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**BILLS**

**SUPPLEMENT No. 1**

**15th February, 2024**

**BILLS SUPPLEMENT**

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*Rationalisation of Government Agencies*

**Bill No. 11** (*Works and Transport Sector*) (*Amendment*) **Bill** **2024**

**THE RATIONALISATION OF GOVERNMENT AGENCIES  
(WORKS AND TRANSPORT SECTOR) (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 22<sup>nd</sup> 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, therefore, is to amend several Acts of Parliament to—

- (a) enable 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) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments, thereby avoiding duplication of mandates and functions;
- (c) promote coordinated administrative arrangements, policies and procedures for—
  - (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
  - (ii) enabling the Government to play its proper role more effectively; and
  - (iii) enforcing accountability;

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- (d) to restructure and re-organise agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

**4. Provisions of the Bill**

The Bill has three parts and 52 clauses.

**Part I—Preliminary**

Part I deals with preliminary matters including interpretation and the purpose of the Bill.

**Part II—Repeal of the Uganda National Roads Authority Act, 2006 (Act 15 of 2006)**

The purpose of repealing the Uganda National Roads Authority Act, 2006 (Act 15 of 2006) is to mainstream the functions of the Uganda National Roads Authority established under the Act into the Ministry responsible for roads (Ministry of Works and Transport).

**Part III—Amendment of the Uganda Road Fund Act, 2008 (Act 15 of 2008)**

The purpose of amending the Uganda Road Fund Act, 2008 is to empower the Ministry responsible for roads to administer the Act and the Fund established under the Act.

GEN. EDWARD KATUMBA WAMALA  
*Minister for Works and Transport*

**THE RATIONALISATION OF GOVERNMENT AGENCIES (WORKS  
AND TRANSPORT SECTOR) (AMENDMENT) BILL, 2024**

**ARRANGEMENT OF CLAUSES**

**PART I—PRELIMINARY**

*Clause*

1. Interpretation
2. Objectives of this Act

**PART II —REPEAL OF UGANDA NATIONAL ROADS AUTHORITY ACT,  
2006 (ACT 15 OF 2006)**

3. Purpose of repeal of Act 15 of 2006
4. Interpretation of Part II
5. Repeal of Act 15 of 2006 and dissolution of Uganda National Roads Authority
6. Responsibility for functions under repealed Act 15 of 2006
7. Savings provisions for repealed Act 15 of 2006

**PART III—AMENDMENT OF UGANDA ROAD FUND ACT, 2008  
(ACT 15 OF 2008)**

8. Purpose of amendment of Act 15 of 2008
9. Dissolution of Fund Management Board and Secretariat
10. Responsibility for administration of Act 15 of 2008
11. Amendment of section 4 of Act 15 of 2008
12. Amendment of section 5 of Act 15 of 2008
13. Substitution of section 7 of Act 15 of 2008
14. Repeal of section 8 of Act 15 of 2008
15. Repeal of section 9 of Act 15 of 2008
16. Repeal of section 10 of Act 15 of 2008
17. Repeal of section 11 of Act 15 of 2008
18. Repeal of section 12 of Act 15 of 2008
19. Repeal of section 13 of Act 15 of 2008
20. Amendment of section 14 of Act 15 of 2008

21. Repeal of section 15 of Act 15 of 2008
22. Repeal of Part IV of Act 15 of 2008
23. Amendment of section 21 of Act 15 of 2008
24. Amendment of section 22 of Act 15 of 2008
25. Amendment of section 23 of Act 15 of 2008
26. Amendment of section 24 of Act 15 of 2008
27. Amendment of section 25 of Act 15 of 2008
28. Amendment of section 26 of Act 15 of 2008
29. Amendment of section 27 of Act 15 of 2008
30. Amendment of section 28 of Act 15 of 2008
31. Amendment of section 29 of Act 15 of 2008
32. Amendment of section 30 of Act 15 of 2008
33. Amendment of section 31 of Act 15 of 2008
34. Repeal of section 32 of Act 15 of 2008
35. Repeal of section 33 of Act 15 of 2008
36. Repeal of section 34 of Act 15 of 2008
37. Repeal of section 35 of Act 15 of 2008
38. Repeal of section 36 of Act 15 of 2008
39. Repeal of section 37 of Act 15 of 2008
40. Repeal of section 38 of Act 15 of 2008
41. Repeal of section 39 of Act 15 of 2008
42. Amendment of section 41 of Act 15 of 2008
43. Amendment of section 42 of Act 15 of 2008
44. Amendment of section 43 of Act 15 of 2008
45. Amendment of section 44 of Act 15 of 2008
46. Repeal of section 45 of Act 15 of 2008
47. Amendment of section 46 of Act 15 of 2008
48. Repeal of section 47 of Act 15 of 2008
49. Amendment of section 49 of Act 15 of 2008
50. Amendment of section 50 of Act 15 of 2008
51. Repeal of Schedule 2 to Act 15 of 2008
52. Savings provisions for Act 15 of 2008

