by a total of 18 members out of 20.

#### Historical Background

The East African Legislative Assembly (EALA) is the Legislative organ of the East African Community established by Article 9(1)(f) of the Treaty for the Establishment of the East African Community, 1999, hereinafter referred to as the Treaty.

Article 9 provides as follows:

*“Article 9*

*Establishment of the Organs and Institutions of the Community There are hereby established as organs of the Community –*

*(f) the East African Legislative Assembly.”*

The EALA consists of Members elected from outside the national parliaments of the six Partner States, namely Kenya, Burundi, Rwanda, Tanzania, South Sudan and Uganda.

Articles 48 of the Treaty provides for membership of EALA in the following terms: The Members of the Assembly shall be –

- (a) 27 elected members
- (b) Five ex officio members consisting of -
  - (i) the minister responsible for regional co-operation from each Partner State; and
  - (ii) the Secretary General and the Counsel to the Community.

The membership of EALA currently stands at 62 with nine elected members from each of the six EAC Partner States and eight ex officio members. The increase in numbers from 32 provided by the Treaty to the current 62 is accounted for by the admission of Rwanda, Burundi and South Sudan to the Community.

Members are directly elected, being voted into their positions by their respective national assemblies, though not from the ranks of those assemblies.

The Treaty requires that Members should represent the diversity of views present in their own national assemblies and also that their selection or elections meet certain criteria including gender balance.

Article 50(1) of the Treaty provides for the election of Members to the Assembly as follows:

*“The National Assembly of each Partner State shall elect, not from among its members, nine members of the Assembly, who shall represent as much as it is feasible, the various political parties represented*

*in the National Assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.”*

Article 51(1) of the Treaty provides for the tenure of elected members, which shall be five years, and members are eligible for re-election for a further term of five years.

On 28 February 2017, the Parliament of the Republic of Uganda elected nine representatives to the current EALA in accordance with Article 50 of the Treaty and rule 12, Appendix B of the Rules of Procedure of Parliament (hereinafter, referred to as the rules) and all other enabling laws.

The following were elected:

1. Hon. Rose Akol Okullo - National Resistance Movement;
2. Hon. Paul Musamali - National Resistance Movement;
3. Hon. Mathias Kasamba (now deceased) - National Resistance Movement;
4. Hon. Mary Mugenyi - National Resistance Movement;
5. Hon. Dennis Namara - National Resistance Movement;
6. Hon. Chris Opoka - Uganda People’s Congress;
7. Hon. Fred Mukasa Mbidde - Democratic Party;
8. Hon. Susan Nakawuki – Independent;

#### Introduction

On 27 April 2021, hon. Mathias Kasamba passed on. His demise created a vacancy at the regional Assembly. Pursuant to section 8(1) of the East African Legislative Assembly Elections Act, 2011, on the 18<sup>th</sup> day of May 2021, the Speaker of EALA notified the Speaker of the Parliament of Uganda of a vacancy in EALA. In line with section 8(2) of the East African Legislative Assembly Elections Act, 2011, upon notification of the vacancy, a by-election must be held by this Parliament within 90 days from the 18<sup>th</sup> day of May 2021.

Parliament appointed nomination days for the by-elections of Uganda's representative to the East African Legislative Assembly under rule 8 of the Rules of Procedure and the same was gazetted in the national *Gazette*, Vol. CXIV No. 58 of 19 July 2021.

Pursuant to the provisions of rule 9, Appendix B of the Rules of Procedure of the Parliament of Uganda, Parliament on 21 July 2021 appointed a verification committee to consider nominees and applicants to fill a vacancy at the East African Legislative Assembly. The Speaker communicated the appointments in a letter dated 21 July 2021.

The verification committee adopted the following terms of reference and checklist for the verification of EALA representatives:

1. The verification committee shall consider the nominee and all applicants independent of a political party or organisation and shall ensure that the nominee is qualified to be elected a Member of Parliament in accordance with Article 80 of the Constitution.
2. The verification committee shall examine statements made by the nominee, which must be on oath, specifically-
  - (a) to ensure that the statement made is in the format prescribed in the first schedule to the Rules of Procedure of Parliament and specifies the name, educational qualifications, address and occupation of the candidate;

- (b) to ensure that the statement made is in the format prescribed in Schedule 3 of the Rules of Procedure of Parliament and states that the candidate –
- i) is a citizen of Uganda;
  - ii) qualifies to be elected a Member of Parliament;
  - iii) is not a Member of Parliament;
  - iv) is not holding office as a minister;
  - v) is not an officer in the service of the East African Community;
  - vi) has proven experience or interest in consolidating and furthering the aims and the objectives of the Community.
3. The verification committee shall ensure that the nomination forms of persons nominated by political parties are endorsed by the relevant secretary-general of a party or a person authorised by him or her to nominate such a candidate.

The committee adopted the checklist below to interrogate and establish the legal suitability of the candidates; specifically, that the nominee –

- a) is a citizen of Uganda;
  - b) is a registered voter;
  - c) has completed a minimum formal education of advanced level standard or its equivalent;
  - d) is not of unsound mind;
  - e) is not holding or acting in an office the functions of which involve a responsibility for or in connection with the conduct of an election;
  - f) is not a traditional or cultural leader as defined in Article 246(6) of the Constitution;
  - g) has not been adjudged or otherwise declared bankrupt under any law in force in Uganda and has not been discharged as a bankrupt; or
  - h) is not under a sentence of death or a sentence of imprisonment exceeding nine months imposed by any competent court without the option of a fine.
- i) is not a public officer or a person employed in any Government department or agency of Government or an employee of a local government or anybody in which the Government has a controlling interest, and if he or she has resigned his or her office at least fourteen days prior to nomination day.

#### Methodology

The verification committee interacted with and received written and oral submissions from the following:

1. The Leadership of the National Resistance Movement.
2. Hon. Thomas Tayebwa, the Government Chief Whip.
3. Hon. Rose Namayanja, Deputy Secretary-General, NRM.
4. Mr Oscar Kihika (Senior Counsel), the Director, Legal, NRM Secretariat.

