

**BILLS SUPPLEMENT**

*to The Uganda Gazette No. 73, Volume CXIV dated 1st October, 2021*

Printed by UPPC, Entebbe, by Order of the Government.

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**Bill No. 31**     *Administration of Parliament (Amendment) Bill*     **2021**

**ADMINISTRATION OF PARLIAMENT (AMENDMENT)  
BILL, 2021**

**MEMORANDUM**

**Object of the Bill**

The object of the Bill is to amend the Administration of Parliament Act, Cap. 257; to include the Deputy Speaker as a member of the Parliamentary Commission; to mandate the Parliamentary Commission to train Members of Parliament, staff of Parliament and local government councils; to align the Act with the Public Procurement and Disposal of Public Assets Authority Act, 2003; to repeal the Institute of Parliamentary Studies Act, 2020; and for other related matters.

**Defects with the current legislation**

Section 2 (2) of the Administration of Parliament Act excludes the Deputy Speaker of Parliament from being a Member of the Commission. This exclusion is erroneous in light of Article 82 of the Constitution and further hinders the Parliamentary Commission from effectively carrying out its mandate, especially where the Speaker is unavailable to attend and preside over meetings of the Parliamentary Commission. Therefore, in order to streamline the operations of the Parliamentary Commission the Deputy Speaker should be expressly included as a Member of the Parliamentary Commission.

The Bill also seeks to reduce the expenditure of the Parliamentary Commission in order to comply with Government policy of rationalizing Government Agencies by empowering the Parliamentary Commission to take over the functions currently performed by the

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Institute of Parliamentary Studies in order to efficiently and effectively provide training services to Members of Parliament and Staff of the Parliamentary Commission in a cost effective manner.

Section 23 of the Act obligates the Parliamentary Commission to establish a Tender Board for Parliament to control and regulate the purchase and disposal of property and supply of works and services to or for the purposes of Parliament. This section is redundant given that the Public Procurement and Disposal of Public Assets Authority Act, 2003 applies to and regulates the purchase and disposal of property and supply of works and services undertaken by the Parliamentary Commission.

**Remedies proposed by the Bill**

The Bill makes provision for the inclusion of the Deputy Speaker as a member of the Parliamentary Commission and to takeover the functions of the Institute of Parliamentary Studies by the Parliamentary Commission.

**Provisions of the Bill**

The Bill contains 5 clauses.

- (a) Clause 1 amends section 1 of the Administration of Parliament Act, Cap. 257 and defines the words “Institute”.
- (b) Clause 2 amends section 2 (2) of the Administration of Parliament Act to include the Deputy Speaker amongst the members of the Parliamentary Commission;
- (c) Clause 3 amends section 6 of the Administration of Parliament Act to empower the Parliamentary Commission to conduct trainings and capacity building programs for members of Parliament, staff of Parliament and local government councils;
- (d) Clause 4 repeals section 23 relating to tender boards;
- (e) Clause 5 repeals the Institute of Parliamentary Studies Act, 2020 and provides transitional provisions relating to staff, assets and liabilities of the Institute of Parliamentary Studies.

AKOL ANTHONY (MP)

*Member of Parliament for Kilak North County.*

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**ADMINISTRATION OF PARLIAMENT (AMENDMENT) BILL,**  
**2021**

**ARRANGEMENT OF CLAUSES**

*Clause*

1. Amendment of Cap. 257
2. Amendment of section 2 of principal Act
3. Amendment of section 6 of principal Act
4. Repeal of section 23 of principal Act
5. Insertion of sections 40 and 41 in principal Act



A Bill for an Act

**ENTITLED**

**THE ADMINISTRATION OF PARLIAMENT (AMENDMENT)  
ACT, 2021**

**An Act to amend the Administration of Parliament Act, Cap. 257; to provide for the inclusion of the Deputy Speaker as a member of the Parliamentary Commission; to mandate the Parliamentary Commission to train Members of Parliament, staff of Parliament and local government councils; to align the Act to the Public Procurement and Disposal of Public Assets Act, 2003; to repeal the Institute of Parliamentary Studies Act, 2020 and other related purposes.**

BE IT ENACTED by Parliament as follows:

**1. Amendment of Cap. 257**

The Administration of Parliament, in this Act referred to as the principal Act is amended in section 1, as follows—

- (a) by inserting immediately after paragraph (d) the following—

“(da) Institute” means the Institute of Parliamentary Studies established under the Institute of Parliamentary Studies Act, 2020;

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**2. Amendment of section 2 of principal Act**

Section 2 of the principal Act is amended by substituting for subsection (2) the following—

“(2) The Commission shall be composed of the Speaker, the Deputy Speaker, the Leader of Government Business or his or her nominee, the Leader of the Opposition or his or her nominee, the Minister responsible for finance and four members of Parliament one of whom shall come from the opposition and none of whom shall be a Minister.”

**3. Amendment of section 6 of principal Act**

Section 6 of the principal Act is amended by inserting immediately after paragraph (d) the following—

“(da) to conduct training and capacity building programs for Members of Parliament, staff of Parliament and local government councils with a view of strengthening the legislative, oversight and representative functions of the Parliament, local government councils and other bodies;”

**4. Repeal of section 23 of principal Act**

Section 23 of the principal Act is repealed.

**5. Insertion of new sections 40 and 41 in principal Act**

The principal Act is amended by inserting immediately after section 39, the following new sections—

**“40. Repeal of Act No. 7 of 2020**

The Institute for Parliamentary Studies Act, Act No. 7 of 2020 is repealed.

**41. Transitional Provisions**

(1) Staff of the Institute immediately before the commencement of this Act shall transfer their services to the Commission.

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(2) Staff of the Institute immediately before the commencement of this Act whose services are transferred to the Commission shall transfer to the Commission on similar terms those enjoyed by the employees before the transfer.

(3) The staff of the Institute before the commencement of this Act not willing to transfer their services to the Commission shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(4) All assets, rights, liabilities and obligations of the Institute before the commencement of this Act, shall vest in the Commission.”