



THE REPUBLIC OF UGANDA

PROCEEDINGS
OF
THE CONSTITUENT ASSEMBLY

OFFICIAL REPORT

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FRIDAY, 19TH MAY 1995

MOTION:- Consideration of the Draft Constitution of the Republic of Uganda [Pg 4410]

Friday 19th May, 1995

The Assembly met at 9.00 a.m. in the International Conference Centre, Kampala.

P R A Y E R S

(The Deputy Chairman, Prof. Victoria Mwaka in the chair)

(The Assembly was called to order)

P R E S E N T A T I O N O F R E P O R T

THE DEPUTY CHAIRMAN: Yesterday we said we shall start with hon. Dr. Kaberuka's report on the matters that were referred to the committee and I hope hon. Kaberuka is ready.

DR. KABERUKA: Thank you Madam Chairperson. It will be re-called that when this assembly debated chapter 13 on Local government, it referred the entire article 217 and parts of article 218 - especially Clause 4 to 7 - to a committee chaired by myself with honourables Dick Nyai, Okullo Epak, Isaac Musumba and John Ndege as Members, for study and reformulation. Subsequently, the committee co-opted hon. Kitariko whose expertise and experience in financial matters was of a great help to the committee. For five (5) times, and on three (3) of those sittings our deliberations were enriched by the contributions of experts from decentralization secretariat of ministry of local government, and the budget department of the ministry of finance and economic planning.

Having benefitted from the consultations from various individuals and numerous literature on the subject matter, my committee was able to reformulate the two articles as presented in the report that is before this august Assembly.

Madam chairperson, article 217 was reformulated by first of all identifying the various grants that the local government can obtain from the central government, and these were unconditional or block grants, conditional or development grant. Then we proceeded to define each of these grants, and how each one was to be given to a local government.

Article 218 was reformulated by adding on to the functions of the local government finance commission - *(Interruption)*

MR. RINGWEGI: Madam Chairperson, I am really constrained to bring this matter to the attention of the Assembly. I think much as we would like the business of the Assembly to be conducted expeditiously, and completed within the framework of the time given to us, we cannot really ignore the lack of quorum that we have today, because if we did that, Madam chairperson, we would be setting a very dangerous precedent that even one or two persons could assemble here and take decisions on behalf of the Assembly. I have tried to count the number of hon. delegates present here in this hall and it hardly reaches 60, and our rules, Madam chairperson, require that we should transact business when there is a quorum. We have on a number of occasions tried to ignore this and we have been able to do some little business, but I think today is really extra-ordinary. I would, therefore, suggest that we follow the rules, ring the bell and adjourn for about 15 minutes to see whether this quorum can improve. But the way we are now it would really be a serious mistake for us to sit here and pretend that we are conducting any serious business on behalf of the people of Uganda. So I beg to move, Madam Chairperson, that the Assembly adjourns for the 15 minutes as the rules require then we see whether we can realize the quorum.

THE DEPUTY CHAIRMAN: Let us count, I know you have counted but after you have raised the issue, let us count and see how many we are, then we adjourn for 15 minutes as the rules require, then we shall ring the bell. But I will remain here; ignore my presence.

(The delegates present were counted)

THE DEPUTY CHAIRMAN: We have observed that we are not in sufficient numbers to transact business, so I suspend the Assembly for 15 minutes and then we shall come and see whether you have realized the required numbers. The Assembly is suspended.

(The Assembly was suspended for 15 minutes.)

THE DEPUTY CHAIRMAN: We are only 77, so I adjourn the assembly until 2.30 in the afternoon, but we are also meeting on Saturday.

(The Assembly was adjourned to the afternoon of the same day)

THE DEPUTY CHAIRMAN: Hon. delegates, as you may recall in the morning, we could not transact business because we were in insufficient numbers, and by the look of it, I wonder whether the situation is any better. So let us ascertain our numbers and see what next. We are better off than in the morning by two people. So I will ask the Marshal to ring the bells for 15 minutes, if we still do not make it, that will be that. So I suspend the Assembly for 5 minutes.

(The Assembly was suspended for 15 minutes.)

THE DEPUTY CHAIRMAN: I am advised we are only 75, and for that matter, we adjourn until Monday 9.00 O'clock. So we stand adjourned.

(The Assembly rose and adjourned until Monday the 22nd of May at 9.00 a.m)