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### REPORT OF THE COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS ON THE NON-GOVERNMENTAL ORGANISATIONS (AMENDMENT) BILL, 2024

Handwritten signatures and initials are scattered across the page, including:

- Top left: *John B. M.*
- Top center: *Stephen C. O.*
- Top right: *John B. M.*
- Middle left: *John B. M.*
- Middle center: *John B. M.*
- Middle right: *John B. M.*
- Bottom left: *John B. M.*
- Bottom center: *N. T. B. M.*
- Bottom right: *John B. M.*

Office of the Clerk to Parliament  
P.O.Box 7178, Kampala,  
APRIL, 2024

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## LIST OF ACRONYMS

MIA	Ministry of Internal Affairs
NTR	Non-Tax Revenue
RAPEX	Rationalisation of Government Agencies and Public Expenditure

*Boycott*

*Parliament*

*Chairman*

*Chair*

*Secretary*

*Minister*

*Ministerial*

*As*

## 1 INTRODUCTION

The ***Non-Governmental Organisations (Amendment) Bill 2024*** was read for the first time on Thursday, 4<sup>th</sup> April 2024. It was referred to the Committee on Defence and Internal Affairs under Rule 129 of the Rules of Procedure for consideration and report back. The Committee has considered the Bill in consultation with various stakeholders and now reports under Rule 139 (3) of the Rules of Procedure.

## 2 BACKGROUND TO THE NON-GOVERNMENTAL ORGANISATIONS (AMENDMENT) BILL 2024.

Uganda has witnessed an increased involvement of non-governmental organisations (NGOs) in the governance and development process. The growing interest in promoting democracy and inclusivity of civil societies in governance affairs has influenced donors' willingness to experiment with funding NGOs<sup>1</sup>.

Historically, the NGO presence in Uganda was majorly influenced by political turmoil, poor governance in government institutions, and insufficient leadership capacity, which translated into the civil unrest the country experienced in the 1970s and early 1980s. Since then, the relative peace ushered in after 1986, with most of the population in extreme poverty<sup>2</sup>. This pioneered volunteer service and charities, and many NGOs emerged to fill the gap. As such, the Government, over the years, has enacted legislation to provide the legal framework to govern and regulate NGO operations in Uganda, the latest being the Non-Governmental Organisations Act, 2016, Act 5 of 2016. The Act under section 5 established a National Bureau for Non-Governmental Organisations (NGOs) as a corporate body that would facilitate the governance and regulation of registered NGOs in Uganda.

<sup>1</sup> The Governance of Non-Governmental Organisations in Uganda, Barr et al (August 2004)

<sup>2</sup> <https://ngobureau.go.ug/en/our-history>

However, on 22<sup>nd</sup> February 2021, Cabinet, under Minute No. 43 (CT 2021), decided to merge, mainstream and rationalise Government Agencies and Public Expenditure to facilitate efficient and effective service delivery. This was premised on the Government's need to create institutional harmony, eliminate functional duplication overlaps, and curb the high cost of administering the agencies.

Effectively, the purpose of the amendment of the Non-Governmental Organisations Act 2016 is to mainstream the functions of the National Bureau for NGOs into the Ministry responsible for Internal Affairs; hence, the proposed amendment of the Non-Governmental Organisations Act 2016.

### **3 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), adopted by the Cabinet on 22<sup>nd</sup> February 2021.

### **4 REMEDIES PROPOSED IN THE BILL**

The Bill seeks to amend the Non-Governmental Organisations Act, 2016, Act 5 of 2016, to

- a) enable the mainstreaming and rationalisation of the functions of the National Bureau of Non-Governmental Organisations into the Ministry responsible for internal affairs, thereby, *inter alia*, relieving the Government of the financial drain on its resources and the burden of wasteful administration and expenditure of maintaining a fully-fledged corporate National Bureau of Non-Governmental Organisations yet the functions of the Bureau may be performed by a department in the Ministry like it was before 2016 when the Bureau was a department in the Ministry;
- b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of the Ministry responsible for internal

affairs in relation to the functions of the Bureau and other 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;

d) to restructure and re-organise the Bureau by eliminating bloated structures and functional ambiguities in order to operate effectively as a department in the Ministry.

## 5 METHODOLOGY

During the consideration of the Bill, the Committee met with and received written memoranda from the following;

- i. Ministry of Internal Affairs (MIA)
- ii. National Bureau for Non-Governmental Organisations

### 5.1 Document Review

The Committee referred to the following documents.