These three appeared before the committee upon their request, which was granted by the committee.

The following nominees and applicants appeared before the committee:

1. Hon. James Kakooza
2. Mr Gilbert Agaba

The above were invited specifically to interact with the committee.

Interaction with the Government Chief Whip, the Deputy Secretary-General and the Director Legal, NRM Secretariat

The NRM leadership informed the committee that hon. Kasamba Mathias, one of the nine representatives to EALA, was elected to the Assembly on the National Resistance Movement (NRM) party ticket on 28 February 2017 and assumed office on 18 December 2017. The death of hon. Kasamba, therefore, created a vacancy in the Assembly.

The NRM leadership submitted that on 4 June 2021, while presiding over Parliament, the Rt Hon. Speaker guided in respect of the by-election of a replacement for hon. Mathias Kasamba as follows:

*“Given that hon. Mathias Kasamba was elected to EALA on the NRM party ticket and in accordance with the Treaty for the Establishment of the East African Community, and Appendix B of our Rules of Procedure, the vacancy will be filled by the NRM party to which the deceased Member belonged. I accordingly instruct the Clerk to Parliament to commence the process of filling this vacancy.”*

The NRM further submitted that ideally, and in order to promote the growth of multi-party democracy, no political party can finish the term of another because the representatives are bearers of specific agendas.

Therefore, the NRM pleaded that it should be the party, which lost its member, to fill the vacancy arising from such loss. This serves to maintain the status quo.

The NRM cited precedents in other Partner States where Members have been replaced for one reason or another. In the case of Burundi, the Government replaced the departed Member with a member of the party. The then Minister for East African Co-operation (EAC), a gentleman known as Leontine, replaced the late Hafsa who herself was a Minister for EAC and had replaced Ntarakutimana who was recalled from EALA to be the Minister for Health.

In Rwanda, when a member, a one Abdulkarim Haleimana, was recalled from EALA to chair the Electoral Commission, he was replaced by another member from the party in Government, who himself was also recalled and replaced by another member of the party in Government. The last replacement is that of the current Speaker of EALA, the Rt Hon. Martin Ngoga.

The NRM further submitted that Uganda had elections for the East African Legislative Assembly twice based on numerical strength. This has formed the precedent for elections. They submitted that numerical strength in Parliament is the basis for party funding, committee allocation or allocation to the Parliamentary Commission. It is, therefore, prudent that this precedent be followed.

The NRM also pointed out that in ensuring that the elected members represent as much as feasible the political parties in the National Assembly, Parliament of Uganda opted in the past to use the numerical strength as a basis for determining representation to EALA.

In light of the above submissions and given that Parliament had adopted paragraph 8 of Appendix B to the Rules of Procedure, the NRM prayed that the vacancy created by the demise of the late hon. Mathias Kasamba be filled by a nominee from its party on whose mandate he was elected to represent Uganda at the EALA.

The NRM informed the committee that after a competitive process in its parliamentary caucus, the hon. James Kakooza was nominated to replace the late hon. Mathias Kasamba as a representative of Uganda to the EALA.

Thus, it was the prayer of the NRM leadership that the verification committee finds hon. James Kakooza a suitable nominee and indeed a candidate worthy of replacing the late hon. Mathias Kasamba and, therefore, represents Uganda at the East African Legislative Assembly.

#### Interaction with Hon. James Kakooza

The committee interviewed and also interacted with hon. James Kakooza on a number of issues that related to the free movement of persons within the Community, tourism, taxation, tariff and non-tariff barriers to trade, climate change, the East African Customs Union, regional security and the political federation. Hon. Kakooza satisfactorily responded to all the questions put to him by the committee.

From his responses, the members established that he met the requirements under Article 50 of the Treaty. He was knowledgeable and qualified for the candidature to EALA.

In his Curriculum Vitae (CV), hon. Kakooza indicated that –

- a) he is a Certified Public Accountant;
- b) he holds a Certificate in Taxation, Statistics and Information Technology from Beijing University;
- c) he holds a Certificate in Anti-Corruption Methods and Finance Management from International Law Institute, Washington DC;
- d) he has a Certificate in Public Private Partnerships from the University of Australia (AUSH);
- e) he holds a certificate in Customs Basics and Tax Administration (URA).
- f) he also holds a Uganda Advanced Certificate of Education (UACE) from Mende Kalema Memorial Secondary School obtained in 1988, and a Uganda Certificate of Education (UCE) from St Charles Lwanga Secondary School, Kasasa obtained in 1984.

He served as a Minister of State for Primary Healthcare from 2007 to 2011; a Commissioner of the Parliamentary Commission from 2005 to 2007; and a Member of Parliament for 20 years, with 17 and a half years of experience in the Committee on Finance, Planning and Economic Development, where he participated effectively in the formulation of our tax laws.

He was also formerly the Director of Import and Export at Kabale Distributors; Director of Uganda Importers and Exporters Association; banker at Sembule Bank; and Director of Karibu Forex Bureau.

The committee confirmed that hon. James Kakooza possesses the required academic qualifications and that he is a Ugandan, born in 1962 and holder of a valid national identity card.

The committee established that hon. James Kakooza is a registered voter, appeared to be of sound mind, he is not a cultural leader and has never been declared bankrupt. He is not employed by any Government agency or department, and has never been sentenced to death or imprisonment for a period exceeding nine months without the option of a fine.

#### Interaction with Mr Gilbert Agaba

The committee interacted with and interviewed Mr Gilbert Agaba on a number of topics that related to trade facilitation, elimination of non-tariff barriers, the creation of the single customs territory, regional security, joint infrastructural development, which are the four pillars of the EAC integration, and his political party membership.

In his curriculum vitae, Mr Gilbert Agaba indicated that –

- a) he holds a Bachelor of Education Degree, specifically majoring in economics and history, of Makerere University, Kampala;

- b) he has a Certificate in Tax Policy and Tax Practice from the Uganda Revenue Authority Training School;
- c) he also holds a Uganda Advanced Certificate of Education (UACE) from Kabale Trinity College, obtained in 2001;
- d) he holds a Uganda Certificate of Education (UCE) from Rubaya Secondary School, obtained in 1999.

