



## **EAST AFRICAN COMMUNITY**

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### **IN THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)**

#### **The Official Report of the Proceedings of the East African Legislative Assembly 85<sup>TH</sup> SITTING – THIRD ASSEMBLY: MEETING – THIRD SESSION**

**Tuesday, 27 January 2015**

*The East African Legislative Assembly met at 2:32 p.m. in the EALA Chambers, EAC  
Headquarters in Arusha, Tanzania*

#### **PRAYER**

*(The Speaker, Mr Daniel .F.Kidega, in the Chair.)*

*(The Assembly was called to order)*

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#### **COMMUNICATION FROM THE CHAIR**

**The Speaker:** Honourable members, I welcome you to the sitting this afternoon. We have a lot of pending business before this House. I therefore implore you that when you see the Chair extending beyond a certain time, it is not that the Chair is not cognisant of our Rules of Procedure but we will try to bend it a bit to accommodate the time available to us for us to deal with all the pending business before this House. So I will be begging for your indulgence when that time comes.

Secondly, I would like again to recognise Mr Phillip Kiriro, the president of EAF who has been with us with esteem from last week following our baby. We recognise your presence sir. Proceed.

#### **BILLS FIRST READING**

The East African Community Supplementary Appropriation Bill, 2015

**The Assistant Minister for East African Cooperation, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Rt. hon. Speaker, allow me to move a motion

that the *East African Community Supplementary Appropriation Bill, 2015* be read for the First Time. I beg to move.

**Ms. Nzeyimana):** Seconded

Bill read a First Time.

**The Speaker:** The Bill stands committed to the General Purpose Committee.

**BILLS  
FIRST READING**

The East African Community Customs Management (Amendment) Bill, 2015

**The Assistant Minister for East African Cooperation, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Rt. hon. Speaker, allow me to move the motion that the *East African Community Customs Management (Amendment) Bill, 2015* be read for the First Time. I beg to move.

**The Speaker:** Seconders? Hon. Counsel to the Community, hon. Patricia, and hon. Kessy.

Bill read a First Time.

**The Speaker:** The Bill stands committed to the Communications, Trade and Investment Committee.

**BILLS  
FIRST READING**

The East African Community Competition (Amendment) Bill, 2015

**The Assistant Minister for East African Cooperation, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Rt. hon. Speaker, allow me to move that the *East African Community Competition (Amendment) Bill, 2015* be read for the First Time.

**The Speaker:** Seconders? Hon. CTC, hon. Dr Ndahiro, hon. Yves, hon. Rwigema, hon. Patricia.

Bill read a First Time.

**The Speaker:** The Bill stands committed to the Communications, Trade and Investment Committee.

**BILLS**  
**FIRST READING**

The East Africa Science and Technology Commission Bill, 2015

**The Assistant Minister for East African Cooperation, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Rt. hon. Speaker, allow me to move that the *East Africa Science and Technology Commission Bill, 2015* be read for the First Time. I beg to move.

**The Speaker:** Seconder? Hon. Dr Ndahiro, hon. Dr Martin, hon. Rwigema, hon. Patricia, hon. Kiangoi, hon. Sebalu.

Bill read a First Time.

**The Speaker:** The Bill stands committed to the General Purpose Committee.

**BILL'S**  
**FIRST READING**

East African Community elimination of Non-Tariff Barrier Bill, 2015

**The Assistant Minister for East African Cooperation, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Rt. hon. Speaker, allow me to move that the *East African Community elimination of Non-Tariff Barrier Bill, 2015* be read for the First Time. I beg to move.

**The Speaker:** Seconders? Hon. CTC, hon. Sebalu, hon. Rwigema and all those standing.

Bill read a First Time.

**The Speaker:** The Bill stands committed to the Communications, Trade and Investment Committee.

**BILL'S**  
**FIRST READING**

East African Community Creative and Cultural Industries Bill, 2015

**Dr. James Ndahiro (Rwanda):** Rt. hon. Speaker, I rise to move that the East African Community Creative and Cultural Industries Bill be read for the First Time. I beg to move.

**The Speaker:** Seconders? Hon. CTC, hon. Hafsa Mossi, hon. Dr Odette, hon. Bucumi and all those standing.

Bill read a First Time.

**The Speaker:** The Bill stands committed to the General Purpose Committee.

**BILL'S  
FIRST READING**

East African Electronic Transactions Bill, 2014

**Dr. James Ndahiro (Rwanda):** Rt. hon. Speaker, I move that the East African Electronic Transactions Bill, 2014 be read for the First Time. I beg to move.

**The Speaker:** Seconders? Hon. Dr Odette, hon. Valerie, hon. Sarah, hon. Dora, hon. Peter Mathuki, hon. Yves, hon. Dr Martin and all those standing.

Bill read a First Time.

**The Speaker:** The Bill stands committed to the relevant committee.

**BILL'S  
COMMITTEE STAGE**

The East African Community Cooperative Societies Bill, 2014

(Resumption of business interrupted on Thursday, 22 January 2015)

Clause 1

**The Chairperson:** I propose that Clause 1 be part of the Bill. Chairperson? Are there amendments?

**Mr Harelimana:** Rt. hon. Chair, there is an amendment on the long title.

**The Chairperson:** Honourable member, can you observe the decorum of the House and stand up?

**Mr Harelimana:** I am sorry, *Mheshimiwa* Chair. The long title amendment-

**The Chairperson:** Chair, Clause 1.

**Mr Harelimana:** Clause 1 is amended by inserting the following new sub clause 2, which will read as follows, "This Act shall come into force on such a date as the Council may by notice published in the gazette appoint." Thank you, hon. Chair.

**The Chairperson:** Would you like to justify?

**Mr Harelimana:** To provide the commencement date of the Act.

**The Chairperson:** Thank you. Hon. Sebalu?

**Mr Sebalu:** Amendment appreciated.

**The Chairperson:** Honourable members, I now put the question to the amendment as stated by the chair.

*(Question put and agreed to.)*

*Clause 1, as amended, agreed to.*

Clause 2

**The Chairperson:** Honourable members, I propose that Clause 2 be part of the Bill. Chairperson.

**Mr Harelimana:** Thank you, Rt. hon. Chair. Clause 2 is amended as follows. (a) By inserting the following new definitions in their respective alphabetical order:

“Bonus” means the part of the surplus, which is paid to members in proportion to the business done with the member to the cooperative society.

“Community” means the East African Community established by Article 2 of the Treaty.

“Control Committee” means an organ elected and empowered by the general assembly, which shall ensure that the various activities of the society are carried out pursuant to the by-laws and regulations of the society.

“Primary Cooperative Society” means a cooperative society formed only by individuals.

“Cooperative Union” means a cooperative society formed by at least two primary cooperative societies.

“Secondary Cooperative Society” means:

- (a) A cooperative society formed by at least two cooperative unions or
- (b) A cooperative society formed by at least one cooperative union and one primary cooperative society.

“Interest” means the part of the surplus, which is paid for member’s deposits or loans.

“Reserve” means the part of the surplus, which is allocated to a reserve fund.

“Deficit” means an excess of expenditures over revenue in a given time.

“Share” means the amount represented by a member’s portion in the equity of a society as a co-owner.

“Deposit” means a sum of money received by the society from a member on terms under which it shall be repaid with or without interest or premium and either on demand or at a time or in circumstances agreed between the society and the member.

“Dividends” means that member’s share of the surplus of the society which is divided amongst members calculated by a reference to the proportion which that member’s share capital; bears to the total share capital of the society.

“Limited liability” means limited to shares or limited by guarantee according to the nature of the liability prescribed by the by laws of the cooperative society.

“Officer” includes the chairman, vice chairman, secretary, treasurer, committee member, employee or any other person empowered under any rules made under this Act or by laws of a cooperative society to give directions about the business of the society.

“Urgency” means the urgency established under Section 10.

“Gazette” means the official gazette of the Community.

“Minister” means the minister responsible for cooperative matters in a Partner State.

“Society” means a cooperative society.

“Nominee” means a person designated as the next of kin by a member, and whose name has been entered in the register.

(b) By substituting the following definitions:

“Cooperative society” means the cooperative society established under Section 3(3).

“Member” means a person or a cooperative society joining an application for the registration of a society and a personal cooperative society admitted to membership after registration in accordance with the by-laws.

“Secretariat” means the Secretariat of the Community established by Article 65 of the Treaty.

“Treaty” means the treaty for the establishment of the East African Community.

(c) By deleting the definition of the term “society”.

The justification being:

- (a) To reduce new necessary definitions.
- (b) To improve the definitions already provided for.

**Mr Sebalu:** Mr Chairman, there is no objection to the stated amendments.

**Mr Kaahwa:** Mr Chairperson, I had, during the Second Reading of this Bill indicated that I would be proposing an amendment on the definition of the term ‘member’ but I have heard clearly the chairperson of the committee alluding to a new definition, which caters for the matters, which would have prompted me to propose an amendment. So given that development, I do not intend to move an amendment. We may proceed.

**The Chairperson:** Thank you. I therefore put the question to the amendment as proposed by the chair.

*(Question put and agreed to.)*

*Clause 2, as amended, agreed to.*

Clause 3

**Mr Harelimana:** Thank you, Rt. hon. Chair. We propose that Clause 3 be deleted. The reason being unnecessary detail provided in part two.

**Mr Sebalu:** I concede.

**Mr Kaahwa:** Mr Chairperson, for purposes of the record, I had also with regard to Clause 3 indicated that I would be proposing an amendment but now I feel disabled because the chairperson and the committee have decided to delete the whole of Clause 3 for superfluity. So the record will indicate that I did not move because of the timely intervention of the chairperson.

**The Chairperson:** Honourable Counsel to the Community, the proposal is not yet adopted by the House, so if you feel so strongly about your amendment, you can bring your argument.

**Mr Kaahwa:** In fact having listened to the chairperson of the committee, I do not feel strong, I feel weaker.

**The Chairperson:** Thank you, honourable CTC. I therefore put the question on the amendment as proposed by the chair of the committee to delete.

*(Question put and agreed to.)*

Clause 4

**The Chairperson:** I propose that Clause 4 be part of the Bill.

**Mr Harelimana:** Thank you, Rt. hon. Chair. The committee proposes that we delete Clause 4 reason being unnecessary detail because it is provided in part two.

**The Chairperson:** Hon. Sebalu. Did I see hon. Dr Ndahiro standing up?

**Dr Ndahiro:** Thank you, honourable Chair. We had proposed an amendment on Section 4 because we thought that in the whole document they had not considered the rights of persons with disabilities within the cooperative setting. Now that they are proposing deletion of that specific Article.

Mr Chairman, I am wondering whether we can be allowed now to introduce a new (4) to capture the interests and needs of persons with disabilities.

**The Chairperson:** Thank you so much, hon. Dr Ndahiro. Your earlier proposed amendment is still standing. We will introduce it at the end after we have gone clause by clause before adopting the report because it is a new clause. So as of now, I kindly request that you hold to that and then when we finish with moving clause by clause and before we move on the title, we will move to insert that new clause. So as of now, hon. Sebalu – (*Interruption*) -

**Mr Sebalu:** Thank you very much, chair. With regard to hon. Ndahiro's proposed amendment, I do agree with the principle and as you have guided, the placement can be worked out later. But I do appreciate the input of the chair in terms of deletion because the details have been taken care of in (2).

**The Chairperson:** I put the question.

**Mr Ogle:** Mr Chair, before you put the question, will the chair of the committee please give us a recap of the justification for his seeking the deletion of the entire Clause 4?

**The Chairperson:** The honourable chairperson gave the justification and the mover conceded. I think we were at the stage of putting a question but your interest in introducing the new clause 4 after deletion will come before we move on the title of the Bill.

**Mr Ogle:** Bwana Chair, my feeling was that in view of the fact that the chair of the committee has sought for the deletion of that clause, the proposed amendments by Dr Ndahiro might be nugatory in the circumstances. It might be unnecessary, unless we are able to retain the clause the way it is.

**The Chairperson:** Honourable members, you will insert a new clause and that will be accepted. It has nothing to do with the deletion as proposed by the chair and as conceded to by the mover. So I put the question to the amendment as proposed by the chair.

*(Question put and agreed to.)*

Clause 5

**Ms Byamukama:** Mr Chairman, please permit me to make this a point of procedure. I think what hon. Ogle was saying is that when there is a clause and now this is part of the House and the chair of the committee moves for example that the clause be deleted, it is not up to the mover of the motion to concede or not. That is why maybe hon. Ogle wanted the House to appreciate as to why the committee was proposing for deletion and then it is upon that justification that the House would



be in a position to support the position of the mover to debate it further. I think maybe this is the problem but in effect, what you have said Mr Chairman is correct but I think it is in that context.

**The Chairperson:** Thank you, hon. Dora. The justification provided by the chair is that it was unnecessary detail and that is why he proposed deletion. I asked the mover whether he concedes and he did. I went further to say the interest of hon. Ndahiro that was presented to take care of the disabled persons will come in its own right after we have gone clause by clause and therefore his chance to make that proposal will be granted unless he is saying he is not satisfied by the explanation of the chair.

The question was put...Hon. Hajabakiga?

**Ms Hajabakiga:** Thank you, honourable chair. I think the whole issue was done correctly because the explanation was given and then the question was asked to the mover and the mover has to concede and then the question was put.

I think if they have not understood the reasons, there was a repetition. What is already contained in that clause has already been taken care of in part two. I think that was the explanation.

**The Chairperson:** Thank you. I propose that Clause 5 be part of the Bill. Chair.

**Mr Harelimana:** Thank you, Rt. hon. Chair. The committee proposes that part two of the bill is replaced with the following new part. Part 2, "*Formation and Registration of Cooperative Societies*":

New Clause 3 "*Registration of Cooperative Societies*":

Subject to the provision of this Act, the cooperative society, which has as its objects -

- (a) The promotion of the welfare and economic interests of its members; and,
- (b) Has incorporated in its by-laws the following cooperative principles -
  - (i) Voluntary and open membership
  - (ii) Democracy member control
  - (iii) Economic participation by members
  - (iv) Autonomy and independence
  - (v) Education, training and information
  - (vi) Cooperation among cooperatives
  - (vii) Concern for community in general

- may be registered by the appropriate authority as a cooperative society under this Act with or without limited liability if a cooperative union or a secondary society shall not be registered except with limited liability.