- i. The Constitution of the Republic of Uganda, 1995
- ii. The Non-Governmental Organisations Act, 2016

## 6 SALIENT OBSERVATIONS ON THE BILL

During the deliberations on the Rationalisation of Agencies and Public Expenditure (RAPEX), officials from the Ministry of Public Service informed the Committee that the overall objective of implementing recommendations on the RAPEX was to eliminate the mandate, structural and functional duplications and overlaps, eliminate wasteful

expenditures; and realise short term and long-term savings to be utilised for the provision of other critical government services. As such, the Committee has made observations on mainstreaming the functions of the National Bureau for NGOs into the Ministry of Internal Affairs and the Non-Governmental Organisations (Amendment) Bill, 2024, as demonstrated below.

### **6.1 Budget implications for the transfer of the National Bureau for NGOs to the Ministry of Internal Affairs.**

During the deliberations on the Ministerial Policy Statement for FY2024/25, the Ministry of Internal Affairs informed the Committee that the current establishment of the National Bureau for NGOs comprises twenty-one staff who form the Bureau's secretariat costing UGX 1.377 billion in wage bill. The wage bill allocation does not accommodate the costs of the NGO Board and the Adjudication Committee, which are entitled to sitting allowances, mileage allowances, and communication allowances when called for meetings. Further, they are also entitled to an additional monthly retainer. The Ministry further informed the Committee that the lack of provision for funds for these allowances, the NGO Board and Adjudication Committee had accumulated arrears of UGX 1.173 billion.

Additionally, the Ministry informed the Committee that the NTR collected by the Bureau from the NGOs has been growing steadily over the years, as demonstrated in Table 1. This was attributed to the increased NGOs applying for NGO certificates and permits. According to the Ministry, the updated NGO database as at 31<sup>st</sup> December 2023 indicated 5,916 NGOs duly registered in Uganda

*Table 1: NGO-NTR (Billions) performance in the last 5 years*

Source	Outturn FY2019/20	Outturn FY2020/21	Outturn FY2021/22	Outturn FY2022/23	Outturn FY2022/23
NGO Reg. fees	1,140,890,411	1,714,908,403	1,773,147,110	1,607,920,417	2,000,000,000

*Source: Ministry of Internal Affairs*

The Committee observes that mainstreaming the Bureau into a Ministry of Internal Affairs department will save the Ministry from accumulating arrears and costs of facilitating the NGO Board and Adjudication Committee, whose budget is not funded. The NTR collected from NGO registration will also be mainstreamed into the Ministry.

***Recommendation.***

***The Committee, therefore, recommends that the Bureau for NGOs be mainstreamed as a department in the Ministry of Internal Affairs.***

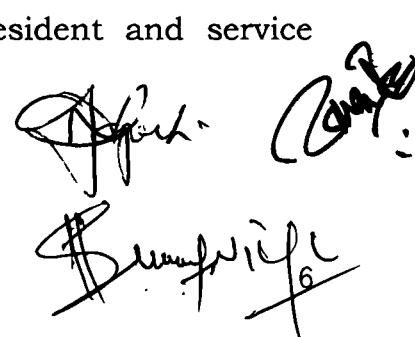
**6.2 Dissolution of the National Bureau for NGOs and the Composition of the Bureau.**

The Committee observes that the Bill proposes to dissolve the National Bureau of NGOs established under Act 5 of 2016 as a distinct entity and provides for its existence as a government department within the structure of the Ministry responsible for Internal Affairs. In Clause 11 (c) of the Bill, that provides for the composition of the Bureau to consist of a Chairperson, Vice Chairperson, two NGO representatives and three other persons, all of whom are to be appointed by the Minister and approved by Cabinet does not conform to the structure of a government department.

The Committee opines that having appointees of a Minister mainstreamed in the Ministry department not only contravenes the public service staffing establishments but also creates conflicts in the reporting and accountability mechanisms. It is standard practice in public service that an accounting officer who superintends over the Ministry department is a Permanent Secretary. Furthermore, as proposed in the Bill, the appointment of persons in the public service in Uganda by the Minister contravenes Article 172 of the Constitution since the appointment of persons in public service is restricted to the President and service commissions created under the Constitution.

  
Chairperson  
Ms. Justice

Ms. ....

  
Chairperson  
Ms. ....

Therefore, creating a bureau as a department with members appointed by the Minister will be equivalent to usurping the supervisory and management authority of the Permanent Secretary by the Minister. To mitigate this structural conflict, the Committee proposes that the Ministry's Permanent Secretary be given authority to designate the members of the Bureau from within the Ministry.

### **Recommendation.**

***The Committee, therefore, recommends that the proposal in Clause 11 be dropped and the Permanent Secretary be granted the authority to designate the members of the Bureau from within the Ministry.***

## 7 CONCLUSION

The Committee reviewed the Bill and made proposals deemed fit to achieve the set objectives of RAPEX. Therefore, the Committee recommends that the Bill be considered for second reading subject to the proposed amendments attached hereto and any other modifications the House may propose and approve.