A Bill for an Act

**ENTITLED**

**THE RATIONALISATION OF GOVERNMENT  
AGENCIES (WORKS AND TRANSPORT SECTOR)  
(AMENDMENT) ACT, 2024**

**An Act to repeal, and to make amendments to, certain Acts of Parliament establishing statutory bodies in the works and transport sector in order to give effect to the Government program on rationalisation of Government agencies and public expenditure, and for related purposes.**

**BE IT ENACTED** by Parliament as follows:

**PART I—PRELIMINARY**

**1. Interpretation**

In this Act, unless the context otherwise requires—

“agency” means a body established by an Act of Parliament and includes an authority;

“commission” means a body established by the Constitution;

“Government” means the Government of Uganda;

“Ministry” means the Ministry responsible for roads.

**2. Objectives of this Act**

(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 22<sup>nd</sup> 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

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- (d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

PART II — REPEAL OF UGANDA NATIONAL ROADS  
AUTHORITY ACT, 2006 (ACT 15 OF 2006)

**3. Purpose of repeal of Act 15 of 2006**

The purpose of repealing the Uganda National Roads Authority Act, 2006 (Act 15 of 2006) is to mainstream the functions of the Uganda National Roads Authority established under the Act into the Ministry responsible for roads.

**4. Interpretation of Part II**

In this Part, unless the context otherwise requires—

“national road” means a road maintained by the Government;

“national roads network” means the system of all roads maintained by the Government;

“road” means any highway and any other road to which the public have access and includes—

- (a) a bridge over which a road passes;
- (b) a ferry, as defined in the Ferries Act; and
- (c) a ship, as defined in the Inland Water Transport Act, 2021.

**5. Repeal of Act 15 of 2006 and dissolution of Uganda National Roads Authority**

(1) The Uganda National Roads Authority Act, 2006 (Act 15 of 2006) is repealed.



(2) On the commencement of this Act, the Uganda National Roads Authority established by Act 15 of 2006 shall be dissolved.

(3) Any statutory instrument made under the Uganda National Roads Authority Act, 2006, repealed under subsection (1) and which is in force immediately before the commencement of this Act shall remain in force so far as it is not inconsistent with this Part, until it is revoked by a statutory instrument made under this Act and until that revocation, shall be deemed to have been made under this Act.

**6. Responsibility for functions under repealed Act 15 of 2006**

(1) On the commencement of this Act, the Ministry responsible for roads shall be responsible for performing the functions of the dissolved Uganda National Roads Authority under the repealed Act 15 of 2006.

(2) For the purposes of subsection (1) and for the avoidance of doubt, the functions of the Ministry responsible for roads are—

- (a) to be responsible for the management of the national roads network;
- (b) to maintain and develop the national roads network;
- (c) to advise the Government on policy matters concerning roads generally, and to assist in the co-ordination and implementation of the policy relating to roads;
- (d) to contribute to the addressing of transport concerns in overall national planning through co-ordination with the relevant ministries, departments and agencies of Government;
- (e) to collaborate with international organisations, intergovernmental organisations and agencies of other states and the private sector on issues relating to the development and maintenance of roads;

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- (f) to enter into agreements or other arrangements with any person for the provision of roads services, subject to such charges as may be agreed upon;
- (g) to advise and assist the Government in regard to—
  - (i) any matter relating to the planning, design, construction and maintenance of roads, whether the roads are part of the national roads network or not;
  - (ii) the establishment and maintenance of road reserves in accordance with the Roads Act; and
  - (iii) the exercise of any power or performance of any duty which the Minister may or is required to exercise or perform under this Act; and
- (h) to perform any other function incidental or consequential to its functions under this section.

