



THE REPUBLIC OF UGANDA

**INSPECTORATE
OF
GOVERNMENT**

REPORT TO PARLIAMENT

JULY - DECEMBER 2009

Telephones: 259738/255892
344219/251462

Duty Office: 347387
Fax: 344810/ 257590
Website: www.igg.go.ug

In any correspondence on this
Subject please quote No..... **IG/C.12**



THE REPUBLIC OF UGANDA

**Inspectorate of Government
Jubilee Insurance Centre,
Plot 14, Parliament Avenue,
P. O. Box 1682,
Kampala, Uganda**

19th April 2010

The Rt. Hon. Speaker
Parliament of the Republic of Uganda

Honourable Speaker Sir,

**THE INSPECTORATE OF GOVERNMENT'S REPORT TO PARLIAMENT
JULY – DECEMBER 2009**

In accordance with Article 231 of the Constitution of the Republic of Uganda 1995, I have the honour to submit to you the 22nd Report of the Inspectorate of Government, covering activities of the Inspectorate for the period July – December 2009.

We request that the report be laid before Parliament for discussion in accordance with Article 231(3) and (5) of the Constitution.

Yours faithfully,

**Baku Raphael Obudra
AG. INSPECTOR GENERAL OF GOVERNMENT**

c.c. His Excellency Yoweri Kaguta Museveni
The President of the Republic of Uganda

The Inspectorate of Government is a Constitutional Body with the following attributes:

Mandate

To eliminate corruption, promote and foster the rule of law and principles of natural justice in public offices and enforce the Leadership Code of Conduct.

Vision

Good Governance with an ethical and corruption free society.

Mission

To promote good governance through enhancing accountability and transparency; and enforcement of the rule of law and administrative justice in public offices.

Values;

The IG upholds the following values in the performance of its functions:








-  *Integrity, transparency and accountability*
-  *Fairness, confidentiality and impartiality*
-  *Independence*
-  *Professionalism*
-  *Credibility and reliability*
-  *Quality and timely services to IG clients*
-  *Mainstreaming of gender in all programmes*

TABLE OF CONTENTS

	Page
List of Figures	iii
List of Tables	iv
List of Appendices	vi
Abbreviations & Acronyms	vii
Executive Summary	x
 CHAPTER ONE: INTRODUCTION	
Constitutional Requirement.. .. .	1
Jurisdiction and Independence of the Inspectorate of Government	1
Functions of the Inspectorate of Government	1
Strategic Objectives of the Inspectorate of Government (2004-2009)	2
Organization of the Inspectorate of Government	3
Regional Inspectorate of Government Offices	5
 CHAPTER TWO: ENFORCEMENT MEASURES	
Introduction	8
Investigations	9
Poverty Action Fund (PAF) Monitoring and investigations.. .. .	12
Arrests made	13
Prosecutions	14
Civil cases	20
Enforcement of the Leadership Code of Conduct	21
Implementation of Administrative Justice in Public Offices-The Ombudsman Function	24
 CHAPTER THREE: PREVENTIVE MEASURES	
Introduction	29

Public Awareness Programmes	..	..	..	..	..	..	..	29
Policy and System Studies	..	..	..	..	..	..	..	35

CHAPTER FOUR: CAPACITY BUILDING THROUGH TRAINING AND INTERNATIONAL COOPERATION

Staff training and International Cooperation for the period July - Dec 2009	..	38
---	----	----

CHAPTER FIVE: IMPLEMENTATION OF IG REPORTS/RECOMMENDATIONS

Introduction	..	..	..	..	..	..	..	..	42
Commendations of Ministries/Departments and officials for implementing IG recommendations	..	..	..	..	..	..	..	..	42

CHAPTER SIX: GENERAL CONSTRAINTS, CHALLENGES, RECOMMENDATIONS AND FUTURE PLANS

Introduction	..	..	..	..	..	..	..	..	52
Challenges and Constraints	..	..	..	..	..	..	..	..	52
Recommendations	..	..	..	..	..	..	..	..	55
Future Plans	..	..	..	..	..	..	..	..	56

LIST OF FIGURES

		Page
Figure 1	Work load for the period July - Dec 2009	61
Figure 2	New complaints received during the Period Jul - Dec 2009 ..	62
Figure 3	Categorization of Complaints Registered by Gender for the period July - December 2009	63
Figure 4	Comparison of Investigations for the Periods January - June 2009 and July - December 2009	64
Figure 5	Comparison of new complaints received and those that were investigated during the period July - December 2009	65
Figure 6	Comparison of complaints received by the Inspectorate Offices for the period July - December 2009 ..	68
Figure 7	Comparison of the complaints handled at the Kampala Headquarters and Regional Offices for the period January 2006 - December 2009	72
Figure 8	The top ten districts where most of the complaints originated during the period July - December 2009	76
Figure 9	Prosecution cases handled during the period July - December 2009	81
Figure 10	Activities of the Inspectorate of Government by Directorates..	85
Figure 11	Other activities of Units of IG	86
Figure 12	Activities of the Department of Finance and Administration ..	87
Figure 13	Activities of IGG/DIGG	88