*I beg to report.*

**PROPOSED AMENDMENTS TO THE NON-GOVERNMENTAL ORGANISATIONS (AMENDMENT) BILL, 2024**

**INSERTION OF CLAUSE IMMEDIATELY BEFORE CLAUSE 1**

The Bill is amended by inserting immediately before Clause 1 the following—

**“Commencement**

This Act shall come into force on a date appointed by the Minister, by statutory instrument.”

**Justification**

*To empower the Minister to commence the Bill where the resources have been made available.*

**CLAUSE 3: PURPOSE OF AMENDMENT OF ACT 5 OF 2016**

Clause 3 is amended in sub clause (2) by deleting the following words “board of directors of the”

**Justification**

*To remove the reference to the Board of Directors since it is not a distinct legal entity.*

**CLAUSE 5: AMENDMENT OF LONG TITLE TO ACT 5 OF 2016**

Clause 5 is substituted with the following-

“5. Amendment of long title to Act 5 of 2016

The long title to the Non-Governmental Organisations Act, 2016 herein after referred to as the “principal Act” is amended by repealing the phrase “to provide for the board of directors”; “to make provision for the corporate status of the National Bureau for Non-Governmental Organisations activities”; “to provide for the board of directors”: “to provide for the establishment of branches of the Bureau””

*Abdullah* *R. T. Ito* *M. M.* *S. M. J. I.* 8

### **Justification**

*To harmonise the long title in the principal Act with the amendments proposed in the Bill including the repeal of the corporate status of the National Bureau for Non-Governmental Organisations activities, branch offices and dissolution of the board of directors.*

### **CLAUSE 6: AMENDMENT OF SECTION 3 OF ACT 5 OF 2016**

For clause 6, there is substituted the following—

“Amendment of section 3 of principal Act

Section 3 of the principal Act is amended—

- (i) by repealing the definitions of “board of directors”, “Chairperson” and “Executive Director”;
- (ii) by inserting the definition of the word “Minister” as follows—  
“Minister” means “the Minister responsible for Internal Affairs”;
- (iii) in the definition of word “permit”, by substituting for the word “Board” the word “Bureau”.

*AG*

### **Justification**

*This is consequential amendment arising from the abolishment of the Board of Directors that has been replaced with the Bureau.*

### **CLAUSE 9: AMENDMENT OF SECTION 8 OF ACT 5 2016**

For clause 9, there is substituted the following—

“Repeal of section 8 of principal Act

Section 8 of the principal Act is repealed”.

*Amendment*

*Amendment*

*Amendment*

### **Justification**

*The Bureau is a part of the Ministry and there is no need to have a common seal of the Bureau since the Bureau is no longer a distinct legal entity.*

*Amendment*

*Amendment*

*Amendment*

### **CLAUSE 11: AMENDMENT OF SECTION 9 of PRINCIPAL ACT**

For Clause 11, there is substituted the following

#### **“Substitution of section 9 of principal Act**

The principal Act is amended by substituting for section 9, the following-

##### **9. Composition of Bureau**

The members of the Bureau shall be designated by the Permanent Secretary of the Ministry from among public officers in the Ministry.”

#### **Justification**

*The appointment of persons in public service of Uganda by the Minister as proposed in the Bill contravenes Article 172 of the Constitution since the appointment of persons in public service is restricted to the President and service commissions created under the Constitution.*

### **CLAUSE 12: AMENDMENT OF SECTION 10 OF PRINCIPAL ACT**

For Clause 12, is substituted the following—

#### **“Repeal of section 10 of principal Act**

*Section 10 of the principal Act is repealed”*

#### **Justification**

*The tenure of office of the members of the Bureau is provided for under the instruments of their appointment since they are public officers and the Bureau is a Government department under the Ministry.*

### **CLAUSE 14: AMENDMENT OF SECTION 12 OF PRINCIPAL ACT**

For clause 14, there is substituted the following—

*Approved:*

"Repeal of section 12 of principal Act  
Section 12 of the principal Act is repealed.

#### **Justification**

The Bureau shall conduct the meetings in accordance to the manner in which meetings are conducted in the Ministry.

#### **CLAUSE 16: AMENDMENT OF SECTION 14 OF PRINCIPAL ACT**

**For clause 16, there is substituted the following-**

"Amendment of section 14 of principal Act

Section 14 of the principal Act is amended by-

- (a) substituting for the word "board of directors", wherever the word appears in the provision, the word "bureau"; and
- (b) inserting immediately after sub section (2), the following-

"(2a) The bureau may co-opt any person who, in the opinion of the bureau, has expert knowledge concerning the functions of the bureau to attend and take part in the proceedings of the bureau.

(2b) A person co-opted under subsection (2a), may take part in any discussion at the meeting of the bureau on which his or her advice is required but shall not have any right to vote at that meeting."