New Clause 4. "*Essentials for registration of a cooperative society*":

For a society to be registered under this Act, it must -

- (a) In the case or primary society, consist of at least ten persons, all of whom shall be qualified for membership of the cooperative society under section 11 or

- (b) In the case of a cooperative union, has at least two registered primary cooperative societies as its members
- (c) In the case of a secondary cooperative society, at least (q) two cooperative unions or (2) one cooperative union and one primary cooperative society.

New Clause 5. "Procedure for Registration":

1. An application to register a society shall be made to the appropriate authority in the prescribed form and shall be signed -
  - (a) In the case of primary society by at least ten persons qualified for membership of society under section 11
  - (b) In the case of a cooperative union, by a person duly authorised in that behalf by each primary cooperative society or as the case may be, who members thereof are.
  - (c) In the case of a secondary cooperative society, by a person duly authorised in that behalf by each cooperative union or primary cooperative society as the case may be.
2. The application shall be accompanied by four carbon copies of the proposed by laws of the cooperative society in the English language and the person or person by whom or on whose behalf such application is made shall furnish such information with regard to the cooperative society as the appropriate authority may require.
3. If the appropriate authority is satisfied that a cooperative society has complied with the provision of this Act, any rules made thereunder, and that its proposed by-laws are not contrary to this Act or any rules made thereunder, the appropriate authority may register the cooperative society and its by-laws under this Act.

New Clause 6. "By-laws"

- (1) Every cooperative society shall have its own by laws.
- (2) The contents of the by-laws of the cooperative society shall include -
  - a) Name and address
  - b) Objectives and activities
  - c) work place or area,
  - d) requirements necessary for membership
  - e) the rights and duties of the members
  - f) the powers, responsibilities and duties of management bodies
  - g) condition for withdrawal and dismissal from membership,
  - h) conditions for election, appointment, term of office and suspension or dismissal of the members of the Board of Directors or other management bodies
  - i) conditions for calling of meetings and voting at meetings
  - j) allocation and distribution of surplus
  - k) conduct of audits
  - l) human resource policies
  - m) the value and number of nominal share per member
  - n) criteria for the transfer of nominal shares
  - o) other particulars not contrary to this Act.

- (3) The by-laws of a cooperative society shall bind the cooperative society and the member thereof to the same extent as if they were assigned by each member and contained covenants on the part of each member for himself and for his personal representatives to observe all the provisions of the by-laws.
- (4) The by-laws of a cooperative society may be amended by the special resolution of the general assembly and such amendments shall be effective on the date it is submitted to and registered by the appropriate authority.
- (5) Where a cooperative society agrees on amendment to its by-laws, three copies of the amendments and the special resolution of the society made in accordance with this Act shall be submitted to the appropriate authority within 30 days from the date of the agreement.
- (6) The appropriate authority shall register the amendment and give evidence of its registration to the society where it is satisfied that the amendment of the by-laws was made in accordance with this Act.

New Clause 7. “Appeal against failure to register”

- (1) A cooperative society may appeal to the minister against the appropriate authorities’ refusal to register the cooperative society and its by-laws or any amendment of its by-laws under Section 6 within 30 days of being notified of the refusal – (*Interjection*) -

**The Chairperson:** Honourable chair, there is clarification from hon. Mwinyi.

**Mr Mwinyi:** Thank you very much honourable chair and I thank you, hon. Abdul Karim for giving way. I am seeking clarification, honourable chair on the basis of how we are proceeding. We have a Bill before us, which has had extensive consultations, and we are able to follow what has been consulted. With these extensive amendments, it makes it exceedingly difficult to either agree to that amendment or not because it is very difficult to follow. We do not have advance copies of these amendments so our position either way is rubber-stamping without understanding the new things and digesting them.

I am seeking your clarification on the way forward. I thank you.

**The Chairperson:** Thank you so much.

**Mr Zein:** Further to what hon. Mwinyi is saying, hon. Ndahiro was questioning the question of language when it says English and access to language by persons with disability but he is not able to interrogate that particular section because he does not have a copy of what is being proposed.

**The Chairperson:** Let me first clear the clarification then we go to your information. Actually even the chair was getting concerned because you realise that the chairman is moving more than a clause. He has moved on Clause 5, 6, 7, he is going up to 10, and it is going to be extremely

difficult for honourable members to understand that omnibus way of operating and it will be very difficult for the chair as well.

I do not know how to treat the parent provision in the Bill. Is it deleted, is it an insertion, is it a replacement? I was also having trouble as chair and so I indulge the clarification to be given by the chair or any other member of the committee.

Honourable members, let us appreciate one fact that we have just changed leadership. This is a fact that we must live with and there is a new chair and the chair emeritus where need be should come into help for continuity and clarification but otherwise I was also having that problem.

I am going to pick information from hon. Peter Mathuki then guide on, on how I think we should proceed.

**Mr Mathuki:** Thank you, Rt. hon. Chair. For the benefit of hon. Mwinyi and I agree with you that the procedure and the way you have guided in terms of how we proceed- I am sure the chair is guided but also to appreciate that I think on Thursday we were all issued with copies of this and in fact, every member should be having this. So the fact that he says we do not have, some of us have unless he is asking for those who do not have to be given but indeed we were given and I think some of us took a lot of time not to go home to read these things and therefore we have the document. That is the information. Thank you.

**Mr Mwinyi:** I take the information from my honourable friend and I stand corrected on his particular argument. That said, I personally had not seen it but it seems very clear within the House from the puzzled expression of all my colleagues that they are not following these amendments. I am suggesting the way forward whereby if we can postpone this activity and review for a few minutes and then come back to it later.

The Chairperson: Thank you so much, let me first guide on this. I will give you all a chance. Honourable members, I think there is just a small procedural problem, which can easily be corrected. That is one.

Two, I would direct the office of the Clerk to refresh members with copies as fast as possible- for those who do not have such that we can proceed. I am kindly guiding this way cognisant of the fact that the bulk of un-cleared business before this House is so much. It was the intention of the chair that we could work through this Bill and dispose it off this afternoon. If the Clerk's office can refresh members with copies as fast as possible and then I also help the chair to move clause by clause not omnibus and expressly giving justification for either a replacement or a deletion or addition, we will then give to the mover to also add and through that members will be able to follow.

If that were acceptable now, I would guide chair to get back to Clause 5 alone. Tell us whether you are deleting it or inserting a new clause or something like that then you give us justification before we go to six. I think that way we will be able to move and please Office of the Clerk, refresh members with copies as fast as you can in the interest of time.

**Mr Harelimana:** Thank you, Rt. hon. Chair. First, I think the copies were distributed as hon. Mathuki said and that is why he has a copy. I know that others also have and maybe a few of them have not. We stand by your guidance that those who do not have are given their copies.

About the second question, we are now on part two of the bill, which is replaced with the following new part. So part two is formation and registration of cooperative societies. This is very new and replacing the old one. That is why I was reading all the clauses under this part because all of them are new replacing the old ones.

The justification here – (*Interruption*) -

**The Chairperson:** Honourable chair, just a minute. We are not amending part by part. We are going clause by clause. Even if you have as many amendments as possible within a part, we will go clause by clause within that part until we finish then move to the next part. So for the ease and operation of this House, please kindly go clause by clause and that is what our procedure requires.

**Mr Harelimana:** I stand to be guided, Rt. honourable.

**The Chairperson:** So you would go on Clause 5, give your justification and then i refer back to the mover on Clause 5.

**Mr Harelimana:** Clause 3, “Registration of cooperative societies”:

Subject to the provision of this Act, a cooperative society that has as its objects -

- (a) The promotion of the welfare and economic interests of its members and
  - (b) Has incorporated in its by-laws the following cooperative principles -
    - i. Voluntary and open membership
    - ii. Democratic member control
    - iii. Economic participation by members
    - iv. Autonomy and independence
    - v. Education, training and information
    - vi. Operation among cooperatives
    - vii. Concern for community in general
- may be registered by the appropriate authority as a cooperative society under this Act with or without limited liability provided that a cooperative union or a secondary society shall not be registered except with limited liability.

The justification is to provide for the formation and registration of cooperative societies in a more coherent and chronological order.

**The Chairperson:** Thank you. So the honourable chair is moving to replace Clause 5 with what he has read and he has given the justification. I now would like to hear from the mover on Clause 5. To replace Clause 5.

**Mr Sebalu:** Thank you very much, Chair. As you rightly guided, there is a replacement of the entire part two but for purposes of passing, we are unpacking and getting different clauses. So the

justification given makes sense to me because we want it to be coherent and chronological so I have no objection, Mr Chairman.

**The Chairperson:** Thank you so much. I now put the question to the amendment as stated by the chair. Procedure.

**Mr Kiangoi:** I am a bit lost and I want to be with you on the issue that was raised by hon. Dora. Is it that at this stage the Bill is still owned by the mover so that when he has said that he has no objection we just move to the question? What we are saying is that the replacement of a whole part makes it a substantially different Bill than what was there at the Second Reading.

So please guide me so that I can be with you because I feel that perhaps you would have suspended the House even for ten minutes so that we can harmonise what we are doing and so that we do not pass laws that we do not understand.

**The Chairperson:** Thank you so much, honourable member. I had actually reserved this to come at the end. I am having a very difficult situation presented by the chair and the Committee of Agriculture. This is because the kind of amendments they have provided almost constitutes a new Bill and that makes it very difficult for us to know whether we are still dealing with the parent Bill or there is a new Bill more or less in place.

So it makes it very difficult for me to know how to proceed and that is why I was of the opinion that we go clause by clause. When he moves the amendment now we will ask the House first to comment on that amendment before we proceed to the next one and then I will give the chair later. I think if we proceed like that, we can get our bearing.

**Mr Mwinyi:** Thank you very much, honourable chair. I am seeing a challenge. Our colleagues justified the entire part hence finding difficulty in justifying clause per clause. But the rules of this Assembly require that we go through clause per clause. Because of that anomaly, and in order to avoid passing a Bill that we do not understand, we are requesting some time for adjournment so that they are able to justify clause per clause and we can proceed and finalise.

In this way, we will be rubber-stamping without knowing what we are doing. I thank you, chair.

**The Chairperson:** Honourable members, the member is raising a very serious matter, which pertains to our Rules of Procedure, and I think the Committee of Agriculture and the chair must have known our Rules of Procedure that we amend Bills clause by clause. If the amendment is bigger than certain clauses which constitutes almost a new Bill, it becomes a problem for us procedurally and that can only be judged if we move clause by clause.

Secondly, the same justification can be given for all the clauses one by one. You can repeat your justification on every clause one by one but to take into consideration what we have stated earlier that do not present a new Bill from what was referred to the Committee of Agriculture.

**Ms Ndahayo:** Thank you, Chair. As I said last time, during the public hearings we met experts in this area. As you have seen, the first draft of this Bill was very incomplete. As you can see it here,

it has changed too much. It has new clauses and a new arrangement and that is why I would like to suggest that if it was a proposal of many members, if we suspend and then make sure that all members have this schedule of amendment to allow them be able to follow what we are doing. I think it will help a member to follow, to understand and to be able to contribute on the new amendments made by the committee and from all stakeholders in all Partner States.

So it will also be difficult to continue going clause by clause because it has totally changed from what it was before as you can see. So allow members to get the copies of these amendments. It was distributed last week. If it is not possible to find them now, please if they can make a copy for all members to allow them to follow and be able to contribute it will help our procedure to go smoothly.

**The Chairperson:** Thank you. Hon. Isabelle before I pick hon. Dora, you see the Committee of Agriculture through the chair has put this House is a very difficult situation in the sense that you have literally overhauled the whole Bill. I do not disagree that you met experts. Yes you did but we also have our Rules of Procedure to adhere to which requires that when the Bill is substantially changed, it must be referred back for printing. This is because we would be delivering over a new Bill altogether.

So I am in a very difficult situation. As per our Rules of Procedure and to also be on the safer side of things such that we pass the Bill that we referred to the committee, it is within the interest of the chair that he moves for the resumption of the House and we revisit this later. It is only the chair who can move on the floor that House do resume and therefore report but hon. Dora first has the floor.

**Ms Byamukama:** Mr Chairman, I thank you. I do not dispute what you have ruled and I think you have guided appropriately. We do support the committee wholly in this matter. Let me just give you an example. When you look at Clause 3, it provides for guiding principles of cooperative societies. After reading through these guiding principles, I really felt that these guiding principles are very important so that if any cooperative society is going to cooperate at the East African Community level, there will be clear guiding principles and it will be built on the same foundation.

Mr Chairman, let me just say one thing. What is provided here is music to some of our ears for example the issue of internal democracy, the issue of dividends from profit according to shares, the issue of self-help organisation. So my concern here is if a new clause was brought in and we do not have time to verify whether what is contained and what we supported in Clause 4 is contained in the new clause then how are we, sure that what we considered at length will be carried forward?

Mr Chairman, the other point I would like to raise is under number five. It is a new Clause 5. If you have a new clause under 5, what happens to the existing clause, which is 5? Is it deleted or retained?

Let me just read one particular rule in this respect and this is Rule 69 (15). It says, "*Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before*

*consideration of any schedule to the Bill except that anew clauses proposed in substitution for a clause which has been disagreed to maybe considered immediately after the disagreement.”*

So, here we are, we do not have a disagreement and yet we are proposing a new clause in this fashion. I think and I would propose that we follow how you have guided so that we are in a better position to agree how to move forward in a more concerted manner, which respects the rules. This is my humble submission, thank you sir.

**The Chairperson:** I thank you very much, hon. Dora. Hon. Dora agrees actually with my guidance and I think all the members are. I now request that the Chair do move that the House resume for us to make the necessary adjustments.