Mr Agaba also said that he worked with Uganda Revenue Authority, Customs Department; Finance Trust Bank, Credit Department; and from 2005 he has been in the private sector.

Mr Gilbert Agaba is a member of the National Resistance Movement, having joined the party in 2005. He informed the committee that he expressed interest to contest in the NRM party primaries, but was not nominated by the party as a flag bearer.

The committee confirmed that Mr Agaba had the required academic qualifications and that he is a Ugandan, with a valid national identity card.

The committee further established that Mr Agaba is not employed by any Government agency or department and had never been sentenced to death or imprisonment for a period not exceeding nine months without the option of a fine.

Mr Agaba is a registered voter and appeared to be of sound mind. He is not a traditional or cultural leader and had never been declared or adjudged bankrupt.

The committee interrogated case law in some detail on the interpretation of Article 50 of the Treaty and the Rules of Procedure. A number of cases in Uganda and at the East Africa Court of Justice have sought interpretation of Article 50 vis-à-vis the Rules of Procedure of the Parliament of Uganda. These include the cases of –

- a) Jacob Oulanyah vs the Attorney-General of the Republic of Uganda, Constitutional Petition No.28 of 2006;
- b) Democratic Party & Mukasa Mbidde vs the Secretary General to the East African Community and the Attorney-General of the Republic of Uganda, Reference No.6 of 2011;
- c) Abdu Katuntu vs the Attorney-General of Uganda & the Secretary General of the East African Community & 9 Intervenors, Ref. No.5 of 2012;
- d) Among A. Anita vs the Attorney-General of the Republic of Uganda, the Secretary General of the East African Community & Others, Reference No.6 of 2012.

The courts in all these cases required the Rules of Procedure to conform to Article 50 of the Treaty.

The case of Among A. Anita vs the Attorney-General of the Republic of Uganda, the Secretary General of the East African Community & Others, Reference No.6 of 2012

The facts are that hon. Anita Among filed this case in the East African Court of Justice challenging the legality of the Rules of Procedure of Parliament as being inconsistent with the EAC Treaty. Article 50(1) of the Treaty requires the National Assembly of each Partner State to elect, not from among its members, nine members of the Assembly, who shall represent as much as feasible, the various political parties represented in the National Assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.

The Rules of Procedure of Parliament in 2006, in as far as the election of members of EALA, were contested in court by Jacob Oulanyah in the case of Jacob Oulanyah vs the Attorney-General of the Republic of Uganda, Constitutional Petition No. 28 of 2006, and the court held that the said rules were null and void.

The East African Court of Justice also held in the case of Democratic Party & Mukasa Mbidde vs the Secretary General to the East African Community and the Attorney-General of the Republic of Uganda, Reference No.6 of 2011, that the Rules of Procedure of the Parliament of Uganda were contrary to Article 50(1) of the Treaty.

While amending the Rules of Procedure in 2012, Members of Parliament failed to reach consensus and thus through this reference sought the interpretation of the court. The contested rules were rules 13(1) and (2) of Appendix B. A further contention was made that the rules were never gazetted.

The issue for court's determination was whether the Rules of Procedure for the election of members of the East African Legislative Assembly, cited as the Rules of Procedure of Parliament in 2012, particularly rules 13(1) and (2), were in substance inconsistent with the Treaty and its application, specifically Articles 23(1), 27 (1), 38(1) and 50(1).

The court held as follows:

1. In order to conform to the provisions of Article 50(1), the election rules must enable the establishment of an electoral process that ensures equal opportunity to become a candidate, full participation and competition for specified groupings and at the end of the process, their effective representation in the EALA.
2. Rule 13, which specifically deals with the election procedure, "mirrors" the wording of Article 50 of the Treaty, and the impugned rule 13(1) and (2) does not allow sitting Members of the Parliament of Uganda to run for election for position in the EALA.
3. There is no requirement to be deduced from Article 50(1) of the Treaty that the said election rules should provide for specific slots for the interest groups set out in the Article, or that they should provide for guarantees of representation specifically of women, youth and persons with disabilities or any specified grouping provided for by Article 50(1) where such representation is not "feasible". The word "feasible" is capitalised and the emphasis added. This court is not clothed with the jurisdiction to determine such feasibility, which is, in any event, left to the discretion of the national assemblies of Partner States.
4. Rule 13(1) and (2) of Appendix B aforesaid provides for consultations and consensus in the elections of members to the EALA. This rule is located between the provisions on voting by secret ballot in rule 12 and declaration of results in rule 14.

"It is unclear to us and no explanation was offered by the 1<sup>st</sup> respondent why such procedure should exist at such a crucial stage of the electoral process. In any election, consultations and consensus-building are done in the earliest stages of the electoral process and certainly not after voting. Therefore, any provision that imposes consultations and consensus after voting is unusual", the court ruled.

## Orders

The court ordered the first respondent to cause the amendment of rule 13(1) and (2) of Appendix (B) of the 2012 Rules of Procedure to bring it into conformity with Article 50(1) prior to the next EALA elections.

Abdu Katuntu vs the Attorney-General of Uganda & the Secretary General of the East African Community

Madam Speaker, there were also nine interveners in this case, Ref. No. 5 of 2012. On page 29, the court observed that after the court's ruling in Jacob Oulanyah vs the Attorney-General of the Republic of Uganda, Constitutional Petition No.28 of 2006, there was need to amend the Rules of Procedure of Parliament. However, an issue arose as to whether all the six political parties represented in the Parliament of Uganda should send a member each to the EALA in adherence to Article 50(1) of the Treaty.

The National Resistance Movement (NRM), which is the ruling political party, argued that not all the six political parties would be represented. The Opposition, on the other hand, wanted all the six political parties to be represented. The applicant therefore approached this court for interpretation.

The issue for determination of the court was framed as follows: whether the Parliament of Uganda exercised its power of election under Article 50(1) of the Treaty.