#### **Justification**

*To empower the Bureau to co-opt any person with expert knowledge to support the Bureau in its functions.*

#### **CLAUSE 20: SUBSTITUTION OF SECTION 16 OF PRINCIPAL ACT**

Clause 20 is amended in the proposed section 16—

- (i) by substituting for the proposed subsection (1) the following—

*Amritpal* *N. T. M.* *P. P. Singh*  
*Chaudhary* *Sharma* *S. S. Singh*

"The Bureau shall have a secretariat headed by Permanent Secretary or a person nominated by the Permanent Secretary from within the Ministry.";

(ii) by deleting the proposed subsections (2), (3) and (4)

#### **Justification**

- To designate the Permanent Secretary of the Ministry as the Permanent Secretary of the Bureau.
- The proposed designated of the functions of the Permanent Secretary of the Bureau is the administrative functions ordinarily carried out by the Permanent Secretary of the Ministry.

#### **INSERTION OF NEW CLAUSE IMMEDIATELY AFTER CLAUSE 24**

The Bill is amended by inserting immediately after clause 24, the following-

"Repeal of schedule 2 to principal Act

Schedule 2 to the principal Act is repealed.

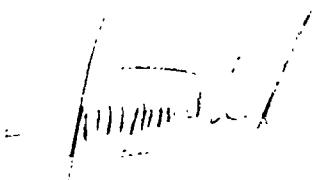


#### **Justification**

*This is a consequential amendment to the establishment of a Bureau as a Government department and clause 14.*

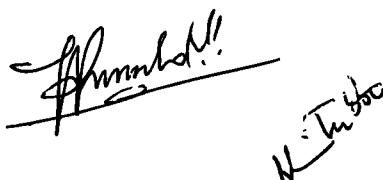
#### **CLAUSE 25: SAVING PROVISIONS FOR ACT 5 OF 2016**

Clause 25 is amended by deleting sub clause 6.

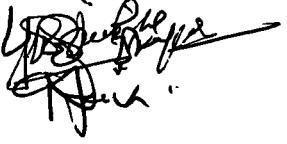
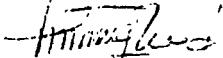
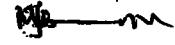
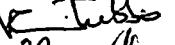
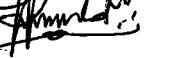
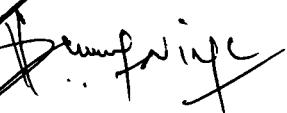
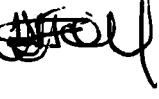


#### **Justification**

*The provision is redundant because the claim for compensation is dependent on the terms of service of the person involved so having a legal provision would bar such a person.*

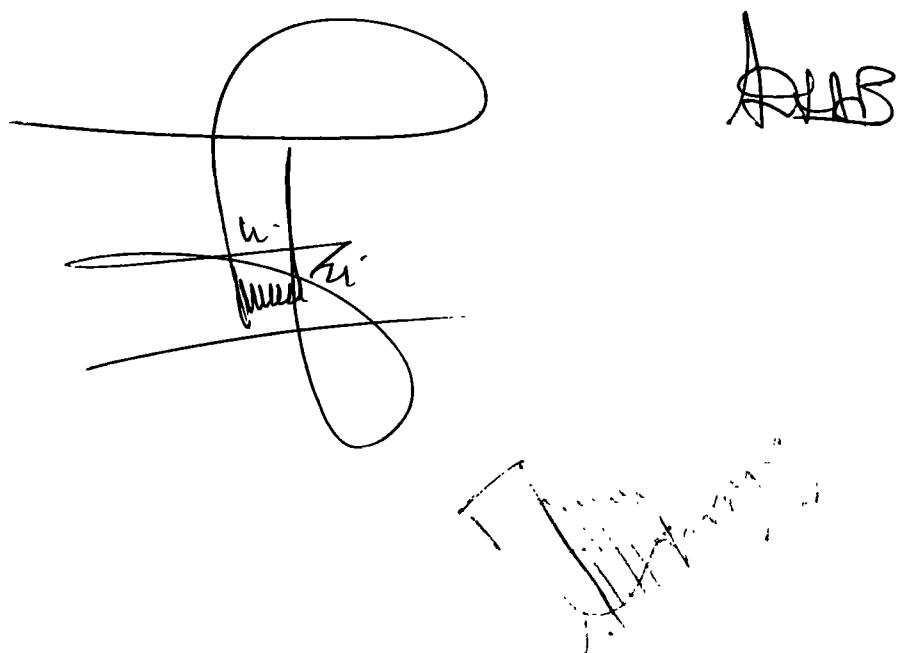


**COMPOSITION OF THE COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS,  
3<sup>RD</sup> SESSION, 11<sup>TH</sup> PARLIAMENT**