**Mr Harelimana:** Rt. hon. Chair, after all this discussions and after seeing that some members are not following what we are in, I beg that the House do resume. I beg to move.

**The Chairperson:** Secunder? The whole House. Seconded by all the members standing. I therefore now put the question that the Committee of the House do resume and report thereto.

*(Question put and agreed to.)*

#### **REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE**

**Mr Harelimana:** Thank you, Rt. hon. Speaker. I beg to report that the Committee of the Whole House has considered the *East African Community Cooperatives Bill, 2014* and passed Clauses 1 to 4. I beg to move.

#### **MOTION FOR ADOPTION OF THE REPORT FROM THE COMMITTEE OF THE WHOLE HOUSE**

**The Speaker:** Honourable members, I hope we are together. The motion is that we adopt the report of the whole House. Can the chair move that we adopt that report? Honourable members, the Committee of the Whole House considered Clauses 1 to 4 and the chair has reported. Now can the chair move that the report be adopted? That is where we are.

**Dr Ndahiro:** Honourable Speaker, I thought we agreed to resume so that we can clarify the position we are going to take and that is whether the amendments are as reported – It is not a question of acceptance. Whether we can refer the report back to the committee, they consult and then they make another report and we come back to go clause by clause. I thought that was the guidance, honourable Speaker.

**The Speaker:** Thank you so much. Hon. Dr Ndahiro, I was proceeding to allow us adopt that report and then before we move, I will guide that this whole debate go back to the committee, refresh and come back to the House to allow us to move coherently. Can I invite the chair to move?

**Mr Harelimana:** Thank you, Rt. hon. Speaker. Before I move, I want to give an answer to Dr Ndahiro that the committee so far has no problem with what we have presented to the House. The



report, which we brought here and presented last week and adopted we still believe in it and these amendments, which we have here, we still believe in them the way they are. The problem came from members who did not understand because it is new to some of them.

Now that it is new to some of them, Mr Speaker, that is why you are giving us a few minutes for them maybe if they need some clarification from us or they want to go through it again but for us we are ready to continue, we have no problem, Mr Speaker.

**The Speaker:** Thank you so much.

**Mr Mulengani:** Mr Speaker, the point I am rising on is in regard to procedure. On the 22<sup>nd</sup> January, we received a document containing the amendments of the committee well entailed. All of us. What has brought a lacuna is that we did not know what was contained in the order Paper and most of our colleagues might have left their documents back home where they reside or in their offices.

Procedurally you had guided that we move clause by clause and indeed whatever amendments the chair of the committee is reading are contained in this document. Unless we are saying as a House that we want them to go and print the Bill afresh, that is different but if we agree to proceed as a House following this document clause by clause, I find no problem whatsoever.

The other point that I want to raise is that if we are told that the committee has nothing to add or remove, it will be further deferring of business. So, I would kindly request the indulgence of our colleagues that in the interest of catching up with matter of time as you have guided, let us be provided for those that do not have the amendments. Let us be provided with amendments and then we can proceed.

So Mr Speaker, the procedural point I was raising is if you could ably take decision and guide because the document we have is exactly what he is reading. I thank you.

**The Speaker:** Thank you so much, hon. Bernard. I had earlier on guided while we were at Committee Stage that we go clause by clause as required by our Rules of Procedure. I had even earlier on directed that the Office of the Clerk refresh members with copies if they are not available but then we encountered another difficulty different from those two which is a substantive overhaul of the bill and we are in a very difficult situation because if the Bill is completely overhauled like that, it requires a reprint. That is the procedural problem we are in, and that is why the House has resumed and we are guiding that we adapt 1 to 4 where we had moved and then the Speaker will guide on how to proceed with this particular Bill after we have done that.

**Ms Byamukama:** Mr Speaker, I would like to agree with you entirely and to say that in the procedure of the House, when we go to the Committee of the Whole House stage, there is a way we go to the Committee of the Whole House. When we resume, there is a way we do that. When you look at Rule 68(5), it says, "*On resumption of proceedings, any business which the Committee of the Whole House was reported that it has been unable to complete shall be replaced on the order of business for a subsequent sitting.*"

This may not be the case, but the point is that now that we have come from the Committee of the Whole House, the chairperson is under an obligation to report what transpired in the Committee of the Whole House. That is why he should actually say, the Committee of the Whole House worked and adopted this and this and the rest was left pending further consultations or something to that effect.

From there we could now get guidance on the way forward as you have already proposed. So it is not a matter of us agreeing with the chair of the committee, it is a procedural matter. So this is all, we do not have to debate it any further. The chairperson needs to report what transpired and then from there we can move to the next issue.

**The Chairperson:** Thank you so much, hon. Dora.

**Mr Ogle:** Thank you, Bwana Speaker. The problem I have is the chair of the committee reporting that we adopt Clauses 1 to 4. We are accepting the deletion of Clauses 3 and 4 as we had earlier proposed. We are talking about maintaining this Bill as it was so we should not be accepting that proposal from the Chair that he is reporting that we are adopting 1 to 4 only. In fact, what he should be reporting is that there was no consensus on this.

**The Speaker:** Thank you so much, hon. Ogle. I would like to guide that when we were at the Committee of the Whole House stage, we considered 1 to 4. Difficulties came when we were dealing with Clause 5 and it is at that point that we at that level decided that we resume as a House and the Chairperson will have to report exactly what we did and that is consideration of Clauses 1 to 4. The chair will eventually guide the House how we are going to proceed with the totality of the Bill.

Can I therefore invite the chair to move to report?

**Mr Harelimana:** Rt. hon. Speaker, I have already reported. I did report.

**The Speaker:** Chairperson, I guide that you move that the House do adopt the report, which you moved, and can you please move sir?

**Mr Harelimana:** Thank you, Rt. hon. Speaker for giving me this opportunity. I beg to move that the House do adopt the report, which I have already reported to the House that we do pass Clauses 1 to 4, which we already debated when we were in the Committee of the Whole House. I beg to move.

**The Speaker:** Secunder? Hon. Sebalu, hon. Ogle, hon. Leonce, hon. Tiperu and all those standing. Honourable members, the motion on the floor is that the House do adopt the report of the Committee of the Whole House that considered Clauses 1 to 4. I now put the question.

*(Question put and agreed to.)*

**The Speaker:** Honourable members, we have encountered a very difficult situation that we must deal with. I would think we need to move in tandem. I will suspend the proceedings on this

particular item and request that the chairperson of the committee, the clerk come to the office of the Speaker and we confer and agree how to move on this Bill immediately when the House is adjourned. Thank you.

**MOTION FOR THE CONSIDERATION OF THE SUPPLEMENTARY BUDGET OF THE EAST AFRICAN COMMUNITY FOR THE FINANCIAL YEAR 2014/2015**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Thank you, Mr Speaker. I beg to move that this House do resolve itself into -

- a) A Committee of ways and means to consider and approve the financial statement for the Financial year 2014/2015 and
- b) A committee of Supply to consider and approve the revised estimates of expenditure for the Financial Year 2014/2015.

I beg to move.

**The Speaker:** Seconders? Hon. Counsel to the Community and hon. Ndahiro. Please give justification.

**Dr Saadalla:** Thank you, Mr Speaker. I begged to move that this esteemed legislative assembly resolve into a committee to debate and approve a proposal of the Council of Ministers for the supplementary budget of the East African Community for the Financial Year 2014/2015.

Mr Speaker and members, as you may recall that in 2014 this august House approved the total budget amounting to US\$ 124,069,625 for the East African Community for the Financial Year 2014/2015.

The global priorities for the approval of this amount of money were:

- (i) Operationalisation of a single customs territory
- (ii) Implementation of the East African Community Common Market Protocol
- (iii) Implementation of the road map towards the establishment of East African Community Monetary Union
- (iv) Development of cross border infrastructure with particular focus on implementing the decisions of the Summit retreat on infrastructure and
- (v) Implementation of the tripartite free trade area COMESA/EAC/SADC
- (vi) Implementation of the East African Industry Policy and Strategy
- (vii) Implementation of the East African Food Security Action Plan and Climate Change Master plan
- (viii) Sensitisation of East Africans
- (ix) Implementation of East African Strategy on regional peace and security
- (x) Implementation of the activities under Political Federation for the East African Community
- (xi) Revitalisation of the Lake Victoria Fisheries Organisation.

Mr Speaker, the supplementary budget I tabled to this august House for the 2014/2015 is amounting to US\$ 2,040,520 of which US\$ 99,840 will come from the East African general reserve funds and US\$ 1,940,680 from the development fund.

Mr Speaker, the supplementary budget will fund the activities as follows: With the support funds from the United States Agency for International Development (USAID), assistance agreement or comprehensive regional development totalling up to US\$ 900,000 will be used to implement six critical activities as follows:

- (i) Support to the East African HIV/AIDS Symposium amounting to US\$ 150,000.

Mr Speaker, the East African HIV/AIDS unit is expected to organise a symposium under the theme of getting o zero in the East African region on 28<sup>th</sup> March 2015. This symposium will specifically focus on HIV/AIDS, tuberculosis and sexually transmitted infections program.

Mr Speaker, for the year 2014/2015, a budget totalling up to US\$ 48,400 was allowed for this activity and from that, US\$ 7,300 was used. However, this amount was not sufficient for the symposium to be undertaken and hence East African Community Secretariat has sourced funds from the USAID amounting US\$ 150,000 to secure this activity.

The Council of Ministers therefore requests this august House to pass this supplementary budget of \$ 150,000 to undertake this specific activity.

- (ii) The second activity is development of East African regional population health and environment strategy. Mr Speaker, the ninth ordinary meeting of the sectoral Council of Ministers for Health directed the EAC Secretariat to develop an East African regional population health and environment strategy 2015-2020.

However, together with this directive, there was no budget provision for this activity under the approved MTEF of 2014/2015. Therefore, because the approval of the United States aid to support these activities was communicated to East African Community on October 2014, it is hereby presented into your august House that this House will approve a supplementary budget amounting to US\$ 150,000 to cater for this specific activity.

- (iii) The development of the AGOA Strategy and sensitisation amounting to US\$170,000.

Mr Speaker, in order to achieve trade competitiveness between East Africa and America, EAC is seeking to develop a regional AGOA strategy. The regional strategy will align recently developed national strategy response in the Republic of Burundi and Republic of Kenya while three other Partner States: Republics of Rwanda, Uganda and the United Republic of Tanzania will be reviewing their strategies in line with the regional strategy on negotiation and market penetration to America through AGOA.

Mr Speaker, it was noted that there is a need of regional AGOA strategy so that EAC as a region can attain the maximum threshold of its goods and produce so that we can penetrate into the American market.

So honourable Speaker, this activity is provided with the budget of 2014/2015 and it amounts to \$ 170,000 and therefore, the Council of Ministers requests this august House to pass this supplementary budget and augment the current strategy of EAC Partner States to get into the market of AGOA.

Another one is the study on the East African regional trade policy. Rt. hon. Speaker, the study on the development of EAC regional trade policy was budgeted under the financial year 2013/2014. However, the procurement process could not be finalised within that year and has now been finalised in the current financial year.

Funding under the current financial year of US\$ 75,250 was not sufficient to cater for the study. Therefore, an additional amount of US\$ 50,000 is required to pay for the consultancy services and finalisation of the regional trade policy.

The other issue is maintaining the East African regional food balance sheet and trade help. Mr Speaker, there were funds secured from the USAID East African trade hub and it was collaborated with the EAC for the securing of two activities which were undergoing and these were trade help desk and regional food balance sheet.

Mr Speaker, these two systems are currently operational. However, the East African Community regional food sheet RFBS, which was one of the fundamental priorities under implementation of the EAC food security as I have said in the priorities, needs to be extended from the regional level to the national level.

So having these two in mind, trade help desk and regional food balance sheet, Mr Speaker, we found that there is need for including information of what goods, policies and other issues like exchange of commodities within the Community to be kept in one database in a single trade help desk. This was the first one, which was the trade help desk.

The second one as I have said was the regional food balance sheet, which was there in continuous process. Mr Speaker, the seventh sectoral council on agriculture and food security noted the progress made in the development of RFBS and directed the Secretariat to source funds for implementation of the comprehensive regional food balance sheet by June 2015.

As a Council, we therefore secured budgets of up to US\$ 295,000, which was required for maintaining the two systems despite the technical support offered by USAID and ICT experts to work on the food balance sheet. Therefore, the Council of Ministers is requesting your august House to pass a supplementary budget of \$ 295,000 to cater for this special activity.

Evaluation workshop for the EAC Comprehensive African Agricultural Development Program (CAADP).

Rt. hon. Speaker, it was noted that there is need of creating a linkage between the national and regional components of CAADP. In the current financial year, it is only the regional validation workshop that had been budgeted for not the national part of it.

Therefore, the supplementary is requested to the tune of US\$85,000 in order to enable the Secretariat to conduct the national level EAC CAADP compact validation workshops. As a Council of Ministers therefore, we are requesting the august House again to secure and permit this amount of money to be used so that we can have a good linkage between the regional and national Comprehensive African Agricultural Development Programs and get them aligned.

The next is study on equitable sharing of benefits and costs of EAC integration.

Rt. hon. Speaker, this will cater for about \$ 121,267 to finalise the study. At its 18<sup>th</sup> meeting, the Council of Ministers directed the Secretariat to undertake a study to comprehensively analyse the cost and benefits of East African Community's regional integration process in all the areas of cooperation and establish a mechanism of equitably sharing them among the Partner States.

Mr Speaker, it was noticed and encountered by the Secretariat as an unfortunate issue that this study could not be finalised under the estimated amount of funds in the previous budget. Therefore it is proposed that the supplementary budget amounting to US\$ 121,267 be approved to enable the Secretariat finalise the study that is long overdue and whose outcome will inform many policy decisions in the Community.

Another one, which needs justification, is the EAC/COMESA/AU early response mechanisms, which is ERM African peace facility support for US\$ 919,413.

Mr Speaker, with support from the European Union, this activity will be implemented. The support to early response mechanism ERM Africa, peace facility support to COMESA/EAC and it will cater for almost US\$ 919,413 to be permitted under your august House.