LIST OF TABLES

Table I	Comparison of the workload for the periods	
	January-June 2009 and July - December 2009	10
Table II	Complaints Registered by the Inspectorate offices for the	
	Period July - December 2009	10
Table III	Arrests effected between July - December 2009	13
Table IV	Summary of cases prosecuted during the period	
	July - December 2009	14
Table V	Staff training and international cooperation for the period	
	July - December 2009	39
Table VI	Comparison of the complaints received by the IG offices for	
	the periods January - June 2009 and July - December 2009 ..	66
Table VII	Trend of complaints registered by the IG for the period	
	January 2000 - December 2009	69
Table VIII	Trend of complaints investigated by the IG for the period	
	Jan 2001 - December 2009	70
Table IX	Trend of complaints referred to other Institutions by IG	
	For the periods Jan 2001 - December 2009	71
Table X	Complaints received according to the districts of origin for the	
	period July - December 2009	73
Table XI	The nature of complaints received during the period	
	July - December 2009	77
Table XII	Nature of complaints investigated & completed during the period	
	July - December 2009	78
Table XIII	Nature of complaints referred to other Institutions during the period	

	July - December 2009	..	..	..	..	..	..	79
Table XIV	Number of Arrests and Dismissals during the period							
	July - December 2009	..	..	..	..	..	..	80
Table XV	Complaints against Departments/Institutions for the period							
	July - December 2009	..	..	..	..	..	..	82

LIST OF APPENDICES

	Page
Appendix A - A statistical presentation of IGG investigations and other activities	61
Appendix B - List of cases investigated and completed during the period July - December 2009	91
Appendix C - Some of the letters of Appreciation received by the IG during the period July - December 2009	129
Appendix D - The Inspectorate of Government Act, 2002	141
Appendix E - The Leadership Code Act, 2002	179
Appendix F - Chapter Thirteen of the Constitution of the Republic of Uganda	203
Appendix G - Chapter Fourteen of the Constitution of the Republic of Uganda	209

ABBREVIATIONS AND ACRONYMS

ACT	-	Anti-Corruption Threshold Programme
ADB	-	African Development Bank
Ag	-	Acting
AG	-	Auditor General
ASP	-	Assistant Superintendant of Police
BOU	-	Bank of Uganda
CAA	-	Civil Aviation Authority
CAO	-	Chief Administrative Officer
CDO	-	Community Development Officer
CFO	-	Chief Finance Officer
CID	-	Criminal Investigations Department
CMS	-	Case Management System
CPS	-	Central Police Station
DANIDA	-	Danish International Development Agency
DAPCB	-	Departed Asians Property Custodian Board
DFID	-	Department for International Development
DHO	-	District Health Officer
DIGG	-	Deputy Inspector General of Government
DPC	-	District Police Commander
DPP	-	Director of Public Prosecutions
DSC	-	District Service Commission
EAAACA	-	East African Association of Anti-Corruption Authorities
ESC	-	Education Service Commission
FUFA	-	Federation of Uganda Football Association
F/Y	-	Financial Year
GTZ	-	Germany Agency for Technical Corporation
HCC	-	High Court Case
HM	-	Headteacher

IAC	-	Integrity Ambassadors Club
IG	-	Inspectorate of Government
IGG	-	Inspector General of Government
ISO	-	Internal Security Organization
ISPGG	-	Institutional Support Project for Good Governance
KCC	-	Kampala City Council
LAN	-	Local Area Network
LC III	-	Local Council Three
LC IV	-	Local Council Five
LGDP	-	Local Government Development Programme
MOES	-	Ministry of Education and Sports
MOLG	-	Ministry of Local Government
MOPS	-	Ministry of Public Service
NAADS	-	National Agricultural Advisory Services
NARO	-	National Agricultural Research Organisation
NDA	-	National Drug Authority
NFA	-	National Forest Authority
NGO	-	Non Governmental Organization
NHCC	-	National Housing and Construction Company
NIS	-	National Integrity Survey
NPART	-	Non Performing Assets Recovery Trust
NSSF	-	National Social Security Fund
NUSAF	-	Northern Uganda Social Action Fund
OPM	-	Office of the Prime Minister
PAF	-	Poverty Action Fund
PMA	-	Plan for Modernization of Agriculture
PPDA	-	Public Procurement and Disposal of Public Assets Authority
PS	-	Permanent Secretary
PSC	-	Public Service Commission
PTA	-	Parent Teachers' Association

S/C	-	Sub-county Chief
TI (U)	-	Transparency International, Uganda
UBC	-	Uganda Broadcasting Corporation
UMI	-	Uganda Management Institute
UNDP	-	United Nations Development Programme
UNEB	-	Uganda National Examination Board
UNRA	-	Uganda National Roads Authority
UPDF	-	Uganda Peoples Defence Forces
UPE	-	Universal Primary Education
URA	-	Uganda Revenue Authority
UTL	-	Uganda Telecommunications Limited
UWEC	-	Uganda Wildlife Education Centre
VCCU	-	Violent Crime Crack Unit
WAN	-	Wide Area Network
WBS	-	Wavah Broadcasting Services

EXECUTIVE SUMMARY

1.1 Introduction

Under Article 231 of the 1995 Uganda Constitution, the Inspectorate of Government (IG) is required to submit to Parliament at least once in every six months, a report on the performance of its functions, making recommendations which the office considers necessary for the efficient performance of public institutions; and to provide any other information that Parliament may require. The functions of the Inspectorate of Government as spelt out in Article 225(1) of the Constitution are:

- (a) To promote and foster strict adherence to the rule of law and principles of natural justice in administration.
- (b) To eliminate and foster the elimination of corruption, abuse of authority and of public office.
- (c) To promote fair, efficient and good governance in public offices.
- (d) To supervise the enforcement of the Leadership Code of Conduct.
- (e) To investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this Article applies, taken, made, given or done in exercise of administrative functions.
- (f) To stimulate public awareness about the values of constitutionalism in general and the activities of its office, in particular, through any media or other means it considers appropriate.