No	Name	Constituency	Party	Signature
1	Hon. Wilson Kajwengye-C/P	Nyabushozi	NRM	
2	Hon. Ngompek Linos-D/CP	Kibanda North	NRM	
3	Hon. Namanya Naboth	Rubabo	FDC	
4	Hon. Okot Moses Junior Biteke	Kioga	FDC	
5	Hon. Olanya Gilbert	Kilak South	FDC	
6	Hon. Lamwaka Margaret	Chua East-Kitgum	Ind	
7	Hon. Komol Emmanuel	Dodoth East County-Kaabong	Ind	
8	Hon. Arinaitwe Rauben	Isingiro West-Isingiro	Ind	
9	Hon. Museveni William	Buwekula South-Mubende	Ind	
10	Hon. Lubega Bashir Sempa	Mubende Municipality	NRM	
11	Hon. Wakooli Godfrey	Buiri County	NRM	
12	Hon. Okeyoh Peter	Bukooli Islands	NRM	
13	Hon. Nakwang Christine Tubo	DWR-Kaabong	NRM	
14	Hon. Opolot Simon Peter Okwalinga	Kanyum	NRM	
15	Hon. Ssekikubo Theodore	Lwemiyanga	NRM	
16	Hon. Kyoto Ibrahim Mululi	Budiope West	NRM	
17	Hon. Kauma Sauda	DWR-Iganga	NRM	
18	Hon. Niyonsaba Alex	Bufumbira South	NRM	
19	Hon. Mugabe Donozio Kahonda	Ruhinda South	NRM	
20	Hon. Ochero Jimbrick Noman	Labwor	NRM	
21	Hon. Kintu Alex Brandon	Kagoma North	NRM	
22	Hon. Lokii Peter Abrahams	Jie County	NRM	
23	Hon. Nyamutoro Phiona	National Female Youth	NRM	
24	Hon. Ssebikaali Yoweri	Ntwetwe	NRM	
25	Hon. Aeku Patrick	Soroti County	NRM	
26	Hon. Katabaazi Francis K	Kalungu East	NUP	
27	Hon. Kiwanuka Abdallah	Mukono County North	NUP	
28	Hon. Nambooze Betty Bakireke	Mukono Municipality	NUP	
29	Hon. Odur Jonathan	Erute South	UPC	
30	Hon. Lt. Gen. Elwelu Peter	UPDF		

**COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS**

**MINORITY REPORT FOR THE CASE AGAINST THE RATIONALISATION  
AND MAINSTREAMING OF THE NATIONAL BUREAU FOR NON-  
GOVERNMENTAL ORGANISATIONS AS A DEPARTMENT UNDER THE  
MINISTRY OF INTERNAL AFFAIRS.**



Two handwritten signatures are present. The first signature, on the left, is a stylized 'A' with a horizontal line through it. The second signature, on the right, is a cursive 'A' with 'DHS' written below it. Below these signatures is a rectangular stamp with illegible text.

## **1 INTRODUCTION**

This part of the report forms the minority position, making a case against the rationalisation and mainstreaming of the National Bureau for Non-Governmental Organisations as a department under the Ministry of Internal Affairs, moved under Rule 205 of the Rules of Procedure of Parliament.

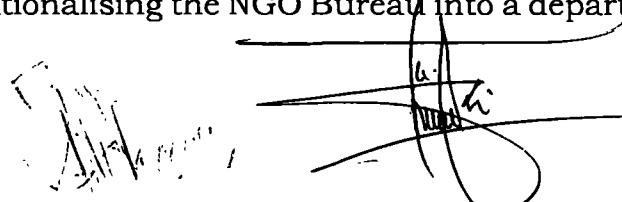
## **2 BACKGROUND TO THE NON-GOVERNMENTAL ORGANISATIONS (AMENDMENT) BILL 2024.**

Historically, the NGO presence in Uganda was majorly influenced by political turmoil, poor governance in government institutions, and insufficient leadership capacity, which translated into the civil unrest the country experienced in the 1970s and early 1980s. After relative peace ushered in after 1986, the top priority agenda of the government for transformation was the re-organisation and restructuring of government institutions. Accordingly, the government regulated NGOs by enacting legal frameworks and regimes that have transitioned over the years, leading to enacting the Non-Governmental Organisations Act 2016. This Act established the National Bureau for NGOs as a semi-autonomous entity under MIA to oversee the country-wide operations of the NGOs.

The Bureau was established with a more significant mandate of regulating, coordinating, monitoring, inspecting and overseeing all the activities of the NGO sector in the country to mitigate serious threats posed to indigenous traditions and practices that undermine sovereignty, peace and stability.

However, on 22<sup>nd</sup> February 2021, Cabinet, under Minute No. 43 (CT 2021), decided to merge, mainstream and rationalise Government Agencies and Public Expenditure to facilitate efficient and effective service delivery.