The court held –

1. While Article 50 provides for the National Assembly of each Partner State to elect nine Members of the EALA, it gives no directions on how the election is to be held, except for the stipulation that the nine must not be elected from Members of the National Assembly and, as much as feasible, they should represent specified groupings.
2. Instead, it is expressly left to the National Assembly of each Partner State to determine its procedure for the elections, as was held in the case of Anyang' Nyong'o that "...while the Article provides that the nine elected Members shall, as much as feasible, be representative of the specified groupings, by implication, it appears that the extent of feasibility of such representation is left to be determined in the discretion of the National Assembly." This is recognition of the fact that each Partner State has its peculiar circumstances to take into account.
3. The court took judicial notice of the fact that the number of political parties in the Partner States differ from one state to another. In some, there are more than a dozen political parties, namely the case of Kenya and Tanzania at the time.

This explains why the framers of the Treaty, in their wisdom and for the purposes of uniformity for all the Partner States, used the word "various" to allow for the diversity in their circumstances. As such, what transpired on the day when the Parliament of Uganda constituted itself into an "electoral college" was an election.

The other issue for determination was whether the meaning and import of Article 50(1) of the Treaty requires that all the six political parties represented in the Parliament of Uganda, as shades of opinion, should be represented in EALA. The court held that the meaning and import of Article 50(1) of the Treaty does not require that all the six political parties represented in the Parliament of Uganda should be represented in EALA.

In the case of the Democratic Party & Mukasa Mbidde v. the Attorney-General of the Republic of Uganda and the Secretary General of the EAC, EACJ Reference No.6 of 2011 page 18, the East African Court of Justice held as follows:

*"The essential requirements for EALA elections provided in Article 50 of the Treaty are that-*

- *the National Assembly shall conduct an election;*
- *sitting Members of the Assembly are not eligible;*

- *elected Members shall be nine;*
- *the elected Members shall represent, as much as is feasible –*
  - (a) *the political parties in the National Assembly;*
  - (b) *shades of opinion;*
  - (c) *gender; and*
  - (d) *other special interest groups; - the procedure for elections shall be determined by the National Assembly.*

*Any election or rules of procedure for election of EALA Members that departs from the above clear requirements risks contravening the Treaty.”*

Madam Speaker, as we have covered above, the election of Members to EALA is governed by Article 50 of the EAC Treaty. Article 50 provides as follows:

- “1. *The National Assembly of each Partner State shall elect, not from among its members, nine Members of the Assembly, who shall represent, as much as is feasible, the various political parties represented in the National Assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.*
2. *A person shall be qualified to be elected a Member of the Assembly by the National Assembly of a Partner State in accordance with paragraph 1 of this Article if such a person-*
  - (a) *is a citizen of that Partner State;*
  - (b) *is qualified to be elected a member of the National Assembly of that Partner State under its Constitution;*
  - (c) *is not holding the office of a minister in that Partner State;*
  - (d) *is not an officer in the service of the Community; and*
  - (e) *has proven experience or interest in consolidating and furthering the aims and objectives of the Community.”*

In the case of Jacob Oulanyah, the rules in contest at the time were the Rules of Procedure of the Parliament of Uganda, 2006. The rules then provided as follows:

*“11. Election of Members of the East African Legislative Assembly*

- (1) *Members of the East African Legislative Assembly representing Uganda shall be elected in accordance with the rules set out in Appendix II, and such representation shall reflect the proportional party membership based on the numerical strength of the parties in the House and take into consideration gender and other shades of opinion.”*

Madam Speaker, emphasis is added from, “shall reflect the proportional party representation based on membership and numerical strength of the parties in the House.”

- “(2) *Members of the Assembly shall report to Parliament on the activities of the Assembly in accordance with the rules set out in Appendix C.”*

It can be noted that what the court held was true, that Parliament had divested itself of its duty to elect Members of the EALA and bestowed it on the political parties as can be inferred from the above provision.

Appendix C of the 2006 rules further provided for the elections as follows:

*“4.3 Nomination of candidates:*

*(1) Nomination of candidates shall be made on any nomination day by each party represented in the House nominating a candidate and tendering the nomination in writing to the Clerk indicating the following:*

- a) A statement specifying the name, educational qualifications, address and occupation of the candidate;*
- b) A statement under oath by the candidate stating that -*
  - i. the candidate is willing and qualified to stand for the elections;*
  - ii. the candidate is a citizen of Uganda;*
  - iii. the candidate is 18 years of age and above;*
  - iv. the candidate qualifies to be a Member of Parliament.”*

The 2012 Rules of Procedure were also contested in the courts and they provided as follows:

*“13. Election of Members of the East African Legislative Assembly.*

- (1) The nine Members of the East African Legislative Assembly representing Uganda shall be elected by Parliament not from among Members of Parliament, representing as much as feasible the various political parties represented in the House, shades of opinion, gender and other special interest groups in Uganda.*
- (2) The election of the Members to the East African Legislative Assembly shall be held in accordance with the rules set out in Appendix B to the Rules.”*

Rule 13(1) and (2) of Appendix B provided as follows:

*“13. Election of Members of the Assembly*

- (1) The election of Members to the Assembly representing the various political parties and organisations represented in Parliament, shades of opinion, gender and other special interest groups in Uganda shall be conducted after consultations and consensus by the political parties and other Members of Parliament*
- (2) Subject to sub-rule (1), the Speaker shall, where consensus is not reached, put the matter to vote.”*

It is imperative to note that the rules were amended as per the court order seen above. Madam Speaker, we have canvassed the court order in respect of this rule. That court only took issue with rule 13(1) and (2) of Appendix B of the 2012 Rules of Procedure by stating that in any election, consultations and consensus-building are done in the earliest stages of the electoral process and certainly not after voting.