In order to fulfill the above mentioned functions, the Inspectorate of Government is granted special powers under Article 230 of the Constitution and Section 14(5) of the Inspectorate of Government Act 2002. These powers include the following:

- Power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office;
- Power to make orders and give directions where necessary and appropriate;
- Power to enter and inspect premises or property of any department of Government, person or authority and to examine or retain any documents found therein;

This is the 22nd report of the Inspectorate of Government to Parliament. It is a summary of the performance of the Inspectorate of Government during the period July - December 2009.

1.2 Structure of the Report

The report comprises of six chapters on various aspects of the Inspectorate of Government's (IG) constitutional mandate.

Chapter One gives a brief background to the establishment of the office, its functions, and a summary of the strategic objectives of the office as contained in the IG Corporate and Development Plan (CADP) (2004-2009). The chapter further lays out the organization structure of the IG.

Chapter Two covers the Enforcement measures which are used by the Inspectorate of Government to curb corruption. These include Investigation of complaints or

suspensions of corruption and maladministration; monitoring and supervision of Poverty Action Funds; Prosecution of Public officials involved in corruption; and enforcing the Leadership Code of Conduct.

Chapter Three focuses on the preventive measures used by the office to curb corruption and promote good governance. These include Public Awareness Programs that were carried out and the Policies and Systems of Government that were studied.

Chapter Four looks at the training activities that were carried out for the officers of the Inspectorate of Government during the period and highlights the activities to enhance National and International cooperation between the IG and other stakeholders.

Chapter Five highlights the challenges the Inspectorate of Government faced in the implementation of its mandate, commends some of the Ministries, Institutions and Action Officers who implemented IG recommendations during the period under review and lists some of those who did not act.

Chapter Six highlights the general operational constraints and challenges faced by the IG. The chapter further outlines the future plans of the office and makes recommendations to Government on ways that could make the office more efficient and effective.

1.3 Summary of Achievements of the Inspectorate of Government in the period July - December 2009

The Inspectorate of Government has continued to use enforcement and preventive measures in the fight against corruption.

1.3.1 Enforcement measures include:

- Investigation into complaints of corruption, abuse of office and authority.
- Investigation of complaints of maladministration and administrative injustice. (Ombudsman function/role).
- Arrest and Prosecution of public officials that are involved in corrupt practices, abuse of office and authority.
- Enforcement of the Leadership Code of Conduct.

1.3.2 Investigations

The Inspectorate of Government receives or initiates and investigates complaints of corruption; arrests and prosecutes those implicated in corruption and these continue to be the major activities of the office.

During the period under review, the Inspectorate of Government handled a total of **3,588** complaints. Out of these **2,572** were brought forward from the previous reporting period, while **827** were received or initiated by the Inspectorate of Government within the reporting period. A total of **543** complaints were investigated and completed while **107** complaints were processed and later referred to other Institutions.

The nature of complaints that were investigated and completed by percentage of the total were as follows:

Mismanagement and Misappropriation of public resources **19.4%**; Non-payment of Salaries and other benefits **18.7%**; Abuse of office **17.8%**; Delay of service delivery **9.1%**; Property disputes **7.3%**; Forgery and uttering of false documents **5.7%**; Embezzlement **4.9%**; Tenders and Contracts **3.9%**; Bribery and Extortion **3.4%**; Victimization/Oppression **2.6%**; Conflict of interest **2.4%**; False claims **2.2%**; Corruption **1.4%**, Tax evasion **0.2%** and others **11%**.

1.3.3 Poverty Action Fund (PAF) Monitoring and Investigation

The Inspectorate of Government is mandated to monitor the utilization of Poverty Action Fund (PAF) and to investigate suspected misuse or poor management of Universal Primary Education (UPE) funds, Primary Health Care, Water and Sanitation, Agriculture, Feeder Road Maintenance, Functional Adult Literacy and School Facility Grant.

During the period under review, the Inspectorate of Government carried out inspection and investigations into specific suspected misuse and poor management of Poverty Action Fund monies in Nakawa Division.

The following were IG's general observations and recommendations:

- There were inordinate delays in implementation and completion of LGDP projects which shows poor planning.
- There were instances of forgery and falsification of accountabilities for LGDP monitoring.
- Most health centres are dilapidated and lack drugs to handle the growing number of patients.

It was therefore recommended that;

- Legal binding contract agreements should be signed by contractors so that legal action can be taken against defaulting contractors.
- There is need to improve health centres as the facilities in most of them are dilapidated and can no longer cope with the growing number of patients.
- The CAO and CFO must ensure timely and proper accountabilities for PAF funds.