Mr Speaker, the EAC and COMESA under the African Union early response mechanism AU/ERM program have jointly secured some funds to undertake mediatory and confidence building activities in Burundi prior to the upcoming elections of May to July 2015.

The purpose of having this AU ERM program fund was to support mediatory activities for early responses to nurture reconciliation, tolerance among the political actors and to build confidence in electoral structures.

The initiative is also a follow up of the East African Secretary Generals official mission to Burundi undertaken in July 2014.

Mr Speaker, the joint nature of the program is geared to maximisation of costs and building synergies among the regional economic communities with similar objectives of developing democratic governance and peace building under the African Union noting that the Republic of Burundi is a member of all these organisations.

The objective of this mission again will be reconciliation, consensus building among key stakeholders including political actors, electoral management, institutions such as Burundi National Independence electoral Commission, the Judiciary and the security sectors towards peaceful and successful elections in 2015 be promoted.

The second one is preventive democracy measures by eminent persons from the COMESA and EAC regions to facilitate dialogue and communication among the political players in Burundi be promoted.

Thirdly, responsive and responsible media coverage during the electoral phases be promoted and lastly, a message of peace and reconciliation among all Burundians and political actors be disseminated.

Mr Speaker, the EU through the African Union approved a total of US\$ 919,413 on 14<sup>th</sup> November 2014 and 70 per cent of the funds be transmitted to the account on 2<sup>nd</sup> January 2015 for utilisation.

Mr Speaker, this activity will also involve the presentation of EALA members and provision to the supplementary budget is there estimated and included in the MTEF. This House is therefore requested to approve a total of US\$ 919,413 to undertake this very special activity in the current Financial Year of 2014/2015.

Mr Speaker, another activity is undertaking of an assessment study on the needs/preparedness of the Partner States to implement the new generation e-passports including a review of existing passport issuance legal framework, which will cater for about \$ 49,840.

Mr Speaker, the 29<sup>th</sup> meeting of the Council of Ministers noted that there is need for the Partner States to review where necessary a legal framework on passport issuance to ensure the new generation East African e-passport is issued as an international travel document.

Again, budgeting or the procurement of the necessary e-passport issuance, infrastructure, passport booklets and capacity building for the immigration personnel was needed to be integrated into the 2015/2016 budget cycle.

Council also noted that the phase out program of the national passport as proposed in the road map should be customised by each Partner State to address respective needs and peculiarities.

Furthermore, the 29<sup>th</sup> meeting of the Council also:

1. Adopted the computer generated new generation East African e-passport design for the diplomatic service and ordinary e-passports.
2. They considered a supplementary of \$ 49,840 to be drawn from the general reserve to support and undertake an assessment study on the need, preparedness by the Partner States to implement the new generation e-passport including a review of the existing passport issuance legal framework.

Mr Speaker, in light of the above explanations by the Council's directives, Council of Ministers is hereby requesting your august House to consider and approve the supplementary budget

amounting to US\$ 49,840 to facilitate the undertaking of the assessment study. This study will be undertaken between March and April 2015 once funds are availed and the outcome of the study be presented to the Summit in November 2015 as per the 15<sup>th</sup> Summit directives.

Next, is the formulation of the EAC vision 2050 for USD amounting up to US\$ 50,000? Mr Speaker, the 29<sup>th</sup> meeting of the Council of Ministers, which was held between 15<sup>th</sup> and 20<sup>th</sup> September 2014 among others, considered an approved concept paper and terms of reference for the formulation of the EAC Vision 2050.

The Council observed that the consultancy firm to be engaged to formulate the EAC Vision 2050 must be a multi-disciplinary team ranging of expertise and directed the co-option of local consultants from all the Partner States as a mandatory requirement.

Mr Speaker, in order to undertake this consultancy, a supplementary budget amounting up to \$ 50,000 is requested to be drawn from the general reserve to pay for the related expenses to the local consultants. The Council of Ministers is hereby requesting your august House to permit the utilisation of this US\$ 50,000 from the reserve fund so that this activity can be undertaken.

Mr Speaker, before concluding my speech, I would like to take this opportunity to thank our development partners for the continued support. In particular, I would like to recognise the following: United States Agency for International Development (USAID), Danish International Development (DANIDA), and European Union (EU).

Thank you so much, Mr Speaker. I beg to move.

**The Speaker:** Thank you so much, Chair, Council of Ministers for the justification. I now invite the chairperson to present her report.

**The Chairperson, Committee on General Purpose (Dr Odette Nyiramilimo) (Rwanda):** Thank you, Rt. hon. Speaker. I first of all beg to lay on table the report of the Committee on General Purpose on the EAC Supplementary Budget for the Financial Year 2014/2015 and the EAC Supplementary Appropriation Bill, 2015. I beg to lay.

Rt. hon. Speaker, allow me to present the report and I begin with the introduction.

#### 1.0 Introduction

In accordance with the provisions of Articles 49 and 132 of the Treaty for the Establishment of the East African Community and Rules 72 and 79 as well as the Annex 5 (f) of the Rules of Procedure of the Assembly, I beg to present to the House the Report of the Committee of General Purpose on the EAC Supplementary Budget for the FY 2014/2015 for consideration and adoption.

Mr Speaker Sir, In June 2014, the Assembly approved a budget amounting to USD 124, 069,625 for the East African Community for the Financial Year 2014/2015. On 21<sup>st</sup> January 2015, a Supplementary budget of USD 2,040,520 was presented to the Assembly for approval by the Chairperson of Council of Ministers Hon. Dr. Abdulla Juma Abdulla Saadalla. However, the



Committee noted that the figure of USD 1, 121,107 in the Supplementary Appropriations Bill, 2015 published on 23 January 2015 is different from the details contained in the request made to the Assembly and forwarded to the General Purpose Committee for scrutiny, which is USD 2,040,520.

The missing item comprises the funds from the European Union (EU) to support Early Response Mechanism (ERM) – African Peace facility support to COMESA/EAC with the figure USD 919,413. The Committee’s response to this omission will be referred to later under Part 5.1 of this Report.

The amount requested for the EAC Secretariat is broken down as follows:

**Table 1: Breakdown for the requested Supplementary Budget**

S/N	PROJECT	AREA OF SUPPORT	AMOUNT IN USD
1.	Support from USAID under Assistance Agreement for Comprehensive Regional Development	Conduct EAC HIV and AIDS Symposium	150,000
		Carry out a baseline survey on Population, Health and Development (2015-2020)	150,000
		Development of EAC-AGOA Strategy and Sensitization	170,000
		Study on EAC Regional Trade Policy	50,000
		Maintaining the EAC Regional Food Balance Sheet and Trade Help Desk	295,000
		Validation of Regional Comprehensive African Agriculture Development Programme (CAADP) Investment Plan	85,000
2.	Support from DANIDA	Finalisation of the Study on Equitable sharing of Benefits and Costs of EAC integration process	121,267
3.	Funded from the EAC General Reserve	Support the undertaking of an assessment study on the needs/preparedness of the Partner States to implement the New Generation e-Passport, including a review of the existing passport issuance legal frameworks.	49,840
4.	Funded from the EAC – General Reserve	Formulation of the EAC – Vision 2050	50,000

5.	Support from European Union (EU)	Early Response Mechanism (ERM) – African Peace Facility Support to the Republic of Burundi Elections	919,413
		Total in USD	2,040,520

## 2.0 Justification

The Committee was informed by the Council of Ministers that the requested funds were entirely within the budget approved by the Assembly in June 2014, and that it comprised, among others, funds recently received as well as those arising due to shortfalls occasioned by emergent needs, including Summit decisions and Council directives, the need for expanded sensitization activities, Partner States requests with regard to upcoming elections. The details of the requests are as follows:

### 2.1 Support to the EAC HIV and AIDS Symposium USD 150,000

This is with regard to a symposium under the theme “Getting to zero in the EAC Region” scheduled for 28<sup>th</sup> March 2015 in Kampala, Uganda. The symposium will specifically focus on HIV and AIDs, TB and Sexually Transmitted Diseases programmes in the region with special emphasis on innovative technologies in HIV and AIDs, TB, STIs. USAID has agreed to fund preparations and hosting of the HIV and AIDS symposium.

### 2.2 Development of EAC Regional, Population and Environment Strategy (2015-2020) USD 150,000

The process of developing an EAC Population, Health and Environment (PHE) strategy (2015-2020) requires funds for the following activities:

- a) A baseline survey in each Partner State using an E – questionnaire; convening of one national stakeholders 2 days meeting to generate views for the Regional Meeting.
- b) A Multi-Sectoral Stakeholders Meeting of Experts from the Partner States, Development Partners and CSOs to validate and adapt the LVBC PHE Strategy into the EAC Regional Strategy(2015-2020) and work plan.
- c) Presentation of the adapted EAC Regional Strategy (2015-2020) to the East African Inter-Parliamentary Forum on Health, Population and Development currently chaired by the General Purpose Committee of EALA; to the EAC RMNCAH and Nutrition TWG (Technical working Group) and to the Ordinary Meeting of the EAC Sectoral Committee on Health.

USAID is funding 150,000 USD to support implementation since no provision was made in the current financial year.

### 2.3 Development of AGOA Strategy and Sensitisation – USD170,000

EAC is seeking to develop a regional AGOA Strategy in order to achieve competitiveness. In addition, it has been noted that after 14 years of existence of the AGOA program, sensitization on

the AGOA Program needs to be carried out targeting government officials, the business community, among other stakeholders. USAID agreed to fund the development of a Regional Strategy and Sensitisation workshop to a tune of **USD 170,000**.

#### **2.4 A study on the EAC Regional Trade Policy – USD 50, 000**

The funding for the above mentioned study were not sufficient in the current approved budget and therefore an additional amount of **USD 50,000** has been secured from USAID to pay for consultancy services.

#### **2.5 Maintaining the EAC Regional Food Balance Sheet and Trade Help Desk USD 295,000**

The EAC and the USAID East Africa Trade Hub have collaborated since 2010 in the development of two systems in support of trade and agriculture development agenda of the EAC regional integration. One is the EAC Regional Food Balance Sheet (RFBs) which is one of the priorities for implementation of the Food Security Action Plan (FSAP), the other being the Trade Help Desk. The maintenance of the two systems, which are currently live and operational, requires additional funding of USD 295,000.

#### **2.6 Validation of the EAC Regional Comprehensive African Agriculture Development Programme (CAADP) Compact under USAID support – USD 85,000**

In the process of developing the CAADP Compact, it is necessary to carry out national validation workshops yet in the current budget only the regional validation workshop is funded. The Secretariat is requesting an allocation of **USD 85,000** funded by USAID to carry out the national level workshops scheduled for March 2015.

#### **2.7 Finalization of the Study on Equitable sharing of benefits and Costs of the EAC Integration Process – USD 121,267**

The overall objective of the study is to critically analyse the costs and benefits of East African community's regional integration process in all the areas of cooperation and establish a mechanism of equitably sharing them among the Partner States. The process being in its final stages and owing to the fact that the current Financial Year budget had already been concluded when DANIDA provided the funds in June 2014, the Council of Ministers proposes that **the Assembly for finalization of the study approve USD 121,267**.

#### **2.8 Development of the EAC Vision 2050 – USD 50,000**

The 29<sup>th</sup> Meeting of the Council of Ministers held in Arusha from 15<sup>th</sup> to 20<sup>th</sup> September 2014 approved the concept paper and TORs for the formulation of the EAC Vision 2050. The Council observed that the consultancy firm that is to be engaged to formulate the vision would need to have a multi-disciplinary team/range of expertise and directed co-option of local consultants from all Partner States as a mandatory requirement. The amount of USD 50,000 requested to be drawn from the General Reserve is intended to pay for fees and other related expenses to the local consultants.

## **2.9 Undertaking an assessment study on the needs/preparedness by Partner States to implement the New Generation e-Passport and review of Passport issuance legal framework – USD 49,840**

The 29<sup>th</sup> Meeting of the Council of Ministers upon consideration of outcomes of the Chiefs of Immigration meetings and the Report of the 20<sup>th</sup> Meeting of the Sectoral Council, adopted the computer generated new generation EA e-passports and considered a supplementary budget to be drawn from the General Reserve. The funds are to support the undertaking of an assessment study on the needs/preparedness by the Partner States to implement the e-passport including a review of the existing passport issuance legal frameworks that will be undertaken between March and April 2015.

## **2.10. EAC/COMESA/AU Early Response Mechanism (ERM) and Africa Peace Facility Support by EU – USD 919,413**

The EAC and COMESA under the African Union Early Response Mechanism (AU-ERM) programme have jointly secured funds to undertake mediatory and confidence-building activities in the Republic of Burundi prior to the upcoming May – July 2015 elections. The purpose of the AU ERM Programme Fund supports mediatory activities for early response to nurture reconciliation, tolerance among the political actors and to build confidence in electoral structures.

The planned activities under the ERM Programme will begin in January and end in May 2015, and they are expected, among others, to help at reconciliation and consensus building among key stakeholders and to facilitate dialogue and communication among the political players in Burundi. The EU through the African Union secured a total budget of Euro 794,054.00 equivalent to USD 919,413 for which approval is being sought.

## **3.0. Methodology**

In considering the above request, the Committee held a meeting with the Council of Ministers, the EAC Secretary General and officials from the EAC Secretariat from the relevant departments on the 22<sup>nd</sup> of January 2015 and analysed the supplementary request for the FY 2014/2015. The following accompanying documents were considered:

- i. Background paper to the supplementary budget;
- ii. MTEF for the supplementary Budget 2014/2015;
- iii. Extracts from the 29<sup>th</sup> and the 30<sup>th</sup> Council of Minister's Meetings;
- iv. Annual operational plans;
- v. Status of the EAC Secretariat Budget Performance the FY 2013/14.
- vi. Financial Statement and Estimates of Expenditure for the Supplementary Budget FY 2014/2015.

The Committee finally prepared a draft Report for consideration by the Assembly.