It is imperative to look at the current rules to establish if this was amended. Rule 12 of the Rules of Procedure of Parliament, 2021 provides as follows:

*“Election of Members of the East African Legislative Assembly*

- (1) The nine Members of the East African Legislative Assembly representing Uganda shall be elected by Parliament, not from among Members of Parliament, representing as much as it is feasible, the various political parties represented in the House, shades of opinion, gender and other special interest groups in Uganda.*

- (2) *The election of the Members to the East African Legislative Assembly shall be held in accordance with the rules set out in Appendix B to these Rules.*
- (3) *Members of the Assembly shall report to Parliament on the activities of the Assembly in accordance with Appendix C.”*

The current Appendix B does not provide for consultations and consensus-building and provides for a more elaborate procedure of elections. It is evident that the rules were amended to conform to the orders of the court. *(Applause)*

#### By-Elections

Article 50 of the Treaty for the Establishment of the East African Community provides that the National Assembly of each Member State shall elect, not from among its members, nine members of the Assembly.

As part of ensuring the proper running of parliamentary affairs, the Parliament of Uganda, acting under Article 94 of the Constitution, adopted the Rules of Procedure of Parliament, which under rule 12 (2) are to the effect that the election of Members of the East African Legislative Assembly shall be held in accordance with the rules set out in Appendix B to the Rules of Procedure.

Appendix B to the Rules of Procedure is silent on how to replace a deceased member representing Uganda at the EALA. As a matter of fact, the rules do not provide for by-elections. However, a reading of the spirit behind the relevant provisions of the appendix as contained in paragraph 8 (4) and (5) is instructive. The provisions stipulate thus:

- “(4) *Where a nominee withdraws or dies before the election, the Speaker shall inform the House and the Clerk shall re-open nominations to enable a new candidate to be nominated.*
- (5) *The fresh nomination shall only be open to a person belonging to a political party, gender, shades of opinion or other interest groups to which the deceased nominee belonged.”*

Rule 8 of the Rules of Procedure is instructive in respect to the procedure in cases not provided for and precedents. It permits the Speaker to decide, having regard to the practices of the House, the constitutional provisions and practices of other Commonwealth Parliaments in so far as they may be applicable to Uganda’s Parliament. In so doing, such a ruling becomes part of the Rules of Procedure of Parliament until such a time when a substantive amendment to the rules is made in respect to the ruling.

Indeed, rule 18 of the rules for the election of members of the East African Legislative Assembly contained in Appendix B of the Rules of Procedure of the Parliament of Uganda provides that where any matter arises which is not specifically provided for in the rules, the Speaker shall make a ruling directing what is to be done in respect of that matter. To this end, on 4 June 2021, while presiding over Parliament, the Rt Hon. Speaker, Jacob Oulanyah, guided as follows:

*“Honourable members, on 27 April 2021, one of Uganda's nine representatives to the East African Legislative Assembly (EALA), hon. Mathias Kasamba, passed on. His demise left a vacancy in Uganda’s representation to EALA. You will recall that the deceased was elected to EALA on 28 February 2017 on the National Resistance Movement (NRM) party ticket and assumed office on 18 December 2017.*

*Pursuant to section 8(1) of the East African Legislative Assembly Elections Act, 2011, the Speaker of EALA notified the Speaker of the Parliament of Uganda on 18 May 2021 of a vacancy in EALA. Therefore, in line with section 8(2) of the East African Legislative Assembly Elections Act, 2011,*

*upon notification of the vacancy, a by-election must be held by this Parliament within 90 days from the 18<sup>th</sup> day of May 2021.*

*Given that hon. Mathias Kasamba was elected to EALA on the NRM party ticket and in accordance with the Treaty for the Establishment of the East African Community, and Appendix B of our Rules of Procedure, the vacancy will be filled by the NRM party to which the deceased Member belonged.*

*I accordingly instruct the Clerk to Parliament to commence the process of filling this vacancy.”*

#### Committee Observations

Madam Speaker, the committee made the following observations:

1. The Rules of Procedure do not adequately provide for by-elections for EALA.
2. In the absence of explicit rules on by-elections, rule 18 of the rules of procedure for the election of members of the East African Legislative Assembly contained in Appendix B of the Rules of Procedure of the Parliament of Uganda empowers the Speaker to provide guidance directing what should be done.
3. The Speaker of the Parliament of Uganda, pursuant to rule 18 of Appendix B, guided that this vacancy shall be filled by a member of the NRM. Our reference is the *Hansard* dated 4 June 2021.
4. The NRM party appeared before the committee and made a passionate submission that the committee should consider the NRM for this seat.
5. Two candidates did appear before the committee in response to the *Gazette* calling for nomination, and the committee had an obligation to consider and interrogate their nomination papers and their candidature, thoroughly and adequately.
6. Both candidates are members of the NRM but at the time they appeared before the committee, the NRM had made a choice and that choice was presented by the Secretary-General of the party and the Government Chief Whip. The committee further notes that both of the candidates had participated in the process that determined the party candidate.
7. Both candidates appeared knowledgeable on the matters of the East African Community.
8. Both candidates meet the legal requirements for consideration as provided for under Article 50 of the Treaty and rule 12 of the Rules of Procedure of Parliament.
9. The committee notes that Article 50(1) of the Treaty prescribes the parameters for election of Members of the Assembly. The procedure for conducting these elections is provided for under the Rules of Procedure of Parliament. However, it is evident that the rules do not provide for the procedure of conducting a by-election. To this end, recourse must be made to the direction and guidance of the Rt Hon. Speaker of Parliament as permitted by the very same rules and as decided cases state.
10. Rule 8 of the Rules of Procedure is instructive in respect of procedure for cases that are not expressly provided for. It permits the Speaker to decide, having regard to the practices of the House, the constitutional provisions, and practices of other Commonwealth parliaments in so far as may be applicable to Uganda's Parliament. In so doing, such a ruling becomes part of the Rules of Procedure of Parliament until such a time, when a substantive amendment to the rules is made in respect to the ruling.

## Committee Recommendations

The committee recommends as follows:

1. Hon. James Kakooza meets and fulfils the requirements under Article 50 of the Treaty for the Establishment of the East African Community and the rules of procedure for the election of Members of the East African Legislative Assembly, as set out under the Rules of Procedure of the Parliament of Uganda. He is therefore successfully nominated as a candidate for elections to fill the vacancy at the East African Legislative Assembly.
2. Guided by the ruling of the Rt Hon. Speaker in a sitting of the Parliament of Uganda of 4 June 2021, and in view of the observations made above, the candidature of Mr Gilbert Agaba became untenable.
3. The committee recommends that the Committee on Rules, Privileges and Discipline considers amending the Rules of Procedure, specifically schedule B, to provide explicitly for elections in the East African Legislative Assembly.