Against this background, this minority report presents the implications of rationalising the NGO Bureau into a department in the Ministry of Internal Affairs.



Affairs and the inadequacies of the proposed structure in overseeing NGO operations in the country.

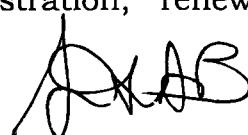
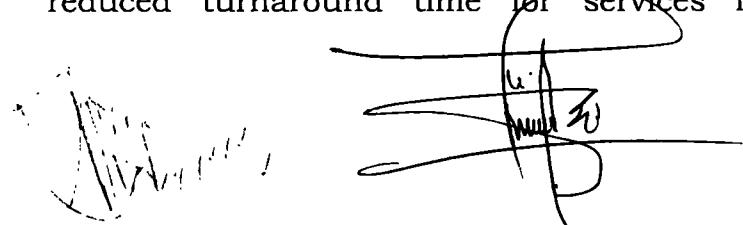
### **3 SALIENT OBSERVATIONS ON THE BILL**

The Minority position is that the spirit of rationalisation is good for the country but only if conducted on a case-by-case basis and not in an omnibus manner. Pursuant to the ongoing Government rationalisation and public expenditure exercise, the National Bureau for Non-Governmental Organisations (Bureau) under the Ministry of Internal Affairs (MIA) will be dissolved and mainstreamed into the Ministry of Internal Affairs structure as a Department. As such, this Minority report makes observations as demonstrated below.

#### **3.1 Budget implications for transferring the National Bureau for NGOs to the Ministry of Internal Affairs.**

The Committee posits that mainstreaming the Bureau into a department under the Ministry will save the Ministry from accumulating arrears and costs of facilitating the NGO Board and Adjudication Committee, whose budget is not funded. It further argues that the NTR collected from NGO registration will also be mainstreamed into the Ministry. On this basis, the Committee makes a case to rationalise and mainstream the Bureau as a department in the Ministry.

However, assessing the broader mandate of the Bureau visa vie the cost saving is critical. The Minority report posits that since its establishment, the Bureau has enhanced registration, regulation, monitoring and inspection of the NGO sector. A verified and validated reliable database of all registered NGOs is now in place. This was not the case before when this function was still mainstreamed in a department under the Ministry. The Bureau attributes this success to the developed capacity of the District and Sub-County NGO monitoring Committees that have enhanced effective monitoring from the districts to the grassroots levels; reduced turnaround time for services like registration, renewals,

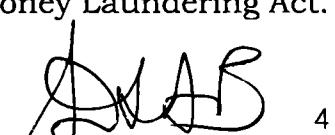
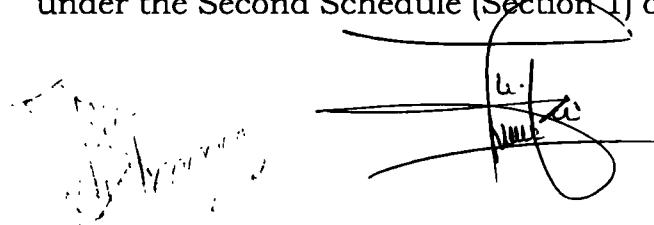


investigations, dispute resolution, searches and certifications; an efficient appeals mechanism facilitated by an Adjudication Committee to handle appeals by aggrieved parties dissatisfied with any decision of the NGO Bureau, among others.

Notably, the Bureau conducted the first Terrorist Financing Risk Assessment of all NGOs, CBOs, Charitable Trusts and Faith Based Organisations (FBO) operating in Uganda to establish the Risk level. Uganda is a member of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG). This regional body subscribes to the 40 Recommendations of the Financial Action Task Force (FATF), an inter-governmental body that sets standards and promotes policies to protect the global financing system against money laundering, organised crimes, terrorism and weapons of mass destruction.

According to the Mutual Evaluation Report 2016, concerns were raised about Uganda's NGO sector's vulnerability to Terrorism Financing (TF) and its possibility of being abused as a conduit to channel funds for TF activities. It was established that there were deficiencies in the NGO laws on issues of countering money laundering and terrorism financing and the capacity of the NGO regulator. Following the Mutual Evaluation, Uganda was put on the FATF grey list and was at risk of being blacklisted. The implications include strict scrutiny of financial transactions originating from Uganda, which results in high transaction costs and delays in completing transactions, difficulty in accessing loans from international lenders, and expulsion from the Society for Worldwide Inter-Bank Financial Telecommunication (SWIFT), all of which negatively impacts on Uganda's international trade.

Uganda addressed all these areas, and on the 23<sup>rd</sup> day of February 2024, it was removed from the FATF grey list. Following this decision, FATF demanded that Uganda removes NGOs from its accountable persons list under the Second Schedule (Section 1) of the Anti-Money Laundering Act.