## **4.0 Consideration of the EAC Supplementary Budget for the FY 2014/2015**

The Committee was informed by the Council of Ministers that the basis of the request was as is detailed in parts 2.1. – 2.10 of this report.

### **Observations of the Committee**

The Committee made the following observations:

1. The Committee expressed appreciation on the efforts to improve the quality of documents detailing the background and basis for the supplementary request including the specific details on Council meetings that considered and approved the proposed supplementary budget forwarding the same to the Assembly for approval. While the quality of documents had greatly improved, the Committee required that further improvements in documentation with regard to detailed background and projects included in the request needed to be made. This is specifically with regard to projects and processes that have been under implementation for an inordinately long time such as the study on equitable distribution of costs and benefits of the EAC integration process and others, which the Assembly is not fully informed about.

The Council of Ministers and the Secretary General assured the Committee that all the required information was readily available and accompanying documents would be provided.

2. The Committee commended the new development with regard to a longer period of involvement before the elections period in the Republic of Burundi with a view to facilitating dialogue and confidence building and pointed out that this was a best practice that should be maintained since observations did not only entail presence during the voting day, but during the whole process.

The Committee further expressed concern about the criteria for the nomination of Eminent Persons that the Community designates during election observation missions, and required to know if any such criteria were in use now.

The Council of Ministers concurred with the observation of the Committee with regard to the development on dialogue and consensus building and undertook to consider adopting the best practice whenever it was possible in terms of funding. EALA's presence too was considered critical in political processes and the representation would therefore be catered for.

With regard to the list of eminent persons, it was explained that the list for the EAC was still being developed and at an advanced stage. Currently, since COMESA had an approved list including as well eminent persons from EAC who were invited from time to time to take part in some activities, they might be the same to go to Burundi.

3. While the project of developing the strategy on Population, Health and Environment included meetings and workshops with an inter-parliamentary Forum chaired by EALA, activities did not adequately involve Members of EALA who were important stakeholders. Furthermore, the said EAC Inter-Parliamentary Forum whose funding was sourced by the Secretariat was now being managed by the Secretariat and this was not proper and should be rectified forthwith.

The Council of Ministers agreed with the comments regarding the EAC Parliamentary Forum and explained that staff should manage just the technical aspects of the Forum, and that the Forum would rightly and appropriately be managed by EALA.

4. The Committee also took the opportunity to remind the Council of Ministers and the Secretary General about outstanding commitments undertaken during the budgetary process in the last two financial years including funding for the social sectors and facilitating an MTEF training for the entire Assembly. The Committee reiterated that these activities would positively build the capacity of the Members to participate fully in the budget approval process.

The Council of Ministers assured the Committee that funding constraints had up to now prevented the activities from taking place but the commitments still stood and would be considered when funding becomes available.

## **5.0 Recommendations**

The Committee made the following recommendations:

5.1 The Committee commends EAC/COMESA/AU Early Response Mechanism undertaken to have the presence of election observer missions before, during and after the elections in the Republic of Burundi to facilitate dialogue and consensus building. The processes are very important to the electoral process and the Committee proposes that the Assembly urges to the Council of Ministers to have that best practice instituted for all Elections Observer Missions.

It has been further recommended that EALA be facilitated to participate in the entire process, which was unanimously agreed upon by Council and Secretariat considering that EALA as the political arm representing the people of the Community.

With regard to the omission of the above-mentioned Early Response Mechanism activity in the Bill presented to the House referred to in the introduction, the Committee recommends:

(1) That the Council of Ministers should move an amendment to cover the USD 919,413 and include the details in the schedule.

(2) That the Council of Ministers, in the future, should ensure that the information that is submitted to the Assembly is accurate and complete.

5.2 With regard to the EAC Inter Parliamentary Forum for Health, Population and Development, the Committee finds it inappropriate that a Forum of Parliamentarian be organized and managed from the secretariat and urges the Assembly to recommend to the Council of Ministers, that notwithstanding the funding arrangements between the Secretariat and donors, the management of the Forum should revert to the Assembly. This was also unanimously agreed upon between the Council of Ministers, Secretary General and the Committee.

5.3 With regard to outstanding commitments including MTEF training for the whole Assembly, the Committee recommends that the Assembly urge the Council of Ministers that the MTEF training for the Assembly be facilitated as a priority, as soon as funds were available.

## 6.0. Acknowledgement

The Committee would like to express its appreciation to the following:

1. Hon. Abdulla Juma Abdulla Saadalla, Deputy Minister for EAC Cooperation, Tanzania and Chairperson, EAC Council of Ministers
2. Hon. Shem Bageine, Minister for EAC Affairs, Republic of Uganda
3. Hon. Phyllis Kandie, Minister for EAC, Republic of Kenya
4. Hon. Leontine Nzeyimana, Minister for EAC Affairs, Burundi
5. Hon. Amb. Valentine Rugwabiza, Minister for EAC Affairs, Rwanda
6. Hon. Amb. Dr. Richard Sezibera, Secretary General, EAC
7. Mr. Charles Njoroge, Deputy Secretary General, Political Affairs
8. Ms. Mary Makoffu, Director, Social Sectors
9. Mr. Moses Marwa, Ag. Director, Productive Sectors
10. Mr. Frederick Owiti, Principal Economist – Investment and PSP
11. Ms. Isabelle Waffubwa – Principal Political Affairs Officer
12. Ms. Beata Mukabaranga- EAC USG Liaison Officer
13. Mr. Tareto Salay – Senior Budget Officer
14. Mr. Julius Birungi – Senior Monitoring and Evaluation Officer

The Committee expresses further appreciation to the Rt. Hon. Speaker and the Office of the Clerk for facilitating the Committee, the Hon. Chairperson of the Council of Ministers and all the Members of the Council of Ministers, the Secretary General of the EAC, Officers and Staff of the EAC for the informative discussions held with the Committee in its meeting of the 21<sup>st</sup> of January 2015.

## 7.0. Conclusion

The Committee on General Purpose appreciates the explanations and responses provided by the Hon. Chairperson and all the Members of the Council of Ministers and the Secretary General of EAC.

The Committee on General Purpose further appreciates the cordial working relations and cooperation with the Council of Ministers and the Secretariat and undertakes to follow up continuously on all issues and commitments agreed upon with the Council of Ministers and report on progress to the Assembly.

The Committee on General Purpose therefore presents this report on the EAC Supplementary Budget for the FY 2014/2015, as well as the EAC Supplementary Bill, 2015 to this August House taking into consideration proposed amendments and adjustments presented in the Supplementary Budget speech, by the Chairperson of the Council of Ministers today 27<sup>th</sup> January 2015, for consideration and approval.

Mr. Speaker, Sir, I beg to move.

**The Speaker:** Thank you, chairperson. Honourable members, debate is now open.

**Mr. Yves Nsabimana (Burundi):** Thank you, Mr Speaker. I want for more clarification, to request from the Council of Ministers. When they bring a figure in financial matters, we want to have the supporting documents.

I will give you an example. This budget has a source of financing. We have US\$ 900,000 from USAID, US\$121,237 from DANIDA, US\$ 99,140 from the general reserve and US\$919,413 from AU. When you bring these figured in the Assembly, we need to see if it is the original amount, you get from that source of financing. That is why this House also wants to approve the agreements that the EAC has with these partners so it is also clear to the management how they open bank accounts to manage these funds.

We have seen in this Community when they have a small amount coming from founding partners, they put it in an account called miscellaneous account and it brings confusion when people come to audit these accounts.

For the future, to approve a budget, you must bring us supporting documents for the revenues and for the expenditures. You can see that in this document we could have four documents supporting the sources. They are documents signed with USAID, DANIDA and a document coming from the Council of Ministers to authorise the use of the general reserve and the one from the AU. These documents are needed to support these figures. Thank you and I beg to support.

**Ms Maryam Ussi Yahya (Tanzania):** Thank you, Rt. hon. Speaker. I just want to reiterate or to remind the House and the Council that Secretary General has agreed to involve EALA members more in election observation missions. Therefore, I am urging the Chair of the Council of Ministers to honour their promise for this, and not just for the purpose of passing this budget but to allow EALA members to own the election missions and also to present its report for discussion in the House, a chance that we were denied for the 2013 Kenya elections which has been provided in prior elections. Thank you, R.t hon. Speaker.

**Ms Dora Byamukama (Uganda):** Thank you, Mr Speaker. I would like to support the report of the committee which was very comprehensive and to congratulate my sister hon. Dr Odette for her eloquence and for capturing the issues very succinctly. I also would like to congratulate her predecessor hon. Dr Martin Nduwimana who did an excellent job.

Mr Speaker, I would like to start from the issues for which we are providing funds. When you look at the schedule and even the details in the report, you will find that most of these issues we are catering for are related to studies, consultancies, symposiums and I would like to follow on to what hon. Yves Nsabimana said that we would like some supporting documents.

I think it would be good if the Assembly could be given some more information, especially in terms of further justification, and regarding who the implementers are. This is because when we pass the main budget we usually know what is going to which institution, we know what the subject matter is but the report that was given to this House is not very clear, on who the implementers are. I think this leaves us with some degree of lack of information.



I would like to go from here to justification for why we needed to have this supplementary budget because having supplementary budgets is not a very neat thing, although sometimes it is necessary and therefore we need further justification and clarity on who is asking for the supplementary budget - (*Interruption*).

**Dr Ndahiro:** Thank you, Mr Speaker. I would like to give hon. Dora Byamukama and other members present the information we had when we interacted with the Council and the Secretariat.

One, our financial year runs between June and July. USAID and other partners run financial years of January to December so by the time we are considering our budget, they have not attained relevant authorisation on their part to commit. That is why we find ourselves in this kind of situation. Thank you, Mr Speaker.

**Ms Byamukama:** I thank hon. Ndahiro for that clarification and I will not say more because I believe that we have been working on this issue together and maybe we should not work on budgets unless we are very clear about the funding otherwise it makes us shabby when we continue to ask for supplementary budgets. Obviously, it shows lack of planning and therefore is not very neat. I take the information nonetheless.

I would like to move to the issue of funds. When you look at the funds, the partners are providing most of them. When you look at the committee report, you will find on page two we have funding from USAID, which is in excess of about maybe US\$ 400,000. We have support from DANIDA, which is US\$ 121,267. We have funding from the EAC general reserve and this is US\$ 99,840 as well as funding from the EU, which is close to US\$ 1 million.

My comment on this goes to what we have said before; the issue of alternative mechanisms for funding the EAC because obviously when you look at what is being given even as supplementary, it reflects what was given even in the budget. The percentage, which EAC is committing to the supplementary remains wanting because of the way, we in the EAC get funding from the Partner States.

I trust and hope that the Council of Ministers will give us some update on what is being done in order to rectify the issue whereby the EAC may be undertaking activities, which activities may not be totally in tandem with the strategic plan but we are undertaking activities just because this is what the partners are interested in funding.

We need to take charge of our budget and therefore this is a very important aspect.

Mr Speaker, I would like to conclude on the issue of elections. In particular, we have elections, which are going to happen before the budget, and I have information that on 30<sup>th</sup> April 2015 there will be a referendum in the United Republic of Tanzania.

We have always participated in different referenda, including that of South Sudan. So, this is a budget item, which must be given due consideration and considering that Tanzania is a very big country and we would like to use this opportunity to also sensitise our brothers and sisters about the East Africanness, I trust that this is one particular item that should be given a lot of attention.

I also have information that in the Republic of Burundi, there will be parliamentary elections on the 26<sup>th</sup> May 2015. I do not see this specific budget line again and I would like this to be added on to the requests so that we are very specific.

Like the committee has proposed, EALA should take the lead and Mr Speaker, our proposal and I belong to the same Committee on regional Affairs and Conflict resolution with hon. Dr Odette is that we need to establish a budget line because the moment we are under another entity then we are not free to speak as politicians and yet we are the only entity in the East African Community which can freely speak for the people and as politicians. Others are appointees and therefore they are guarded.

I remember in the elections of Kenya where we had some issues of 2007. The report that was submitted by EALA highlighted very serious issues and we were very clear. We said that the process went on very smoothly until the time of counting. This issue was verified and our report was used by various delegations and this helped EALA gain visibility and credibility.

I would like to say that in the last two and a half years, we have lost this space. It is time for us to regain this space because much as we observed the elections in Kenya -and I believe elsewhere - we were not able to present a report to this House and to debate it. Therefore, we should reclaim this space and with your support and the support of the general Purpose Committee, establish a budget line so that we are in charge of this particular funding and we are able to execute our mandate without fear or favour as we swear to do.

I would like to conclude with an aspect, which may seem as if it is not urgent but I believe it is and this is the issue of the Republic of South Sudan joining the EAC.

We have in our Treaty the principle of good governance. I know that the EAC Secretariat has been undertaking studies, but, again, we are the representatives of the people. I believe that we should have some budget line to support EALA. We were there during the referendum and the elections and now we should be there when this marriage is being concretised because this will be a marriage between the peoples and unless the people's representatives talk authoritatively about this issue, we shall miss the point.

It will also give us an opportunity to interact with the parliamentarians of South Sudan so this is a very important budget aspect, which should be included, and as I said before, when you look at what has been provided, we are not very clear on who is going to implement. Therefore, I think it is important that maybe we find room in what has been presented to ensure that other organs of the Community for example the East African Court of Justice which may not be able to speak for itself is here.

With these few comments, I would like to support the report of the General Purpose Committee taking into account what has been raised in terms of the disparity in figures as well as the need to cater for the urgent matters that have been highlighted. I beg to support.

**The Speaker:** Thank you.

**Ms Agnes Mumbi (Kenya):** Thank you, Rt. hon. Speaker. From the onset, I want to say that I support the report of the committee. I felt that there was a budget line that is silent and very quiet and I was wondering whether the Chair, Council- When he read our budget in April, there was a budget line of sensitisation.

I appreciate that all the programs outlined here are good, they are kind of giving us feasibility and it is okay but about sensitisation of the role of EALA in the integration process and the budget by then was about \$7000. It was a small amount in the big document that you presented in the April budget speech. Is this lost? Are we going to regain it? Are we going to have it, as a budget line in your supplementary budget or it was something to make us feel good and pass your budget? Thank you.