## Conclusion

In light of the above, and following the spirit of Parliament in adopting paragraph 8 of Appendix B to the Rules of Procedure, it is logical that the slot left by the late hon. Mathias Kasamba be filled by a member from his party on whose mandate he was elected to represent Uganda at the EALA.

In respect to filling the vacancy created by the demise of hon. Mathias Kasamba, the East African Court of Justice in *Prof. Peter Anyang' Nyong'o & Others v. the Attorney-General of Kenya and the Secretary General of the East African Community*, Reference No. 1 of 2006, guided as follows:

*“In view of all the foregoing, we find it very unlikely that in adopting Article 50, the parties to the Treaty contemplated, let alone intended, that the National Assembly would elect the Members of the Assembly other than through voting procedure. Needless to say, an election through voting may be accomplished using such diverse procedures as secret ballot, show of hands or acclamation.*

*These electoral processes may or may not involve such preliminaries as campaigns, primaries and/or nominations. An election may be contested or uncontested. In our considered view, the bottom line for compliance with Article 50 is that the decision to elect is a decision of and by the National Assembly.”*

It therefore goes without saying that there must be an election in a mode decided upon by the National Assembly of the respective Partner State.

In addition, the House should instruct the Committee on Rules, Privileges and Discipline to study this matter and propose amendments to the rules to reflect the procedure in case of a by-election, considering the fact that the deceased or a removed Member was elected on the basis of representing, as much as it is feasible, the various political shades represented in the House.

I beg to report.

Madam Speaker, the committee had three meetings and I beg to lay on the Table the minutes duly signed.

**THE DEPUTY SPEAKER:** Thank you, hon. Fox Odoi-Oywelowo for that elaborate report. I now put the question that we adopt the report of the verifications committee-

**MR SSEGGONA:** Madam Speaker, I rise on a matter of procedure. It is decent at this point to thank the committee for the analysis given especially to the legal provisions. It is equally decent, in the African culture, to continue condoling with the National Resistance Movement for having lost their own, who was also our own, the hon. Mathias Kasamba.

I have, however, been concerned that the candidate I support in this particular regard, the hon. James Kakooza, seems to be getting through the sieve with a level of controversy.

The point of procedure I am raising is - whether it is not procedurally correct first for the Parliament in this assembly to consider a report with a debate. Some of us have reservations on the interpretation of the law as has been presented by this committee, which was established on our behalf.

The reasons we are concerned relate to precedent. One, what precedent are we setting that we can disadvantage somebody because there is a lacuna in the rules. We said that we refer the matter to our Committee on Rules, Privileges and Discipline to look at possible amendments after removing a person only on account that the person who died belonged to a particular political party.

Two, Appendix B, rule 8, sub-rules (5) and (6) that have been referred to relate to fresh nomination when there has not been an election. The moment there has been an election and somebody dies, ordinarily – and looking at Article 59 of our Constitution – it is the right of all Ugandans, in accordance with the Constitution and working through their representatives, to participate in this election.

In my understanding, locking out other parties and other participants would amount to disenfranchisement. Supposing we had elected hon. Mathias Kasamba on account of his personal qualities and NRM today presents a person who does not meet the qualities that we want as the voters – because we are the voters.

Madam Speaker, I thought – and with immense respect to the committee – that you would allow a level of debate to bring out some of these issues.

Of course, decency to me, and the African culture in me, would require that we could permit NRM to present a candidate and I would not have an objection to that. However, for the reasons given by the committee, I would fundamentally disagree. Even when it comes to the ruling of the Speaker, the Speaker can only guide on how to facilitate an election where voters and all candidates who wish to participate are given a platform, not to say that somebody died, therefore that party takes it.

Supposing we lost a Member of Parliament – God forbid – would we not conduct an election the same way in future, if we have set this precedent? Guide me, Madam Speaker.

**THE DEPUTY SPEAKER:** Thank you very much, hon. Medard Ssegona.

**MR BASALIRWA:** Thank you, Madam Speaker. I belong to the verification committee and want to fully associate myself with the report presented by our able chairman, hon. Fox Odoi-Oywelowo.

We had the opportunity to extensively consider the concerns raised by my learned brother and colleague, hon. Medard Ssegona. As a matter of fact, Madam Speaker, there is no lacuna in the law. The framers of the Rules of Procedure were alive to the fact that it is not possible to anticipate every situation in a rule or law and they gave certain powers to the Speaker. Those powers were the ones invoked on the day that has been cited in the report, to provide guidance.

Madam Speaker, ordinarily, if a ruling is made by the Speaker, it is challenged through a substantive motion after giving notice. It is very apparent that that ruling was given and has not been challenged.

I think what the report is talking about or what may be implied as lacuna is merely clarification. It is important for the Committee on Rules, Privileges and Discipline – Again, in the Tenth Parliament, I was a member of the Committee on Rules, Privileges and Discipline and I recall that towards the end of the Tenth Parliament, we had an opportunity to extensively discuss that particular aspect. I recall that in the meeting we had, it was agreed that it would be important that the presiding officers of Parliament – the Speaker and the Deputy Speaker – be left with some discretion because you are not in position to anticipate all aspects.

In that regard, it would only be important that we consider the report as it has been presented and if the House considers the recommendations - It is important to consider the recommendations because the beauty with the elections for EALA is that they have been subjected to extensive interpretation by the East African Court of Justice. If you recall, it is us in the Opposition – and Madam Speaker, you are quoted extensively – who went to court. At that time, you were still in the Opposition with us and you went to court. *(Laughter)*

I said it in the committee and it does not harm to say it here again. When the NRM appeared before the verification committee, I requested them to consider ceding some space. Six slots are too many for the NRM, and JEEMA is not there. It has been FDC, DP and UPC enjoying, since the inception of the EALA. Therefore, I made a passionate plea to our colleagues in the NRM, for purposes of harmony and moving together, to consider ceding some space because the six slots are really very many for the NRM, in my view.