1.3.4 Promoting the Rule of Law and Administrative Justice (Ombudsman Function)

The 1995 Constitution of the Republic of Uganda empowers the Inspectorate of Government not only to curb corruption but also to oversee the activities and operation of public authorities and offer redress where there is any form of mal-administration.

During the period under review, the Inspectorate of Government received various complaints against public officers which included employment disputes; Non-payment or delayed payment of salary and other benefits; inheritance disputes and administration of estates; property disputes; improper tendering procedures; victimization and abuse of office.

In the reporting period, complaints under this category accounted for **32%** of all complaints handled by the office and the majority of these were complaints against Ministry of Lands, Ministry of Public Service and Administrator General's office.

1.3.5 Arrests and Prosecutions

The powers of the Inspectorate of Government to investigate or cause investigation, arrest or cause arrest, prosecute or cause prosecution in respect of cases involving corruption and Abuse of authority are stipulated under article 230 of the 1995 Constitution of the Republic of Uganda and Sec.14(5) of the Inspectorate of Government Act 2002.

During the period under review, eight (8) public officers were arrested for various corruption offences and are now being prosecuted in courts of law. The Inspectorate of Government had seventy (70) ongoing prosecution cases out of which sixty two (62) were carried forward from the previous period and eight (8) were new cases lodged in

courts during the reporting period. One case resulted in conviction, two are awaiting judgement, four were dismissed and five cases were withdrawn.

1.3.6 Enforcement of the Leadership Code of Conduct

The 1995 Constitution of the Republic of Uganda and the Leadership Code Act, 2002 mandate the Inspectorate of Government to ensure that specified leaders declare their incomes, assets, and liabilities from time to time explaining how they acquired or incurred them respectively. The aim is to ensure that leaders adhere to a standard of behaviour that promotes integrity, transparency and accountability in their conduct of public affairs. The Code imposes penalties on the leaders who breach it.

In enforcing the Code, the IG carried out the following activities during the reporting period:

- Verification of leaders' declaration of incomes, assets and liabilities and investigations of allegations of the breach of the code continued. The properties of one (1) leader were found not to be commensurate with his incomes and liabilities. The process of forfeiture of the leader's property worth Shs.1.2billion is to commence.
- Receiving, data entry and examination of leaders' declarations for 2009 continued and identification of leaders who failed to declare for the year 2009 was done.
- In accordance with the leadership Code of Conduct the leader declared gifts that were given to him in the course of his duties and he was accordingly advised on what to do with the gifts.

1.3.7 Civil cases

As part of its mandate, the Inspectorate of Government handles civil suits, including civil applications and constitutional petitions instituted by or against the Inspectorate in courts of Judicature. During the period under review IG handled five (5) civil suits, fifteen (15) civil applications, six (6) constitutional petitions, one (1) constitutional application and one mediation proceeding. Details of the civil cases IG handled are found in chapter two of this report.

1.4 Preventive Measures

Studies and observations have proven that in the long run preventive measures are more effective than enforcement measures in combating corruption, promoting the rule of law, and administrative justice. Hence during the period under review, in its endeavour to fight corruption and promote good governance in public institutions, the Inspectorate of Government continued to use a two-pronged approach. Under the preventive measures, public awareness programmes and studies into Government Policies and Systems were carried out as highlighted below:

1.4.1 Public Awareness Programmes

The Inspectorate of Government is constitutionally mandated to sensitize and educate the public about the values of constitutionalism in general and the activities of the Inspectorate of Government in particular, through any media or any other means it considers appropriate. The public is educated about their constitutional right to access public services without having to pay bribes and made aware of their civic duties and responsibilities to demand for accountability from their leaders, value for money and to report corrupt practices to the Inspectorate of Government.

During the period under review, the IG continued to carry out public awareness programmes through workshops for district and student leaders, radio and TV talk-

shows and publications of booklets and inserts which were placed in the print media. The youth were also educated about the evils of corruption through film shows which were screened for schools in Western Uganda, Soroti and Jinja districts and more shows are scheduled to be screened in selected schools all over the country.

The IG also promotes and supports the establishment of Integrity Clubs in Tertiary Institutions whose members act as Ambassadors for Anti-Corruption crusade among the youth in the various Institutions they attend. During the reporting period IG facilitated the launching of Integrity Clubs at Busitema University, Jinja Laboratory Training School, YMCA and Hotel and Tourism Training Institute, All Saints University Lango, East African Civil Aviation Academy, Kichwamba Technical College, Kabale School of Comprehensive Nursing and Mountains of the Moon University. All the Districts, Student leaders' workshops and the launching of Integrity Clubs in various Tertiary Institutions was funded by AfDB under the Institutional Support for Good Governance.

1.4.2 Policy and System Studies

The 1995 Constitution of the Republic of Uganda and the Inspectorate of Government Act 2002, empower the Inspectorate of Government to promote fair, efficient and good governance in public offices. Given that strengthening of institutions is a key anti-corruption measure, the Inspectorate of Government carries out studies into operations, policies, systems, procedure and legislation of various Government Departments and Institutions with a view to identify weak areas that may be conducive to corruption and make recommendations, for remedial measures.

The Institutions to be studied are selected on the basis of information the Inspectorate of Government receives through public complaints, media reports and periodic surveys.