**Mr. Frederic Ngenzebuhoro (Burundi):** Thank you, Mr Speaker. First of all I would like to thank the Committee on general Purpose for the report and I would like to say that I fully support the report.

I would also like to take this opportunity to thank those who have negotiated money to come to - Let me not use the word, which is there. To come to observe elections in Burundi but I do not know exactly how they have negotiated this. If I go through what is indicated here, I am very concerned. I am wondering if this money will come to build mediatory and confidence in Burundi. I do not think so.

If it were to come to build at this stage of preparations, it would be too late. I would like to ask that they come to support not to build otherwise it will be wasting money. The situation is there, the process is now on going and that money could come to support and not to build.

Secondly, I am sorry but it is the same for these eminent persons. I do understand but even then, they will come to support what has already been done. The same applies to the media. As it is, it says here to build responsible media coverage. Media is already responsible so they will come to encourage and support and not to build.

Having said that, once again I wish to propose that the word 'build' be replaced by 'support' as they are different. Thank you.

**Ms Valerie Nyirahabineza (Rwanda):** Thank you very much, Rt. hon. Speaker for giving me this opportunity. From the onset let me declare that I happen to be a member of the general Purpose Committee and that therefore I fully support the report and I urge my colleagues to pass this supplementary budget.

Let me also say that at least -according to the interaction we had with the Council of Ministers and according to the recommendations or the outcome of the pre-budget conference that took place last year when the General Purpose Committee members were invited- all the different items highlighted in here which the Council of Ministers is seeking supplementary budget for were outlined in the priorities for this financial year.

So this is something that was already known before, it is not a list of wishes by development partners like some of us may wish.

Two, I wish to thank the Council of Ministers for bringing an amendment because even this morning while we were seated as a committee considering the report, even last time we were shocked to see that the figures outlined in the document are not corresponding. There was something missing but we thank the Chair, Council of Ministers for bringing in an amendment otherwise we were going to consider the Bill or the supplementary budget the way it is presented to us in this draft Bill. Thank you so much for bringing an amendment.

Thirdly, the Inter Parliamentary Forum for Health Population and development. I thank the Council of Ministers once again for understanding some of our concerns. This Inter Parliamentary Forum on Population, health and development is said to be chaired by the General Purpose Committee chairperson. Last year we were privileged to be sent to that same forum and it took place in Nairobi.

Rt. hon. Speaker, it was frustrating to see that even our Chairperson of the General Purpose Committee who is supposed to be the chairperson of that forum, in which forum members of the national Assemblies are invited, was not at all involved in the preparation of that conference. It was a very big conference, very important, chaired by the Chairperson of the General Purpose Committee but none of us was involved in the subject to be discussed.

When we raised this issue -and that is why I thank the Council of Ministers for the cordial relations they are building with the Assembly- they immediately took it up and decided that things are going to be worked out, and that the monies and even activities related to the Inter Parliamentary Forum were going to be housed in EALA. Therefore, the concerned persons, mainly the General Purpose Committee and its chair, are going to be fully involved contrary to the past. So this is something very positive, for which I would like to commend the Chair, Council of Ministers.

Fourthly, support documents. This is an area of concern to all of us. It is quite abnormal to scrutinise the budget like this without any single memorandum of understanding. Chair, Council, I know there is a lot of improvement but there is still room for improvement. Kindly next time, bring us those supporting documents so that we can go through them and work closely with you for us to pass the supplementary or any other budget adequately.

Another thing I want to highlight is that among the items the Council of ministers is seeking supplementary budget for, there is this ongoing study on equitable sharing of benefits and costs by the East African Community.

I would like to specifically insist on this because one of the different reasons as to why the last East African Community collapsed was the equitable sharing of benefits and costs among Partner States. We were told this is a study, which is ongoing.

My humble plea, not only to the Council of Ministers but also to you, Rt. hon. Speaker is we are now lucky to have you as a Speaker because things are going to be worked out differently. If you could kindly work closely with the Executive arm of the Community and ask them to come to us

and maybe inform us of different projects, studies and activities that are going on so that maybe we can be informed and at the same level like them otherwise we are going to continue questioning things.

I hope and know that for sure we are counting on you, Rt. hon. Speaker so that we can be given the right information. Otherwise as I said, I support the report, I am a member of the General Purpose Committee, and I once again thank the Council of Ministers. Thank you.

**Mr Bernard Mulengani (Uganda):** Thank you, Mr Speaker. I also want to say that I am a member of the committee, and I indeed support the report. However, I thought I should make some of these observations given that the time between when we received the documents and when we are passing supplementary budget is so limited that we could not go too much into the details of the MTEF.

First of all, I have the opportunity that I sit on both Accounts and general Purpose Committees. I want to appreciate the attendance of the Council and the Secretary General during the budget and during seeking for funds. Categorically I want to emphasise this.

When the Community is seeking for funds, you will comfortably have quorum of the Executive in full House, which is not replicated while handling the audited accounts. It speaks for itself when we shall come to look at the audited accounts report.

Mr Speaker, I also want to put on record that this request was tabled on the 21<sup>st</sup> January 2015 in this House and we met Council on the 22<sup>nd</sup> of January 2015. The Bill we are considering is dated 23<sup>rd</sup> January so all these inconsistencies say a lot in terms of the quality of documents that are brought to this House just like the report is emphasising.

Mr Speaker, I also want to put it on record that we were unable to look at the MOU and other agreements that were signed by the relevant development partners as my colleague hon. Yves mentioned.

I want to note that the request in terms of the report from the Council and the Bill had a variance and the committee has highlighted it. As a House, we do not want to take this discrepancy so lightly much as we want to pass the supplementary budget. It touches on the work methods within the Community; it also draws our attention to the keenness and interest of our Executive on the quality of documents that they bring in this House.

Ordinarily, as a committee we would have objected and demanded a new supplementary Bill to consider that component for Burundi. I want to say that in the interest of integration, we accept that they make amendment because, Mr Speaker, the Bill you committed to the committee has only US\$ 1,121,000. But even during the committee interaction with the Council and the Secretary General, we were not even told; it was our own discovery. We eventually we sought that we need to seek guidance from the Council not to bring irregularities in the House but see how we can handle this to allow the Community to function, again in the interest of the integration. I thought I should put this on record.

Mr Speaker, the supplementary we are yet to pass is almost two per cent of the budget of the Community and I remember we used to mention about the figures in terms of percentage of how much money we want to go into supplementary. I want to say I think it is within the limits much as there are a bit of inconsistencies in the contents and I will support it because it is below three per cent of the total budget.

Mr Speaker, my colleagues have raised issues about the eminent persons. For reducing fear of abuse in the process and fear of repetition of representation of eminent persons, Mr Speaker it would be wise if the Council considers coming up with a formula of how to identify or a list of identified eminent persons just like my colleagues said. In the supplementary, we are yet to pass, the budget that is going to the eminent persons amounts close to US\$ 100,000 out of the US\$ 2 million and this brings it closer to five per cent of the proposed supplementary budget. This figure is not too small to leave it unattended to in the manner in which identification of eminent persons is being done.

It is our responsibility to remind the Council that they need to consider and maybe next time or any time to come, in case we have to do anything related with eminent persons, the first document we shall request is as to whether this House has debated anything to do with the eminent list of persons in this region. (*Interruption*)

**Dr Ndahiro:** Thank you, hon. Mulengani and Mr Speaker. I wanted to give my friend information that we gathered during our discussion with the Council. Apparently, we are using a COMESA list. Actually, we do not know about their criteria but they are the ones who select eminent persons of East Africa, which is very unacceptable. We think that the budget we are passing should not be used to fund those eminent persons before we receive criteria in this House, approve it and even set up a vetting mechanism for those eminent persons.

So the information available to us is that other people are vetting for us, they are selecting and if you scrutinise the list, you find that there are some eminent persons there who are actually questionable and they have other cases to answer somewhere. Thank you.

**Mr Mulengani:** Thank you hon. Dr James Ndahiro for the information and thank you for enriching my submission.

Mr Speaker, I also want to put on record that the Executive is getting heavily involved in electoral processes both in the pre, during and after elections. There is a conflict of interest according to me that as one of my colleagues mentioned, it is not healthy because we have the political mandate and politicians appoint them.

Mr Speaker when you look at the last page of the MTEF, there is a pre-election assessment mission three experts for three months, which is 12 days in a month. Those are 36 days in the three months but when you look at the people supposed to go for this, these are experts, I do not know which type of experts but they are experts.

This particular activity is totally leaving out the political representation of the Assembly, these are the things we are emphasising that the Executive cannot in any way- And I am not surprised we

did not debate this report that they sent to the EAC mission. Therefore, to us as an Assembly we are requesting that let this whole activity be placed back in the right place

I want to go to the MTEF specifically- (*Interruption*)

**Mr Ogle:** Thank you, hon. Mulengani for accepting my information. In the course of our interaction with the Executive; the SG and the Council of Ministers during the General Purpose meeting, the Secretary General is on record to have told us that this huge budget that we are passing for the Burundi electoral project was intended, in his own words, to walk with Burundi all the way from January to the electoral time.

Now I wondered because in order to boost the question he was asking, who can do a better walking with the people of Burundi than the political class with the mandate and that is not the role of experts. Thank you.

**Mr Ngenzebuhoro:** Mr Speaker, if you go to the annex, the staff from EAC will be around 200 on this issue of Burundi.

**The Speaker:** Hon. Ngenzebuhoro, can you substantiate that?

**Mr Ngenzebuhoro:** There is a document, “financial estimates for FY 2014/2015”, from page seven, Annex one, and there is the “supplementary budget estimates for Financial Year 2014/2015”. Then go to page seven, the first activity will have 10 EAC staff. For the second activity, you will have 15. For the third activity, we will have three. For the fourth activity, we will have five. For the fifth activity, 15. Then you go to the sectoral dialogue, we have 10 staff. Dialogue round table for women, 10. Former heads of state/ eminent persons committee etc. 15. Then go to page eight. We have for consultation and dialogue for Burundians 10. You go to the electoral management bodies’ round table, 15. That is before eminent persons.

If you go to the two days, 15 again. Then the follow up round table for two days in Gitega province, 30. In Ngozi, we have 30. In Bujumbura, we have 30. If you make the total, it will be 1,095. I am wondering. All those persons will be out of office. Things in the EAC will not stall because of this?

**The Speaker:** Thank you, hon. Ngenzebuhoro. I guess that was information other than clarification.

**Mr Mulengani:** Thank you, Mr Speaker and I want to divert that clarification to Council because they can tell us how they are planning or all these staff. They may not be the number, but cumulatively it is what it means; man-hours.

Mr Speaker, I was referring to the MTEF page one and again in line with what hon. Ngenzebuhoro is raising. When you look at the MTEF, they are planning for seven person advance teams to go and organise a conference of around 20 people. That is just an example. Approximately 20 people with an advance team of seven people.

Mr Speaker, I want to call the attention of the Council. The procedure and process of passing this budget is okay, it has been followed but there is one very glaring issue that is coming out both in the audited accounts and in the budget and that is the inconsiderate use of public funds. The Council has to wake up and address this particular vice in the Community. Whether procedurally correct or otherwise, there is a glaring *laissez faire* in the manner in which funds are being used in the Community.

Mr Speaker, I want to draw the House to page nine of the MTEF; convene a sector dialogue round table for youth groups on the role of youth in peace elections; 60 delegates. Four youth from Partner States, five EAC/COMESA staff.

Mr Speaker I am aware that whenever these conferences have taken place, there are some very serious members that have had a youth background back in their countries and they have been called time and again to go and address these conferences without catering for them. It is only luck that these conferences at times take place when we are in plenary and where we are seated. They try to sue that opportunity but it would be good if they think that the former youth who are seated with us here can be used and planned for other than just leaving things as if we are in a gamble game.

I think it is important if we want to use members who are-

**The Speaker:** Honourable, try to summarise, time has run out.

**Mr Mulengani:** Thank you, Mr Speaker. Lastly, all through pages 10-12 there are typo errors in the MTEF that may be abused where they write two people and then they budget for six people, where they write three people we go and they put one person. Those things need to be put correct because we do not want the MTEF and the supplementary eventually to be abused.

I want to support the report, thank you.

**The Speaker:** Thank you so much. I am sure the Council of Ministers has heard the issue raised by the honourable member on the ratio of organisers to the participants almost being one to two as per his argument. You will give your response.

**Ms Hafsa Mossi (Burundi):** Thank you, Mr Speaker for giving me this opportunity. I want to declare on the outset that I am a member of this committee and that I fully support the report.

Much has been said of what I wanted to cover so I will just pick a few comments of what I wanted to talk about.

First of all, I want to commend that the Council of ministers considered this initiative to help Burundi to go through peaceful elections. I think it is very important but Mr Speaker, as far as I am concerned when I look at the justification, I cannot see quite clearly what will be the mandate of this mission from monitoring the election to undertaking mediatory activities, reconciliation and tolerance. I am a bit lost somewhere but I think in future when they come up with these kinds of missions, it needs to be clearly stated so that we see the mandate.



Also, I want to touch on the issue of eminent persons. I know that most of the members have touched on this and I want to implore you, Rt. hon. Speaker to try and make sure that this Parliament is fully involved in the process of nominating and getting the criteria because I believe within this Parliament we also have eminent persons who can also be part of the election observation missions.

Mr Speaker, I also want to request that we be given the time frame for this study on the equitable sharing of benefits, cost of the EAC integration because it is very important that we know at which stage it has reached, and what the time frame is.

Finally, Mr Speaker, I have seen that one of the activities, which is going to take place under this supplementary budget, is the EAC/HIV symposium, which is going to take place in Uganda. When we had discussions with the Council of Ministers, I was wondering why we need all this money for this symposium because this is the amount of money, which is used when there is a Summit of heads of state.