Madam Speaker, the issue of representation by this Parliament in EALA has been a subject of extensive interpretation by the courts. You are not going to find any aspect that has not been a subject of interpretation. If it is shade of opinion, it has been catered for; if it is who takes what and how, it has been catered for. So, the onus and responsibility remain on us, and the courts have been very careful not to interfere in the space of parliaments. In fact, they will not even determine for you how you do your elections. It is really an internal matter.

Therefore, moving forward, it is important that we consider what has happened, we look at the report and maybe as my honourable colleague has suggested, it could be subject to a debate because I do not want us to assume it is gospel truth.

Otherwise, the information I want to give is that there was extensive discussion. We extensively considered the authorities and think that the outcome of the report is the best in the circumstances.

**THE DEPUTY SPEAKER:** Thank you, hon. Asuman Basalirwa. Hon. Medard Ssegona, on the issue of the lacuna, there is already a recommendation that the Committee on Rules, Privileges and Discipline looks at how a by-election should be held in case there is such a circumstance again.

Secondly, on the aspect of ring-fencing a position, the position was not ring-fenced. I am saying it was not ring-fenced because we advertised the vacancy, as required by the rules. We also gazetted the same, under *Gazette* Notice 875 of 2021 and it was published under Vol. CXIV No.58. So, the perception that it was gazetted for NRM is not true. It was advertised for everybody to apply. It is just unfortunate that maybe some people were not interested and we got only two people applying.

I have put my question. Can we have the report adopted?

*(Question put and agreed to.)*

*Report, adopted.*

**THE DEPUTY SPEAKER:** Honourable members, as you have heard from the report that you have just adopted, hon. James Kakooza is the only successfully nominated candidate for election to EALA.

Under paragraph 13 (1) of Appendix B of the Rules of Procedure of the Parliament of Uganda, I am required to grant a person duly nominated and verified at least seven minutes to address the House. At this moment, therefore, I would like to invite hon. James Kakooza to address you at the bar of the House. The Sergeant-at-Arms will usher in hon. James Kakooza.

Before he comes, I kindly ask you to register yourselves. There is a book at the entrance. Hon. James Kakooza, I invite you to address Members from the bar of the House. I am giving you seven minutes.

**MR JAMES KAKOOZA:** Thank you, Madam Speaker. First of all, I give praise to God that I stand before you as an unopposed victor. *(Applause)*

Of course, I belong to the NRM party. I thank the NRM party, which is headed by His Excellency Yoweri Museveni, who gave guidance in this process to my party. It reflects the status of democracy in Uganda. I have enjoyed the process.

Indeed, the law reflects being opposed or unopposed and, on this note, I have listened carefully from the gallery. I thank you, Madam Speaker, for being the champion of the legal architecture within the region and I thank the lawyers who have made this process the best.

The election, which has taken place this year, reflects the Republic of Uganda, under the guidance of H.E Yoweri Kaguta Museveni, as being steadfast in the integration of the East African Community. They have continued to have EALA elections.

I would like to say that as we talk now, Uganda has no arrears in the East African Community. We always remitted 100 per cent of the resources which are required within the East African Community. Also, we are always at 100 per cent in the ratification of documents by this Parliament. There is also the on-spot implementation of the East African Customs Union, which translated into the Single Customs Territory in 2013 and it is now working better.

I would like to thank this Parliament and say we have done our best. Uganda is the best amongst the East African National Assemblies in ratifying the documents of the East African Community.

**THE DEPUTY SPEAKER:** Honourable members, do not go away. We are going to vote. Please, wait.

**MR JAMES KAKOOZA:** If the mandate is given to me, I will do my best to serve the interests of the citizens of Uganda as a Partner State.

Having been in this House from 2001 to 2021, I think I am your best choice. I will not disappoint you. I have been on the committee since the time of the East African Customs Union. I was part of the committee in 2003 - by then, the chairperson was hon. Musumba – which succeeded in having the East African Customs Union be ratified in the House and be endorsed by the Heads of the Summit in 2013. We are now enjoying the benefits of the East African Single Customs Union.

With all that I would like to promise that I will not disappoint you. I beg to submit. Thank you. *(Applause)*

**THE DEPUTY SPEAKER:** Thank you, hon. James Kakooza. May you please leave the Chamber.

Honourable members, as you have heard from the verification committee, only one candidate was verified and returned as nominated, and that is hon. James Kakooza. I now invite the House to take a decision by vote. It is a simple majority. Since it is one candidate, we may not have to waste time using ballot papers; we can vote by a show of hands.

Honourable members, you have heard very well from hon. James Kakooza. I now put the question.

As the votes are being counted, please keep your hands up. Ex officio Members, please do not put up your hands. It is only the elected Members of Parliament who can vote.

*(Members voted by a show of hands.)*

**THE DEPUTY SPEAKER:** Honourable members, those in favour of hon. Kakooza representing Uganda in EALA are 183; those who abstained are zero; and those against are zero. Therefore the “ayes” have it. *(Applause)*

Now, therefore, by virtue of the authority bestowed upon the Speaker under paragraph 15 of Appendix B of the Rules of Procedure of the Republic of Uganda, I now declare hon. James Kakooza, being the only candidate in this election, duly elected to represent Uganda in the East African Legislative Assembly. *(Applause)* Congratulations, hon. Kakooza.

I would like to thank you so much, Members, for turning up. I know it is not easy to come for a morning session. So, thank you for exercising your constitutional right in making sure that we have a Member in EALA. Remember that today is the deadline for us to present the name. Thank you so much.

Does the Government have anything to say?

11.49

**THE GOVERNMENT CHIEF WHIP (Mr Thomas Tayebwa):** Thank you, Madam Speaker. I would like to start by congratulating hon. Kakooza for having been elected overwhelmingly, or if I could say, unopposed.

Madam Speaker, I also would like to take this opportunity to thank you for steering us through this process - the first of its kind - of a by-election, and for sticking to the law. I would also like to thank the verification committee for sticking to the law, especially to rule 4 of Appendix B of our Rules of Procedure.