**7. Savings provisions for repealed Act 15 of 2006**

(1) The board members and staff of the Uganda National Roads Authority shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) Compensation is not payable to any member of the board of the Uganda National Roads Authority for loss of office resulting from the dissolution of the Uganda National Roads Authority.

(3) The staff of the Uganda National Roads Authority may be redeployed to serve in the public service subject to availability of positions.

(4) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the Uganda National Roads Authority shall vest in the Government of Uganda under the Ministry responsible for roads.

(5) Any proceedings commenced by or against the Uganda National Roads Authority may be continued by or against the Attorney General.

(6) A licence, permit, certificate or authorisation issued by the Uganda National Roads Authority under the Act which is in force immediately before the commencement of this Act shall have effect from the commencement of this Act as if granted by the Ministry responsible for roads.

(7) The terms and conditions including the rights and obligations under a licence, permit, certificate or authorisation in force immediately before the commencement of this Act, shall not be less favourable than those that applied immediately before the commencement of this Act.

**PART III—AMENDMENT OF UGANDA ROAD FUND  
ACT, 2008 (ACT 15 OF 2008)**

**8. Purpose of amendment of Act 15 of 2008**

The purpose of amending the Uganda Road Fund Act, 2008 is to empower the Ministry responsible for roads to administer the Act and the Fund established under the Act.

**9. Dissolution of the Fund Management Board and Secretariat**

On the commencement of this Act, the Fund Management Board and the Secretariat of the Board shall be dissolved.

**10. Responsibility for administration of Act 15 of 2008**

On the commencement of this Act, the Ministry responsible for roads shall be responsible for administering Act 15 of 2008 and managing the Fund established under the Act.

**11. Amendment of section 4 of Act 15 of 2008**

Section 4 of Act 15 of 2008 is amended by repealing the definitions of “Authority”, “board”, “Executive Director” and “Secretariat”.

**12. Amendment of section 5 of Act 15 of 2008**

Section 5 of Act 15 of 2008 is amended by repealing subsection (2).

**13. Substitution of section 7 of Act 15 of 2008**

For section 7 of Act 15 of 2008, there is substituted the following—

**“7. Management of the Fund**

(1) The Fund shall be managed by the Ministry.

(2) The Ministry shall manage the business of the Fund in accordance with sound commercial principles to enable effective, efficient and stable road expenditures through the implementation of a road user charging system.”

**14. Repeal of section 8 of Act 15 of 2008**

Section 8 of Act 15 of 2008 is repealed.

**15. Repeal of section 9 of Act 15 of 2008**

Section 9 of Act 15 of 2008 is repealed.

**16. Repeal of section 10 of Act 15 of 2008**

Section 10 of Act 15 of 2008 is repealed.

**17. Repeal of section 11 of Act 15 of 2008**

Section 11 of Act 15 of 2008 is repealed.

**18. Repeal of section 12 of Act 15 of 2008**

Section 12 of Act 15 of 2008 is repealed.

**19. Repeal of section 13 of Act 15 of 2008**

Section 13 of Act 15 of 2008 is repealed.

**20. Amendment of section 14 of Act 15 of 2008**

Section 14 of Act 15 of 2008 is amended by substituting for “board” wherever it appears the word “Ministry”.

**21. Repeal of section 15 of Act 15 of 2008**

Section 15 of Act 15 of 2008 is repealed.

**22. Repeal of Part IV of Act 15 of 2008**

Part IV (sections 16, 17, 18, 19, 20) of Act 15 of 2008 is repealed.

**23. Amendment of section 21 of Act 15 of 2008**

Section 21 of Act 15 of 2008 is amended in subsection (1)(a) by repealing “on the recommendation of the board”.

**24. Amendment of section 22 of Act 15 of 2008**

Section 22 of Act 15 of 2008 is amended—

- (a) by repealing subsection (1)(c); and
- (b) in subsection (1)(f) by substituting for “Board” the word “Ministry”.