Somebody told me that first ladies from our Partner States are going to host this symposium so I humbly request the Council of Ministers to be quite clear on who is hosting and what this money is going to be used for. I thank you, Mr Speaker.

**The Speaker:** Honourable members, I had already pointed out hon. Abdul Karim and I was of the opinion that after that we go to the chairperson but let us see how we move.

**Mr. Abdul Karim Harelimana (Rwanda):** Thank you, Mr Speaker. I take the opportunity to thank the chair and the whole Committee of General Purpose for the good and well-researched report and to thank the Council of Ministers in the name of the Chair, Council for the proposal they are bringing to us.

I concur with all members who have spoken before me on the issues they raised but I have a small problem with the last issue on the proposed supplementary budget of early response mechanism; African peace facility support to Burundi elections.

If you look at the brief presentation as to why they want to go there, there is something of fear, lack of confidence about peace and security during the elections in Burundi. This is what I read from this document and that is why they need mediatory confidence building and so on.

Rt. hon. Speaker, I have been in such missions like these ones for some good time when I was a member of Parliament in Rwanda, when I was a member of Amani Forum Rwanda chapter, when I was here in EALA as Chair of regional Affairs and Conflict resolution Committee, and I have never seen such an arrangement like this one. May I ask whether the government of Burundi has invited these people to go and do this work? (*Interruption*)

**Ms Byamukama:** Thank you very much, hon. Abdul Karim for giving way. The information I would like to give is that the Committee on Regional Affairs and Conflict Resolution yesterday started its work in a practical manner and we were able to visit the EAC situation room. When we

did, we found out that there are brilliant young men, I never saw a woman, doing very good work for the EAC and this is one mechanism for early warning that we should be able to feed into what we are saying and doing.

Therefore, I think it would be very important and I see that there is this US\$ 900,000, which could, maybe at some point, be appropriated to that particular organ or department of the Community to enable it to do its work better.

They also informed us that they are starting surveillance centres in the different Partner States and that they have submitted a report on the Republic of Burundi.

Therefore I want to agree with you, honourable chair emeritus of this particular committee that the way it is presented maybe misleading but I also want to inform this House that work is going on at the EAC and from what we saw, all that is needed is more equipment and more confidence so that our offices function better and I hope that the Council of Ministers will consider giving this particular entity more money so that it can do its work more effectively. This is the information I want to give, thank you.

**The Speaker:** Hon. Abdul Karim is still on the floor.

**Mr Harelimana:** Thank you, *Mheshimiwa* Dora for this information, which we share by the way because we were together in that room yesterday. What you are proposing to assist them is okay, but the way this issue here is presented is that if something is about to happen in Burundi, then we must get ready to go and prevent it and so on. But according to what I know, Burundi is just like any other country in East African Community and the practice which they are going to undertake in May and maybe before and after is just a normal exercise. We should just go there as an observer mission of members and East African Community as we usually do. Thank you, Mr Speaker.

**The Speaker:** I will give hon. Rwigema two minutes then I will invite the chair to respond.

**Mr. Pierre Celestin Rwigema (Rwanda):** Thank you, Rt. hon. Speaker. I will not spend one minute. As I have the floor, I wanted to first congratulate you for being elected as our Speaker, which is a high seat of this Community.

Coming back to this report, I wanted to first thank the chair, hon. Dr Odette who is a very hard worker and to thank the whole committee for the good job done.

I want to focus on one point. I am not a member of this committee but I am a member of the Accounts Committee. For the budget funding and spending, they are parallel. I am very happy that there are some members like hon. Mulengani who is a member of both committees. What I want to focus on is that for the budget funding as we do for the budget spending, we need supporting documents. If there is a planning of the funding budget, we also need to get the supporting documents because sometimes we need it for the budget spending.

You will see for example that for general reserves from the EAC, we would like to get the documents for financial statements and then we can compare the source and utilisation. This is also for the ones from donors.

Rt. hon. Speaker, I thank you very much and I support this report.

**The Speaker:** Thank you so much. I think I will give hon. Zein who has been standing and is chair emeritus two minutes, hon. Tiperu two minutes and then the chair.

**Mr. Abubakar Zein Abubakar (Kenya):** Thank you, Mr Speaker. I wanted to raise a small matter, which is important and is directed at the Council of Ministers. This relates to the rightness and the need for processing amendments to amend the East African Community Budget Act. There are many challenges that we are facing in the budgeting processes including handling of supplementary budgets, which require that we enhance our legal framework to cater for those aspects. I will mention only two.

One, the current budget Act does not have any reference to the MTEF process because when we were passing the Budget Act, we had not adopted an MTEF process and this was the third time that we raised this matter to them. That if you look at the record of this Parliament, in the last two reports of this committee in relation to the budget making process, you would see the recommendations for asking the Council of Ministers to move amendments to the Budget Act.

I would like to end by promising them that they have one last chance to do it. If they do not, we will move proposals for amendment as private members and we will bring Bills to mend that act. We are giving them one final chance to do it so that when we are carrying out the process of either making a budget or addressing the question of supplementary budgets, it will be within a sound and progressive legal framework. I thank you.

**The Speaker:** Thank you.

**Ms Nusura Tiperu (Uganda):** Thank you very much, *Mheshimiwa* Speaker. Allow me to join my colleagues in thanking the honourable minister and our Chairperson of the Committee for a good job done.

I was in the General Purpose Committee but I would like those who are now serving under hon. Odette to know that they are very privileged because she is a lady with a difference and managing that committee, I am not surprised that many members would have loved to be in general Purpose but it is not easy to find ourselves there.

*Mheshimiwa* Speaker, I am happy that I am commenting on this supplementary budget because having two doctors- a doctor as the chair and a doctor as Chair, Council. In the requests, they have talked about the issue of conducting an EAC HIV/AIDS symposium. I think that as doctors they know the issue of HIV prevalence in the region so I am very proud because of that and I will be very happy to join my colleagues in supporting this supplementary budget.

Lastly, we are members of Parliament. It is common practice that the Council often times asks for supplementary budgets without considering the act that even Parliament requires supplementary budgets. We have a lot of missing gaps.

We know this is a growing Parliament and there are so many structural requirements that we need right from staffing to offices to the conditions under which we are serving that could have enabled us to do our jobs as true representatives of the East Africans.

I will not go into the details because of time but in future, I would like the ministers and all those lobbying for financing for EAC organs to think hard when you are talking about supplementary budgets. Think about parliament too. *Asanteni sana.*

**The Speaker:** Thank you so much, hon. Tiperu. I now invite the chairperson to respond.

**Dr Nyiramilimo:** Thank you very much, Rt. hon. Speaker. I think the honourable minister shall give most of the explanations. On my side, I would like to thank all the members for the good words of support to me and to the General Purpose Committee. I want to promise that in our next scrutiny of budgets and proposed Appropriation Bills, I think that there are many issues that we will take into consideration especially at this moment we are already in the process of budgeting or the Financial year 2015/2016 so I think with my colleagues in the committee we will make sure that we have taken care of all your proposals.

Therefore, Mr Speaker, I want to thank hon. Yves, hon. Ussi, hon. Dora, hon. Frederic, hon. Valerie, hon. Mulengani, hon. Hafsa, hon. Abdul Karim. Hon. Rwigema, hon. Zein and hon. Tiperu. Thank you very much all of you and I hope I have mentioned everybody who contributed to this report and I beg to move.

**The Speaker:** Thank you so much, honourable chair. I now invite the honourable Chair, Council of Ministers.

**Dr Saadalla:** Thank you, Mr Speaker. I would just like to thank all those who have contributed or given their contributions, advice, leadership to this very important motion and I will try to answer as much as I can some of the concerns and questions and appreciating all the concerns and recommendations given by the chair of the committee.

I promise that we took note of all the recommendations from the committee chair and we will consider them responsively.

Mr Speaker, there were many issues which were raised by the committee and some of them were common between the members. The first one was the issue of the Inter Parliamentary Forum. It is true we interacted with the committee and we appreciate the concerns of the committee that the EALA members should spearhead it, right from the planning and even execution. We really appreciated it and we have already directed Secretariat to do that and change appropriate items and activities with their financing within the MTEF. I believe that they have done that and I am happy to show you that they are highlighted on page three of the annex one.

We know that sometimes one person was controlling this. Sometimes invitations were being sent to three member Partner States and not five and so on. There were these sorts of ambiguities but as a Council, we can promise that we will leave this issue to EALA and just coordinate minor and small issues with the Secretariat.

There was also the issue of inclusion of social sectors. I am very concerned because myself professionally I am a doctor and there are education issues, sports issues. I would just like to inform the House that it is not that these activities are not being done. They are being done. I know you had EALA competitions, inter parliamentary competitions and I know that you are moving round in cross border activities by sensitisation. We had meetings and you know yourself we had competitions in sports activities, in youth and military so as Council we are trying to increase the sensitivity awareness to the people.

However, I get the concern that you have the role of oversight and we will try to secure wherever possible- SG gave us a promise in front of the committee that at least to start with the committee of General Purpose to reallocate some funds for them to get involved with these social sectors.

There was a common concern again that some of the documentation was incorrect. Hon. Mulengani said maybe it was a typographical error but it is very true that they were not detailed. We did not have attachments of memorandum of understanding, we did not have attachments of the commitment from the donors and so on and we apologise for that. We will make sure that next time this will not happen. Whenever we do that, we will give accompanying data.

In fact, even myself I am a member of that principle. We have been discussing the issue of Audit Commission here and the only thing, which I wanted, was that I do not want rhetoric but documentation so we believe that we will not give this rhetoric. In future, they will be availed and as hon. Zein clearly stipulated in the committee, we must have a prior budget projection, on-going activities, absorption rate and future prospects and outstanding spent amount of money for a specific activity.

We promise that we will be doing that and normally it is being done during annual budgets.

Hon. Dora claimed that most of this goes to studies, seminars and consultancies. I really beg to differ from her because as you know, there was a seminar on HIV, there is public health forum, which we are going to have. I do not call it a seminar. If it is a seminar then maybe the House will say that we have to remove this PHE forum and put it into some other activity which will involve them to be more practical but I know all of the forums and seminars are useful, some of them with capacity building and I do not agree with her. I do not understand what else she wanted from these ones.

We have to do consultancy, outsourcing because we are understaffed and we have to do that. We still need quality products. I know someone will talk about these buildings and whether it is quality or not but that is another point of discussion.

She said that we should plan, we should get commitments, and that those commitments be availed to the House so that when we discuss this type of supplementary budgets or the annual budgets

that we pass, we go in the same pace and we must be talking the same language, if I got her right. I think she is very right on that and we really receive that recommendation positively.

There was an issue of alternative financing mechanisms. Yes, there were many handicaps on this. We were trying to look for the means of how we can do this but there are many obstacles. I have been informed that the Minister of Finance has recommended that time be given for the Partner States to provide their comments about the one per cent levy. This is the latest information, which I have, and I think that is the one, which I know; that it is still with the sectoral council, it has never come to the full council but we believe that we are going to find the way out.

I have to be very precise. We do not want to isolate ourselves as the sectoral Council of EAC and planning, but we are being a bit in different directions with other sectoral councils. I have to admit that, and we know that under this freezing of jobs, whether it is an established job or not, under this seeking of too much consultancies, there will be a lot of money needed. Many commissions need to be created from the Bills and the pending ones- all these need money.

So there is a very good way for us to justify whom we should request the Council or Summit. The Community is growing no matter what. At least we have to have at least one per cent of Import Duty to be introduced as an alternative source of funds. The studies are there and it has been shown that it is very possible to have this done. So please bear with us, we share your same feelings.

About issues of elections and referendum, yes I do not want to say that- I think it is obvious that – there is one member who stipulated this. We must be in the position of emergency preparedness otherwise if we say that- and this will involve both. I want to combine these two issues. It will involve politicians, political figures; it will involve eminent persons and technicians too. There is no way that we can avoid this.

I know you members when you go to Burundi you will need a driver. The driver is not a politician; he is a technical person and will need to be paid.

**The Speaker:** Honourable Chair Council of ministers, if I got the members right, their concern is the leadership of the mission should be centred with the politician. All these others can be part of the team but the leadership should be given to the politician and that is where your comment should be.

**Dr Saadalla:** I agree with you, Mr Speaker but contrary to that, hon. Frederic talked about the technicians being 2000. It is as if he does not want any technician to be with you. I think we have to be in a balanced situation. I agree that we may be more of the politicians as per the activity and as per the emergence of cases. This is very possible but sometimes technicians might be there.

Even those-

**The Speaker:** Honourable Chair of Council, proceed. The rules do not allow a member to speak from the chair. In addition, this House wants to secure a commitment from you that you are in agreement with them that the leadership of election observation mission shall be the politician and with EALA. That is the commitment they want to secure from you.

**Dr Saadalla:** Mr Speaker, I do not have any objection with that and that is why whatever they have said in the committee, we accommodated them and we will keep on increasing that. We know and you will see our actions in future because there is still a referendum in Tanzania. There are other coming elections, some of us may not be here but those who are going to be here, will I think follow our legacy.

Hon. Mumbi – (*interruption*) -

**Ms Byamukama:** Mr Speaker, I was listening carefully and appreciating wholeheartedly the honourable Chair, Council's comments but I heard a word, which perturbed me a little bit, and it is of concern to some of my colleagues. He said that the Council of Ministers had accommodated us on the issue of leading election observation.

I would like to submit that maybe the word might not be accommodated since this is our mandate to do oversight and not only in social affairs but in political affairs. Therefore, we are claiming back our space and we are glad that he is in support of this claim. Thank you.

**Dr Saadalla:** Thank you, Chair. It is very late forgiving replies but I did not say that I accommodated them. The *Hansard* will prove that. I said I accommodated the concerns of the committee, which was raised in front of us when we interacted.

**The Speaker:** Thank you. Proceed Chair, Council.

**Dr Saadalla:** Hon. Valerie talked about missing figures. We are agreeing with this and the same goes to Inter Parliamentary issues. I have to repeat that we tabled the Bill with that gap. I know parliamentary it should not be and we apologise but we were in a good way and as you can see, we brought the amendments to be carried forward so we are apologetic about that. Therefore, 919 is not going to be ghost money. It is money, which is going to be utilised.