During the period under review, the Inspectorate of Government carried out three system studies into the Management of the office of the Administrator General, the management of examinations by the Uganda National Examinations Board and the causes of pensions and gratuity arrears in the Ministry of Public Service. The findings and recommendations of the three studies will be disseminated to stakeholders in the next reporting period.

1.4.3 Integrity Surveys

Integrity Surveys are very important tools used by IG in fighting corruption and monitoring its levels in the country. The surveys help the IG to gauge the public perception about corruption and generate empirical data both of which can be used in the policy making process and identification of areas for strategic intervention.

The first National Integrity Survey was carried out in 1998, the second in 2003 and the third in 2008. During the period under review IG disseminated the findings and recommendations of NIS III to various local leaders in the regions of Arua, Mbale and Hoima. During these workshops the leaders were helped to draw Action Plans on issues concerning their areas of operation.

1.5 Other Activities

1.5.1 Capacity Building

The Inspectorate of Government attaches great importance to training of its staff in order to equip them with knowledge, skills and attitudes to enhance their performance.

During the reporting period, therefore, some Inspectorate of Government staff attended various training programmes including among others, Surveillance

Techniques, Financial Forensic Techniques, Trial Advocacy and Plea Bargaining and many others.

1.5.2 National and International Cooperation

The IG appreciates the fact that the war against corruption and the promotion of good governance can only be won through the cooperation, support and exchange of ideas with other stakeholders both at the national, regional and international levels. This has been done through conferences, workshops and exchange programmes and collaboration with local, regional and international anti-corruption agencies.

During the period under review, the IG in conjunction with Transparency International Uganda and UNDP organised an International Anti-Corruption Day dialogue to commemorate the International Anti-Corruption Day under the theme ***“Winning the War against Corruption is Crucial to Realisation of the Millennium Development Goals and Sustainable Development”***. The dialogue which was attended by Government officials, donors, civil society and the academia drew up resolutions and recommendations on issues of corruption to be presented to various Government Institutions for action.

During the same period senior IG officers and staff also attended various workshops and conferences at national and international level where they exchanged information, ideas and experiences with other stake holders on fighting corruption.

1.6 Acknowledgement of support from Development Partners

The Inspectorate of Government continued to receive financial assistance and technical support to strengthen the capacity of the office for better investigation and prosecution of corruption cases from DANIDA, African Development Bank (ADB), DFID, World Bank and African Capacity Building Foundation (ACBF).

Acknowledgement of support from local communities, Government Departments and Organizations:

Cooperation and coordination between IG and other institutions, such as the Directorate of Ethics and Integrity; the DPP; Auditor General; Ministry of Local Government; the Ministry of Finance, Planning and Economic Development; the Judiciary; Ministry of Justice and Constitutional Affairs have greatly improved including in the area of jointly participating in workshops and training programs.

The Media, especially Radio and Television stations have provided avenues for reaching the general public on issues of constitutionalism, exposing corruption and dissemination of information on the crusade against corruption.

The IG has also been able to reach many Tertiary Institutions and shared information on fighting corruption; many Institutions have formed integrity clubs and an association of students has been formed as a result, to bring together students as ambassadors of the anti-corruption cause.

1.7 Major Constraints and Challenges

Despite the continued support by Government and the donors to strengthen the Institution, which is highly appreciated, the IG continues to face a number of constraints and challenges, some of which arise from inadequate funding and others from external sources. These constraints and challenges adversely affect the IG's effective implementation of its mandate of combating corruption, Abuse of office/Authority in order to promote good governance

The challenges and constraints include, inadequate funding, understaffing, operating in rented premises, limited legal reference materials, court delays, and hostile witnesses, lack of computerized data in other Institutions, inadequate institutional

support in the fight against corruption, sophistication in corruption techniques, negative societal attitudes and high expectations from the public to deal with their complaints expeditiously.

1.8 Recommendations

In order to overcome the constraints mentioned above and to realize its mandate, the IG makes the following recommendations.

- (i) Where Institutions or action officers especially District Administrators ignore to implement IG recommendations for no good reason, such officers should be summoned to answer before the relevant Parliamentary Committees.
- (ii) Government should adequately fund and timely release funds to its Ministries, Departments and Agencies, to enable speedy resolution of payment related complaints and avail adequate facilities like computers to improve record keeping and ease data retrieval in public institutions.
- (iii) All Government Ministries, Departments and Agencies should have Inspectorate Units for purpose of internally addressing complaints of maladministration in their respective bodies; and where such Units already exist, they should be strengthened and facilitated to operate effectively and efficiently.

1.9 Future Plans

The Inspectorate of Government will continue to strive towards:

- Improved investigations and prosecutions;
- Verification of leaders' assets and liabilities;

- Train its staff in various investigative skills;
- Continue to sensitise the public especially the youth on corruption issues and endeavour to strengthen all its regional offices by providing better facilitation and more staff.
- Construct/purchase IG premises.
- Improve remuneration of staff.

CHAPTER ONE: INTRODUCTION

1.1 CONSTITUTIONAL REQUIREMENT

The Inspectorate of Government (IG) is a constitutional office mandated under Chapter 13 of the 1995 Constitution of the Republic of Uganda to promote good governance, fight corruption, and enforce the Leadership Code of Conduct. The Constitutional Provisions as spelt out in Article 231 require the Inspectorate of Government to submit to Parliament at least once in every six months a report of the performance of its functions, recommendations as it considers necessary and containing such information as Parliament may require.