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Therefore, the Minority concern is that if the National Bureau for NGOs is dissolved, yet NGOs are to be removed from the list of accountable persons, there will be a high-risk gap created that will undo all the positive contributions achieved by overseeing NGO operations in Uganda.

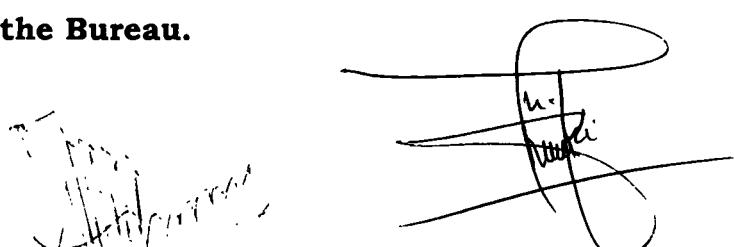
The Minority would like to point out that the certificate of financial implication issued for the NGO (Amendment) Bill, 2024 assumes that all the 26 staff will be retrenched and only an estimated cost of UGX 2.738 billion for retrenchment cost and severance package will be born by the government against an estimated expected saving of UGX 4.4 billion. This does not address the evident broader mandate to regulate the growing and highly funded NGO sector.

Attempting to argue the case for departmentalization would imply that the Bureau as a department would have to institute a similar infrastructure to fulfil this mandate at a broader scale. This means the Ministry would have to recruit even more personnel and establish departmental regional offices, resulting in a higher wage bill for the government and, effectively, not achieving the spirit of RAPEX. Also, having a department whose decision-making structure is subject to the highest technical authority, which is preoccupied with several other critical issues as mandated by law, would create long lead times in decision-making, affecting operations overseeing activities in the NGO sector.

#### ***Recommendation***

***Therefore, the Minority recommends that the current establishment of the National Bureau of NGOs be maintained, considering the vulnerabilities within the sector and the need to comply with international obligations.***

#### **3.2 Dissolution of the National Bureau for NGOs and the Composition of the Bureau.**



The Bureau is the only regulator of a unique, fluid, sensitive and dynamic NGO sector, and its rationalisation will weaken the capacity to oversee NGO operations in the country. The Bureau has aligned functions, structures, plans and budgets, and there are no functional ambiguities, duplications or overlaps with any other government institution. It has a streamlined legal and institutional framework and is accountable under the line Ministry. As such, there are no duplications whatsoever, with any other government department or agency.

Additionally, as rightly put by the majority report, the NTR collected by the Bureau from the NGOs has been growing steadily over the years, as demonstrated in Table 1 of the majority report. This has been attributed to increased NGOs applying for NGO certificates and permits. It is also noteworthy that the increasing NGOs and Community-Based Organisations (CBO) registered to carry out different objectives have the uniqueness and ability to mobilise vast sums of money for their activities to complement the efforts of government. Additionally, the NGOs and CBOs registered in Uganda are reported to be bringing into the country a minimum of UGX 4.5 trillion annually.

Further, information obtained from the Uganda Registration Services Bureau (URSB) indicates that most of the 31,339 entities incorporated in Uganda as Companies Limited by Guarantee are Non-Profit Organisations. This puts a significant burden on the government to strengthen the Bureau to effectively inspect, monitor and track the activities of the entities, purpose for which these enormous sums of money are intended and establish whether these entities are non-existent on the ground or simply operating illegally or being elusive. Additionally, most NGOs are heavily foreign-funded, hence making them prey to embrace foreign interests against the sovereignty of the state, espionage, and foreign influence in the pretext of developing humanitarian and social construct.

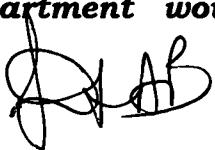
Therefore, adequate human and financial resources are required to counter such high-risk eventualities and enable the Bureau to effectively regulate such a complex, sensitive, and dynamic sector. Mainstreaming this function into a Ministry department will not only compromise the capacity built over the years but also create risky inefficiencies and weaken the capacity to oversee all NGOs and CBOs nationwide. These NGOs, if not adequately inspected and monitored, are potential conduits for money laundering, cultural erosion, political sabotage, and fraud.

Furthermore, the Committee's recommendation to grant the Permanent Secretary the authority to designate the members of the Bureau from within the Ministry will deny the government the expertise required to organise and regulate NGOs' activities due to the lack of representation of the NGOs in the decision-making structure. The representatives of the NGO sector provide insight into the organisation and management of NGO activities. Therefore, setting up effective policies for the effective management of the NGO sector without insight of the players who can be accommodated through their representation on the board will cause governance inadequacies.