When party members are nominated for different positions, it creates confusion. So, I am very happy that you understood that the NRM nominated only one person and as per rule 4 of Appendix B of our Rules of Procedure, the Secretary-General's stamp is very important.

I would like, with utmost humility, to thank the Leader of the Opposition and my colleagues on the other side of the political divide. This is the unity we need if we are to transform the multiparty system in Uganda.

I would like to make a commitment on behalf of the Government that if such a misfortune happens on your side - if the Opposition loses a member occupying such a position - we, the NRM, shall not encroach on that seat. We shall respectfully stand by that decision and ensure that the Opposition retains that seat by fronting their member. The same applies for the independents.

The moment we continue like this - I would like to inform the House that when I visited the Leader of the Opposition, he condoled with us but also agreed that for the good of the multiparty system, there are things for which we do not debate much. Therefore, I would like to thank you. If we continue like this, especially on matters of national importance, and we do not waste the time of the House or create unnecessary divisions, then the country will learn a lot from us as an august House, and we shall move together in unifying the country.

I thank you, Madam Speaker. I beg to submit.

11.52

**THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga):** Thank you, Madam Speaker, for your indulgence. In a special way, I congratulate my brother, hon. Kakooza, for being elected by this House. We have had so many discussions and considerations on this particular matter including an internal discussion as to whether the report by hon. Fox Odoi-Oywelowo is one we would love to open up for further inquiry into its veracity.

Definitely, like hon. Asuman Basalirwa observed earlier, probably we could have challenged the ruling of the Speaker earlier at Kololo but we thought all that would be inconsequential. We needed to migrate and establish a more durable political culture in this House, a kind of culture that would recognise that “majority” does not necessarily mean everything but sometimes to recognise the fact that other people do exist and they can assert their presence by either acting lawfully or disruptively.

Madam Speaker, I take exception to the manner in which we conducted the last East African Legislative Assembly (EALA) elections. I would not want to be part of that kind of fiasco as if this House does not have Members of Parliament, who are decent enough to listen to each other and move this country forward.

I would like to end my submission by formally moving – I would like to invoke rule 59(1)(k) of the Rules of Procedure of Parliament of Uganda - a motion without notice. The niceties of the Floor can easily make up for the day. However, when the devils of politics partake of humans, we would see people speak in tongues.

Aware that we have an EALA election on the horizon, a few months ahead of us, I would like to move formally and invite the House to move a motion to the effect that – Madam Speaker, of course with your indulgence –

*“WHEREAS this House established a verification committee under the Rules of Procedure, headed by Member of Parliament for West Budama, hon. Fox Odoi-Oywelowo;*

*AND WHEREAS the committee established the need to amend the Rules of Procedure of Parliament relating to election of our representatives in the East African Legislative Assembly;*

*NOW, THEREFORE, this House resolves as follows:*

- 1. To refer this matter to the Committee on Rules, Privileges and Discipline to consider possible amendments in light of the pending EALA elections;*
- 2. The committee should report to the House within a period of 45 days on the considered amendments relating to EALA elections.”*

I so move.

**THE DEPUTY SPEAKER:** I put the question that the motion that has been moved by the Leader of the Opposition, that the committee on rules makes amendments on the recommendations by the committee of hon. Fox Odoi-Oywelowo and reports back within 45 days -

**MR TAYEBWA:** Thank you, Madam Speaker. I think my colleague, hon. Asuman Basalirwa, will join me on this. It is a procedural matter.

Whereas I agree with the content of the motion by my colleague, the Leader of the Opposition, the matter referred to which would be applying under rule 8(3) is already adopted by the House. It was provided for in the report of the committee and the House adopted it, so it is a question that has already been overtaken by events. Therefore, I do not know if the motion that has been moved is serving any purpose.

Rule 8(3) states as follows: “(3) *The amendment shall be tabled for consideration within three months from the date of the ruling.*”

That is the amendment to do with procedure, in case it is not provided for, and precedence. Therefore, I would propose that we stick to the adopted recommendation in the report rather than introducing a new motion. I beg to submit.

**THE DEPUTY SPEAKER:** Government Chief Whip, the amendment was for today’s elections. We need to have a record in the Rules of Procedure such that we do not have a vacuum next time. You should not be invoking the Speaker’s powers all the time. Let us have the rules amended to fit the by-elections. Today, it is a National Resistance Movement (NRM) Member who has died but tomorrow it might be another party.

Therefore, the Committee on Rules, Privileges and Discipline, can you have the rules amended as per the proposal of hon. Fox Odoi-Oywelowo and the committee.

**MR BASALIRWA:** Thank you, Madam Speaker, for your wise ruling and guidance in this matter as usual. As I said, I was a member of the verification committee and I am in agreement with what is in the report. However, I also support the motion moved by my boss, the Leader of the Opposition. Your ruling gives specifics. The challenge with our report is that it does not give timelines but your ruling does.

I would like to add that in processing these amendments, we take cognisance of rule 19 of Appendix A of the Rules of Procedure of Parliament of Uganda, which is to the effect that these rules may be amended at any time by a resolution of Parliament on a motion submitted to it by the Committee on Rules, Privileges and Discipline.

Madam Speaker, in processing these amendments, your further guidance should be that the Committee on Rules, Privileges and Discipline should bring a formal motion on the Floor in the time that you have given. I beg to add.

**THE DEPUTY SPEAKER:** Honourable members, the motion should be taken up by the Committee on Rules, Privileges and Discipline with amendment from hon. Asuman Basalirwa.

This being the only item on the Order Paper of today, I would like to thank you for electing our EALA candidate. If we did not get the representative today, then we would have lost it.

I would like to also recognise the presence of hon. Namara Denis and hon. Rose Akol, Members of Parliament of the East African Legislative Assembly who are in the gallery to see what is happening.

Honourable members, thank you for coming. I adjourn the House to 27 July 2021 at 2.00 p.m.

*(The House rose at 12.01 p.m. and adjourned until Tuesday, 27 July 2021 at 2.00 p.m.)*