This is the 22nd report of the Inspectorate of Government to Parliament. It is a summary of the performance of the Inspectorate of Government during the period July-December 2009.

1.2 JURISDICTION AND INDEPENDENCE OF THE INSPECTORATE OF GOVERNMENT

Article 226 and 227 of the Constitution provides the Inspectorate of Government with areas of authority and independence. The jurisdiction of the Inspectorate of Government covers officers or leaders whether employed in the public service or not, and also such institutions, organizations or enterprises as Parliament may prescribe by law. The office is independent in the performance of its functions and is only responsible to Parliament.

1.3 THE FUNCTIONS OF THE INSPECTORATE OF GOVERNMENT AS PRESCRIBED UNDER ARTICLE 225 OF THE CONSTITUTION INCLUDE THE FOLLOWING:

- To promote and foster strict adherence to the rule of law and principles of natural justice in administration;
- To eliminate and foster the elimination of corruption, abuse of authority and public office;

- To promote fair, efficient and good governance in public offices; subject to the provision of the Constitution, to supervise the enforcement of the Leadership Code of Conduct;
- To enforce the Leadership Code of Conduct;
- To investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this article applies, taken, made, given or done in exercise for administrative functions; and
- To stimulate public awareness about the values of constitutionalism in general and the activities of the office, in particular, through any media and other means it considers appropriate.

1.4 STRATEGIC OBJECTIVES OF THE INSPECTORATE OF GOVERNMENT (2004 - 2009)

With the launching of the Inspectorate of Government Corporate and Development Plan (2004 - 2009) in April 2005, the Inspectorate set out to realize its mission with the following strategic objectives:

- To strengthen and build the capacity of the IG to meet its legislative mandate;
- To investigate and prosecute corruption related cases and enforce the Leadership Code of Conduct.
- To enhance and promote the rule of law and justice in public offices.
- To monitor the utilization of public funds in all Central and Local Government Departments/Institutions;

- To sensitise, educate and enlist public support against corruption; strengthen weak systems and policies in Government Institutions and to monitor levels of corruption through periodic integrity surveys;
- To promote and foster strategic partnerships to fight corruption, abuse of office and administrative malpractices; and
- To represent IG in courts of judicature in matters of civil suits in which the IG is a party.

1.5 ORGANIZATION OF THE INSPECTORATE OF GOVERNMENT

Article 223 of the Constitution provides for the Leadership of the Inspectorate of Government. The Institution comprises the Inspector General of Government (IGG) and two Deputy Inspectors General of Government (DIGGs). The Inspector General of Government and the Deputy Inspector Generals of Government are appointed by the President with the approval of the Parliament of Uganda. The Secretary to the Inspectorate of Government is the Accounting Officer and is appointed by the President on the advice of the Public Service Commission.

For purposes of implementing its functions and objectives the Inspectorate of Government is structured into a Department, Directorates and Units as follows:

Department of Finance & Administration

Headed by the Secretary to the Inspectorate of Government, who is the Accounting Officer. Provides policy direction for the Inspectorate of Government, budgetary control, and provides effective coordination of the activities of the office and manages and coordinates the administrative matters of the Institution.

Directorate of Operations

Headed by a Director, the Directorate of Operations is responsible for ensuring accountability and transparency in public offices through the investigation of corruption and enforcement of the law.

Directorate of Legal Affairs

Headed by a Director, the Directorate of Legal Affairs is responsible for ensuring that the Inspectorate of Government executes its functions and exercises its powers in accordance with the law by rendering legal advice to the Inspectorate of Government. The Directorate addresses issues of mal-administration in public offices through the handling of complaints involving administrative injustice. The Directorate further enhances transparency and accountability in public offices through prosecution of suspects of corruption and abuse of office.

Directorate of Education and Prevention of Corruption

Headed by a Director, the Directorate of Education and Prevention of Corruption is responsible for stimulating public awareness about the values of Constitutionalism and the activities of the Inspectorate of Government through workshops/seminars, articles in the print media and other means the Inspectorate of Government considers appropriate.

Directorate of Leadership Code

The Directorate of Leadership Code is headed by a Director who ensures that the principles and values of integrity, transparency and accountability among leaders in public institutions as specified in the Leadership Code Act are adhered to. This is done by ensuring that the leaders declare their income, assets and liabilities. The Directorate also investigates leaders who engage in conduct prohibited by the Leadership Code of Conduct in addition to verification of leaders' declarations.

Directorate of Regional Offices and Follow Up

Headed by a Director, the Directorate of Regional Offices and Follow Up improves efficiency in service delivery by taking the services of the Inspectorate of Government nearer to the people and ensuring the implementation of recommendations of the IGG by

public officials/institutions. The Directorate coordinates Regional Offices and provides statistical information on the output of the Inspectorate of Government.

Civil Litigation Unit

Following the Constitutional ruling in Constitutional Petition No. 18/06 in which court declared that the IG is a body corporate and can sue or be sued, the office has established a Civil Litigation Unit which is responsible for representing the IG in courts of judicature in civil suits where the IG is a party or has an interest.

Policy and Systems Study Unit

The Unit is headed by a Senior Principal Inspectorate Officer who reports directly to the Inspector General of Government. The Unit is responsible for carrying out studies of identified Government systems, practices/procedures and policies with a view to make recommendations to the concerned Government institutions so that they might address critical and chronic issues that hinder efficient service delivery and promote corruption.