The issue of supporting documents is also there. About the on-going study of sharing equitable benefits is tenable to end once the supplementary budget is done. Finalisation will be on 30<sup>th</sup> June 2015. I have to admit that I did not have this information, I got it from the Secretary General now and if they told me lies, I will out them to task.

Hon. Mulengani also talked about the timing of tabling documentation. There is nothing we can say about that. He is learned, and a techno qualitian on accountancy and auditing. I agree with him that there were discrepancies of dates on 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> and some variances. We will take care of all of them.

About eminent persons, the Council of ministers currently has guidelines and criteria produced from the Legal and Judiciary so it is an on-going process.

Myself I will not be happy to have an eminent person outside of the bloc within East Africa although we also respect them so much and they did a lot of work for us. So, we will fast track it, and whenever possible...I do not know whether the rules and regulations allow them to be passed through EALA, and I do not know how far it can be, but I know that EALA will try to choose the right ones and at least recommend to us that this one is fair and this one is not okay.

There was also an issue of 7 persons as an advanced team and 20 people as politicians. We will consider this that it will not be repeated again.

There were many issues. There as an issue that the Council justifies why we are going to Burundi at this moment. I do not want to answer this question because any politician should know why an observer goes somewhere, why technical persons go somewhere and as we have agreed that pre-election, during elections and post elections- even post-election aftermath. So if somebody asks, is there a crisis, I just consider these questions as-

**The Speaker:** Honourable Chair, Council of ministers, I do not think the members were questioning why we are going. The member just raised that it should be treated like any other observer mission that we go to in the Partner States, if I got the member right.

**Dr Saadalla:** Mr Speaker, that was one component and we appreciated it but I have to tell you that according to the way issues are handled, before you go to any task, you sit down as members and create your own objectives on how you are going to eat and work plan and so on. Therefore, if four members go somewhere then they should sit down. They should not sit within the team as invitees and going there as if they have gone to picnic.

They should sit down, have a plan, direct how they are going about it, plan it and see the objectives to be addressed and as far as I know, this is what is happening even in fact finding missions when they go to Rwanda, South Sudan- This is what was seen.

Therefore, I just wonder why – (*Interruption*) -

**Ms Byamukama:** Mr Speaker, thank you for bearing with me. I have had the privilege of serving this House I think for the last seven years and I have been to about four election observer mission and one in South Sudan another in Zimbabwe so I have really been honoured and there are several ways we have been handling this.

Number one, we have introduced a component on capacity building so that any member, who goes for election observation mission and I remember I was with hon. Taslima the last time, undertakes training and capacity building in this area. Obviously, we always have a team leader. I remember in the Republic of Kenya our leader was hon. Christophe Bazivamo who is right here so we obviously have a plan and we obviously have had our capacity built.

I would also like to say that this House has also developed a manual and guidelines on election observation and this was done I think under the chairmanship of hon. Sebalu and the Council of Ministers also I think looked at this manual.

I want to be polite and I believe that we have added value to the process so I would like the record not to reflect that we are on a picnic. We are very serious people with the potential to be considered as eminent persons because our CVs are highly professional and have been enriched. I thank you.

**The Speaker:** Chair, Council proceed.

**Dr Saadalla:** Thank you very much, Mr Speaker. I would just like to withdraw my word of picnic. (*Applause*)

**The Speaker:** Thank you so much.



**Dr Saadalla:** ... from the *Hansard*. I know that you are very reputable persons, it could have been a slip of the tongue, or the way I am talking, but I did not mean to underrate you. Because I am a new Chair of Council here, I also accept the information that there is a manual. After this, I will go and read it. I will always work in tandem and in the pace with all that you are doing. I wish you the best.

Having said all these words, I think I have to submit and appreciate all those who have –  
(*Interruption*) -

**Ms Hajabakiga:** Thank you, Rt. hon. Speaker and honourable Chair, Council for giving me this opportunity.

When we were looking at the MTEF and this document annex one of supplementary budget estimates, there are a number of issues, which were raised by hon. Mulengani, and hon. Frederic.

At what time are we adopting these details and budgets or are we going to review some of the issues? Let me explain.

In a place where you find 15 members facilitating only 40 delegates, what will the 15 EAC staff be doing to facilitate 40 delegates of high calibre as heads of state? You see some of the details, which are contained, and I think they were very well explained by hon. Mulengani and I think hon. Frederic.

Is there any one point that you are going to look into again and readjust it, or we are going to adopt it wholesome and then we meet it when we come to the audit report? Thank you.

**Dr Saadalla:** Thank you, Rt. hon. Speaker. There were many points raised but they were too technical. I have to admit that some of them were not come across within the MTEF itself, but all the cash flows for sure will need to be passed by the Council of Ministers. So, I promise you that we will take care of them. We are ready to be tasked in the next audit if the matter is there but we do not do this job as just a by the way job. That is the only answer I can give.

I will sit down with the Secretariat and prune these issues and if need arises, we can even come back with a committee and get their concerns in front of the-

**The Speaker:** Honourable Chair, Council of ministers, we will take your commitment on that because it is not pleasant to hear that 15 people are facilitating 40 people or to say seven people are facilitating 20. It does not sound very pleasant in terms of budgetary smartness but we will take your commitment on that.

**Dr Saadalla:** Thank you, Rt. hon. Speaker.

**The Speaker:** Thank you, chair. I think you have concluded. Honourable members, the motion on the floor is that the Assembly do resolve itself into:

1. A Committee of Ways and Means to consider and approve the financial statements for the Financial year 2014/2015 and
2. A Committee of Supply to consider and approve the revised estimates of expenditure for the Financial Year 2014/2015.

I now put the question.

*(Question put and agreed to.)*

**THE ASSEMBLY IN COMMITTEE**

(The Rt. Hon. Dan Kidega in the Chair)

**COMMITTEE OF WAYS AND MEANS AND COMMITTEE OF SUPPLY**

The EAC Supplementary Budget for the Financial Year 2014/2012

**MOTION FOR THE CONSIDERATION AND APPROVAL OF THE EAC FINANCIAL STATEMENT FOR THE FINANCIAL YEAR 2014/2015**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Thank you, Mr Chairman. I beg to move that the Committee of Ways and Means do consider and approve the financial statements for the supplementary budget of the East African Community for the Financial Year 2014/2015. I beg to move.

**The Chairperson:** Secunder? Hon. Kaahwa. Seconded. Please justify briefly.

**Dr Saadalla:** Mr Speaker, as we have presented to you and tabled in this august House the report and justification for the approval of this august House for the supplementary budget of \$2,045,520 I therefore urge and request the committee to pass this request. Thank you.

**The Chairperson:** Thank you so much, hon. Chair Council of Ministers. I call the chairperson of the committee. Do you have anything to comment?

**Dr Nyiramilimo:** Thank you, Mr Chairman. I have no objection. Thank you.

**The Chairperson:** Thank you. Is there any member who would like to debate? There being none, I invite the honourable minister- I think there is nothing to reply to so I will move straight to put the question.

Honourable members, I put the question for approval of the financial statements for the Financial Year 2014/2015.

*(Question put and agreed to.)*

**MOTION FOR THE CONSIDERATION AND APPROVAL OF THE REVISED ESTIMATES OF EXPENDITURE FOR FINANCIAL YEAR 2014/2015**

**The Chairperson:** Honourable minister, proceed.

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Chairman, I beg to move that in accordance with the provisions of Article 132(5) of the Treaty and Rule 74 of the Rules of Procedure, the Committee of Supply do consider and approve the revised estimates of expenditure for the year 2014/2015 amounting to US\$2,040, 520 with amendments. I beg to move.

**The Chairperson:** Honourable members, I propose the question that a total sum of US\$ 2,040,520 be provided as supplementary expenditure for the expenses of the East African Community for the Financial Year 2014/2015.

I now put the question that a total sum of US\$ 2,040,520 be provided as supplementary expenditure for the expenses of the East African Community for the Financial Year 2014/2015.

*(Question put and agreed to.)*

### **MOTION FOR THE HOUSE TO RESUME**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Chairperson, I beg to move that the house do resume and the Committee of Supply and the Committee of Ways and Means reports thereto. I beg to move.

**The Chairperson:** Secunder? Hon. Counsel, hon. Minister, hon. Ussi, hon. Valerie.

Honourable members, the motion on the floor is that the House do resume and receive a report. I put the question.

*(Question put and agreed to.)*

*(The House resumed\_)*

### **REPORT FROM THE COMMITTEE OF SUPPLY**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Speaker, I beg to report that the Committee of Supply has considered and approved the supplementary budget of \$ 2,040,520 under Vote 001 for the East African Community for the Financial Year 2014/2015. I beg to move.

### **MOTION FOR THE ADOPTION OF THE REPORT OF THE COMMITTEE**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Thank you, Mr Speaker. I beg to move that the report of the Committee of Ways and Means and Committee of Supply be adopted. I beg to move.

**The Speaker:** Secunder? Honourable members, the motion is that the report of the Committee of Ways and Means of the whole House be adopted. I put the question.

*(Question put and agreed to.)*

### **BILL'S**

### **SECOND READING**

The East African Community Supplementary Appropriation Bill, 2015

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Speaker, I beg to move that the East African Community Supplementary Appropriation Bill, 2015 be read for the Second Time.

**The Speaker:** Secunder? Hon. Minister.

Honourable members, the motion is that the Bill be read for the Second Time. Justification.

**Dr Saadalla:** Rt. hon. Speaker, you will recall that the House has just passed a supplementary budget of US\$ 2, 040,520 under Vote 001 of the EAC for the Year 2014/2015.

However, for it to be operationalised, a legal framework is necessary. The Council of Ministers has therefore prepared a Supplementary Bill, which received its First reading before this august House.

At an appropriate time, I will move an amendment to the Bill at the Committee stage to include funding related to the support from the European Union as it was omitted in the Bill and give an apology.

For the same reasons I have already enumerated during the Committee of Supply and the Committee of Ways and Means are the same reasons justifying why the Council has come up with this Bill.

Mr Speaker, I beg to move.

**The Speaker:** Honourable members, debate is open. There being no debate, I ask the Chair, Council to proceed.

I put the question as moved by the Chair, Council of Ministers.

*(Question put and agreed to.)*

The East African Community Supplementary Appropriation Bill, 2015 read for the Second Time.

## **BILL**

### **COMMITTEE STAGE**

The East African Community Supplementary Appropriation Bill, 2015

Clause 1

**The Chairperson:** Honourable members, I move that Clause 1 be part of the Bill. I think Clause 1 is okay. The Council does not have any amendment to Clause 1.

Honourable members, I put the question that Clause 1 be part of the Bill.

*(Question put and agreed to.)*

Clause 2

**The Chairperson:** Honourable members, the proposal is that Clause 2 be part of the bill. I put the question.

*(Question put and agreed to.)*

The Schedule

**The Chairperson:** Honourable members, I propose that the Schedule be part of the Bill.

**Dr Saadalla:** Thank you, Mr Chairperson. I hereby amend the Schedule by adding the following items on Vote 001: the amount required in the year US\$ 919,413 to be added under and (b) substituting the total with the new total of US\$ 2,040,520.

I beg to move.

**The Chairperson:** Secunder? Hon. CTC, hon. Bageine. Chair of the committee, do you have any objection or anything o state?

**Dr Nyiramilimo:** I have no objection.

**The Chairperson:** Honourable members, the motion is that the amendment as moved by the Chair, Council of Ministers to the schedule be part of the Bill. I now put the question.

*(Question put and agreed to.)*

### **MOTION FOR THE HOUSE TO RESUME**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Chairperson, I beg that the House do resume and the Committee of the Whole House reports thereto.

**The Chairperson:** Seconded? Hon. Counsel to the Community, hon. Bageine. Honourable members, the proposal is that the House does resume. I put the question.

*(Question put and agreed to.)*

### **REPORT OF THE COMMITTEE OF THE WHOLE HOUSE**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Speaker, I beg to report that the Committee of the whole House has considered the Bill entitled the East African Community Supplementary Appropriation Bill, 2015 and passed it with some amendments. I beg to move.

**The Speaker:** Secunder? Hon. Minister.

### **MOTION FOR ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE HOUSE**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Speaker, I beg to move that the report of the Committee of the whole House be adopted. I beg to move.

**The Speaker:** Seconders? Hon. Minister and hon. CTC. Honourable members, the proposal on the floor is that the report of the committee be adopted. I put the question.

*(Question put and agreed to.)*

## **BILL**

### **THIRD READING**

The East African Community Supplementary Appropriation Bill, 2015

### **MOTION**

**The Assistant Minister for East African Cooperation, Tanzania, and Chairperson EAC Council of Ministers (Dr Abdallah Saadalla) (Ex-Officio):** Mr Speaker, I beg to move that the East African Community Supplementary Appropriation Bill, 2015 be read for the Third Time and do pass.

**The Speaker:** Secunder? Counsel to the Community and hon. Bageine. Honourable members, the proposal is that the East African Community Appropriation Bill be read for the Third Time and do pass. I now put the question.

*(Question put and agreed to.)*

**The East African Community Supplementary Appropriation Bill, 2015 read a Third Time.**

**A Bill for an Act Entitled the East African Community Supplementary Appropriation Act, 2015**

**The Speaker:** Honourable members, I declare that the East African Community Supplementary Appropriation Bill, 2015 has been duly passed by this Assembly. *(Applause)*

I would like to congratulate the Chairperson, Council of Ministers, the chairperson of the committee and the committee and the whole House for passing this Bill. I thank you so much for a work well done.

Honourable members, you remember at the beginning of this House we suspended business, which was on the order Paper. I would like to remind the chairperson of Agriculture, the clerk, the move of the motion that we could consult immediately after adjournment. I therefore now adjourn the House to tomorrow 2.30 p.m. House stands adjourned.

*(The House rose and adjourned until Wednesday, 28 January 2015 at 2.30 p.m.)*