**25. Amendment of section 23 of Act 15 of 2008**

Section 23 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**26. Amendment of section 24 of Act 15 of 2008**

Section 24 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears the word “Ministry”.

**27. Amendment of section 25 of Act 15 of 2008**

Section 25 of Act 15 of 2008 is amended—

- (a) by substituting for “Board” wherever it appears, the word “Ministry”; and
- (b) by repealing subsection (6)(d).

**28. Amendment of section 26 of Act 15 of 2008**

Section 26 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**29. Amendment of section 27 of Act 15 of 2008**

Section 27 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**30. Amendment of section 28 of Act 15 of 2008**

Section 28 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**31. Amendment of section 29 of Act 15 of 2008**

Section 29 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**32. Amendment of section 30 of Act 15 of 2008**

Section 30 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**33. Amendment of section 31 of Act 15 of 2008**

Section 31 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**34. Repeal of section 32 of Act 15 of 2008**

Section 32 of Act 15 of 2008 is repealed.

**35. Repeal of section 33 of Act 15 of 2008**

Section 33 of Act 15 of 2008 is repealed.

**36. Repeal of section 34 of Act 15 of 2008**

Section 34 of Act 15 of 2008 is repealed.

**37. Repeal of section 35 of Act 15 of 2008**

Section 35 of Act 15 of 2008 is repealed.

**38. Repeal of section 36 of Act 15 of 2008**

Section 36 of Act 15 of 2008 is repealed.

**39. Repeal of section 37 of Act 15 of 2008**

Section 37 of Act 15 of 2008 is repealed.

**40. Repeal of section 38 of Act 15 of 2008**

Section 38 of Act 15 of 2008 is repealed.

**41. Repeal of section 39 of Act 15 of 2008**

Section 39 of Act 15 of 2008 is repealed.

**42. Amendment of section 41 of Act 15 of 2008**

Section 41 of Act 15 of 2008 is amended—

- (a) by repealing subsection (2); and
- (b) by substituting for “Board” wherever it appears the word “Ministry”.

**43. Amendment of section 42 of Act 15 of 2008**

Section 42 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**44. Amendment of section 43 of Act 15 of 2008**

Section 43 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**45. Amendment of section 44 of Act 15 of 2008**

Section 44 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**46. Repeal of section 45 of Act 15 of 2008**

Section 45 of Act 15 of 2008 is repealed.

**47. Amendment of section 46 of Act 15 of 2008**

Section 46 of Act 15 of 2008 is amended by substituting for “Board” wherever it appears, the word “Ministry”.

**48. Repeal of section 47 of Act 15 of 2008**

Section 47 of Act 15 of 2008 is repealed.

**49. Amendment of section 49 of Act 15 of 2008**

Section 49 of Act 15 of 2008 is amended in subsection (1) by repealing the words “the board and”.

**50. Amendment of section 50 of Act 15 of 2008**

Section 50 of Act 15 of 2008 is amended in subsection (2) by repealing the words “in consultation with the Board”.

**51. Repeal of Schedule 2 to Act 15 of 2008**

Schedule 2 to Act 15 of 2008 is repealed.

**52. Savings provisions for Act 15 of 2008**

(1) The members of the Fund Management Board and the Secretariat of the board shall be paid their terminal benefits in accordance with the terms and conditions of their service.

(2) Compensation is not payable to any member of the Fund Management board for loss of office resulting from the dissolution of the Fund Management board.

(3) The staff of the Secretariat of the board may be redeployed to serve in the public service subject to availability of positions.

(4) On the commencement of this Act, all the property, assets, rights, obligations, and liabilities of the Uganda Road Fund shall vest in the Government of Uganda under the Ministry.

(5) Any proceedings commenced by or against the Uganda Road Fund may be continued by or against the Attorney General.

(6) A licence, permit, certificate or authorisation issued by the Uganda Road Fund under the Act which is in force immediately



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before the commencement of this Act, shall have effect from the commencement of this Act, as if granted by the Ministry.

(7) The terms and conditions including the rights and obligations under a licence, permit, certificate or authorisation in force immediately before the commencement of this Act, shall not be less favourable than those that applied immediately before the commencement of this Act.