Information & Internal Inspection Unit

Headed by a Senior Principal Inspectorate Officer who reports directly to the Inspector General of Government, the Information and Internal Inspection Unit ensures efficiency, transparency and accountability among staff of the Inspectorate of Government by detecting and curtailing possible corruption among staff. In addition it gathers information on corruption in the country. The Unit also vets newly recruited staff and ensures that they have genuine documents and a clean record.

1.6 REGIONAL INSPECTORATE OF GOVERNMENT OFFICES

To take its services closer to the people, the Inspectorate of Government established 13 Regional Offices headed by Principal Inspectorate Officers. The Inspectorate of Government Regional Offices are structured to handle Districts in the following manner:

- **Arua Regional Inspectorate Office** handles complaints from Koboko, Arua, Adjumani, Moyo, Nebbi, Yumbe and Maracha/Terego districts.

- **Fort Portal Regional Inspectorate Office** handles complaints from Bundibugyo, Kabarole, Kamwenge, Kyenjojo and Kasese districts.
- **Gulu Regional Inspectorate Office** handles complaints from Gulu, Kitgum, Pader and Amuru districts.
- **Hoima Regional Inspectorate Office** handles complaints from Hoima, Kibaale, Kiboga, Buliisa and Masindi districts.
- **Jinja Regional Inspectorate Office** handles complaints from Kaliro, Bugiri, Jinja, Kamuli, Iganga and Mayuge districts.
- **Kabale Regional Inspectorate Office** handles complaints from Kanungu, Kisoro, Rukungiri and Kabale districts.
- **Kampala Office/Headquarters** handles complaints from Central Government, Kampala, Kayunga, Luwero, Mpigi, Mityana, Nakaseke, Mukono, Mubende, Nakasongola and Wakiso districts and cases referred from the various regional inspectorate offices.
- **Masaka Regional Inspectorate Office** handles complaints from Kalangala, Masaka, Sembabule and Rakai districts.
- **Mbale Regional Inspectorate Office** handles complaints from Bukwo, Kapchorwa, Mbale, Sironko, Budaka and Pallisa districts.
- **Mbarara Regional Inspectorate Office** handles complaints from Ibanda, Isingiro, Bushenyi, Mbarara, Kiruhura and Ntungamo districts.
- **Soroti Regional Inspectorate Office** handles complaints from Amuria, Kaberamaido, Katakwi, Kumi and Soroti districts.

- **Moroto Regional Inspectorate Office** handles complaints from Moroto, Abim, Nakapiripirit, Kotido and Kaabong districts.
- **Lira Regional Inspectorate Office** handles complaints from Lira, Apac, Oyam, Dokolo and Amolatar districts.
- **Tororo Regional Inspectorate Office** handles complaints from Tororo, Busia, Butaleja, Manafwa and Bududa districts.

CHAPTER TWO: ENFORCEMENT MEASURES

2.1 INTRODUCTION

This Chapter highlights the Enforcement measures used by the Inspectorate of Government in the realization of its constitutional mandate. These measures aim at ensuring: -

- The rule of law in public offices
- Accountability by public officials
- Integrity among public officers
- Transparency in the exercise of administrative functions by public officials.

One of the enforcement measures is investigations.

Investigations are carried out in instances where the following are alleged:

- Commission of any offence under the Anti-Corruption Act, 2009
- Breach of the Leadership Code of Conduct by leaders specified in the Leadership Code Act 2002
- Administrative injustice and mal-administration in public offices
- Mismanagement of PAF.

Where the subject of an investigation is found to have committed a criminal offence, investigations may result in prosecution. Where the culprit is found to have breached the Leadership Code or is involved in administrative malpractice, disciplinary action in varying degrees from a warning to dismissal may be recommended. Assets may also be recovered from a leader who has acquired them through corrupt means.

To ensure accountability by public officials, the Inspectorate of Government also carries out regular inspections at the level of District Local Governments to monitor the utilization of money from the Poverty Action Fund. Where corruption is revealed, the culprits may be prosecuted and where there is failure in proper management of PAF, varying degrees of disciplinary action may be recommended.

The Inspectorate of Government may also prosecute Public officials involved in various corruption-related crimes in accordance with powers granted by the Constitution, and the Inspectorate of Government Act, 2002.

Another enforcement measure used by the Inspectorate of Government to curb corruption and ensure the integrity of public officials is the Enforcement of Leadership Code of Conduct.

The Inspectorate of Government is mandated to enforce the Leadership Code of Conduct to ensure leaders are exemplary in their conduct and show integrity in conducting public affairs. The Leadership Code Act, 2002 requires all specified leaders to declare their incomes, assets and liabilities to the Inspector General of Government. The Act among other things also ensures minimum standard of behaviour and conduct that might otherwise compromise honesty, impartiality, and integrity of leaders or might lead to corruption in public offices and imposes penalties on leaders who are found in breach of the code.

2.2 INVESTIGATIONS

During the period July - December 2009, the workload in terms of complaints handled was as follows:

Complaints brought forward (from the previous period)	-	2,572
New complaints received/initiated	-	827
Audit Reports	-	<u>189</u>
Total workload	-	3,588
		=====

Out of **3,588** complaints that were available for investigations, a total of **543 (15%)** were investigated and completed while preliminary inquiries were carried out for **107 (3%)** complaints which were later referred to other institutions for appropriate action.