It is the Minority's concern that mainstreaming the Bureau as a department will deny the country the unique, specialized expertise required to oversee a rather complex and dynamic NGO sector. The current establishment provides a more robust hedge against the high risks associated with the growing NGO sector. The Bureau only requires strengthening and adequate funding. Otherwise, making it a department will subject its planning and budgeting to the priority needs of the Ministry, which already has a broader mandate.

***Recommendation.***

***Therefore, the minority report recommends that the National Bureau for NGOs be excluded from rationalisation because mainstreaming it into the Ministry as a department would***



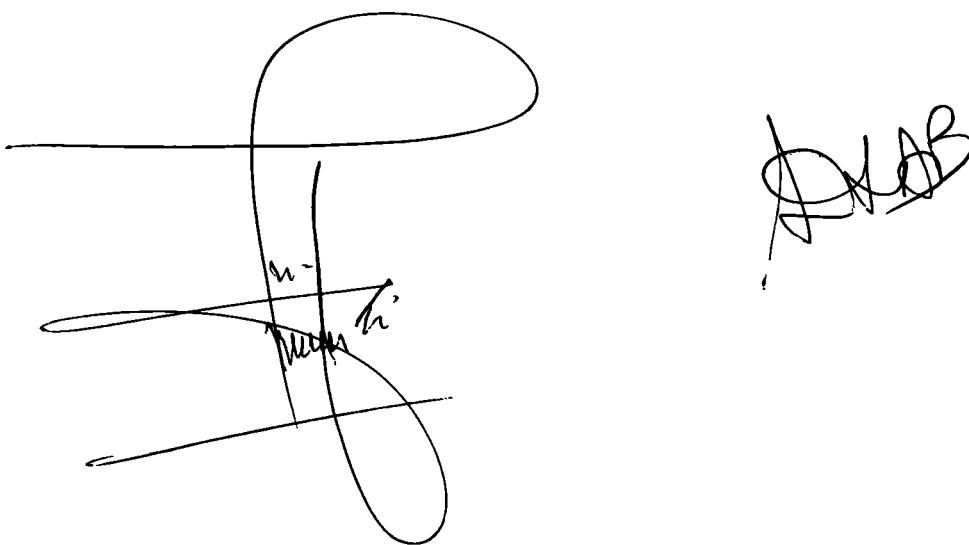
***jeopardise the already built capacity and potentially compromise the country's national security.***

#### **4 CONCLUSION**

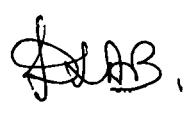
The Committee reviewed the Bill and made proposals deemed fit to achieve the set objectives of RAPEX. However, it is noteworthy that the Third National Development Plan outlines Civil Society as the 3<sup>rd</sup> sector in the country, with NGOs constituting a significant part of achieving Vision 2040. The National Bureau for NGOs is the only regulator that needs to be fully empowered to make timely decisions and interventions in the affairs of NGOs in the country. Mainstreaming it into a department in the Ministry will be counter-productive and contrary to the original position of government streamlining the NGO sector, whose activities are global and dynamic. This could result in far-reaching political, financial, social, security, and economic consequences on the well-being of Ugandans.

Therefore, the Committee minority report strongly calls upon Parliament to reject the proposals of the Non-Governmental Organisations (Amendment) Bill 2024 in its entirety.

***I beg to report***

A faint, handwritten signature in black ink, appearing to be 'J. N. B.', is located at the bottom left of the page, below the main text area.

**COMPOSITION OF THE COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS,  
3<sup>RD</sup> SESSION, 11<sup>TH</sup> PARLIAMENT**

No	Name	Constituency	Party	Signature
1	<b>Hon. Wilson Kajwengye-C/P</b>	<b>Nyabushozi</b>	<b>NRM</b>	
2	<b>Hon. Ngompek Linos-D/CP</b>	<b>Kibanda North</b>	<b>NRM</b>	
3	Hon. Namanya Naboth	Rubabo	FDC	
4	Hon. Okot Moses Junior Biteke	Kioga	FDC	
5	Hon. Olanya Gilbert	Kilak South	FDC	
6	Hon. Lamwaka Margaret	Chua East-Kitgum	Ind	
7	Hon. Komol Emmanuel	Dodoth East County-Kaabong	Ind	
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12	Hon. Okeyoh Peter	Bukooli Islands	NRM	
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15	Hon. Ssekikubo Theodore	Lwemiyanga	NRM	
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17	Hon. Kauma Sauda	DWR-Iganga	NRM	
18	Hon. Niyonsaba Alex	Bufumbira South	NRM	
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21	Hon. Kintu Alex Brandon	Kagoma North	NRM	
22	Hon. Lokii Peter Abrahams	Jie County	NRM	
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26	Hon. Katabaazi Francis K	Kalungu East	NUP	
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30	Hon. Lt. Gen. Elwelu Peter	UPDF		