During the previous period, a total of **288** complaints were investigated and completed compared to **543** complaints that were investigated during the current period accounting

for **89%** increment in the complaints investigated. The new complaints received increased from **739** (in the previous period) to **827** in the current period accounting for **12%** increment. A total of **2,938** complaints were carried forward to the next period.

Out of **827** new complaints received during the period July - December 2009, only **95 (11.5%)** were received from women compared to **662 (80%)** complaints which originated from men while the rest **70 (8.5%)** were received from groups of individuals.

Table I: Workload for the periods January - June 2009 & July - December 2009

	January - June 2009	July - December 2009
Complaints B/F (a)	1,834	2,572
Audit Reports	360	189
New complaints received (b)	739	827
Total workload (c) = a + b	2,933	3,588
Investigated & completed (d)	288	543
Referred to other Institutions (e)	73	107
Total complaints concluded (f) = d + e	361	650
Carried forward (g) = c - f	2,572	2,938

Of the total number of complaints received by the Inspectorate of Government, **418 (50.5%)** were received at the Headquarters in Kampala while **409 (49.5%)** were registered at the Regional Offices.

Table II: Complaints registered by the IG offices (July - December 2009)

S/NO.	Office	No. of Complaints	Percentage
1.	Kampala	418	50.5%
2.	Jinja	40	4.8%
3.	Fort Portal	56	6.8%
4.	Mbarara	29	3.5%
5.	Masaka	54	6.5%
6.	Arua	46	5.6%
7.	Hoima	25	3.0%
8.	Mbale	13	1.6%
9.	Gulu	29	3.5%
10.	Soroti	42	5.1%
11.	Kabale	24	2.9%
12.	Lira	17	2.1%
13.	Tororo	18	2.2%
14.	Moroto	16	1.9%
	TOTAL	827	100%

2.2.1 INSTITUTIONS/DEPARTMENTS MOST COMPLAINED AGAINST - JULY - DECEMBER 2009

Analysis of the complaints received against Government Departments/Institutions during the period July - December 2009 indicate that most complaints received by the Inspectorate of Government were those against District Administrations which were **148** of the total complaints received accounting for **18%**. The common nature of complaints against district Administrators include Mismanagement and Misappropriation of public funds/resources, Abuse of office, Embezzlement, Mishandling of tenders and contracts and Property disputes.

Complaints against individual public officials ranked the 2nd highest category complained against constituting **11.9%** (98 complaints) of the total complaints received. These are officials who have individually continued to use their offices for private gain. The nature of cases mostly reported in this category include abuse of office, conflict of interest, forgery and uttering false documents, property disputes and victimization/oppression of other staff.

The 3rd ranked category was that of Municipal Councils/Town Councils accounting for **8.6%** (71 complaints) of the total complaints received. The nature of complaints in this category included mishandling of tenders/contracts, conflict of interest, abuse of office, embezzlement and property disputes. Most complaints in this category were registered at the regional offices.

Complaints against police were the 4th highest accounting for **7.4%** (61) complaints of the total complaints received. Most complaints against Police involved mismanagement, bribery, delay of service delivery, victimization/oppression, conflict of interest and general misconduct among others.

Complaints against school authorities both primary and secondary schools ranked 5th accounting for **6.0%** (50 complaints) of the total complaints received. The nature of complaints in this category remains mismanagement and misappropriation, abuse of

office, forgery and uttering of false documents. Majority of these complaints were registered at Regional Offices.

District Service Commissioners were the 6th ranked category mostly complained against accounting for 5.1% (42 complaints) of the total complaints received. The complaints against the District Service Commissions include mainly mismanagement of recruitments into the public service and abuse of office. Most of these cases were registered at Regional Offices.

The details of departments/institutions complained against during the period July - December 2009 are contained in Appendix B of this report.

2.2.2 POVERTY ACTION FUND (PAF) MONITORING AND INVESTIGATIONS

The Inspectorate of Government is mandated to monitor the utilization of PAF funds and to investigate suspected misuse or poor management of funds for UPE, Primary Health Care, Water and Sanitation, Feeder Road Maintenance, Functional Adult Literacy, School Facility Grant, Plan for Modernisation of Agriculture (PMA), Local Government Development Programme (LGDP) and the PAF monitoring and accountability grant.

Under the Poverty Action Fund (PAF), the Inspectorate of Government is in addition, mandated to prosecute or cause prosecution of cases where the Poverty Action Fund (PAF) has been mismanaged.

During the period under review the IG carried out PAF inspections and monitoring in Nakawa Division.

The following were IG's general observations and recommendations:

- There were inordinate delays in implementation and completion of LGDP projects which shows poor planning.
- There were instances of forgery and falsification of accountabilities for LGDP monitoring.

- Most health centres are dilapidated and lack drugs to handle the growing number of patients.

It was therefore recommended that;

- Legal binding contract agreements should be signed by contractors so that legal action can be taken against defaulting contractors.
- There is need to improve on health centres as the facilities in most of them are dilapidated and can no longer cope with the growing number of patients.
- The CAO and CFO must ensure timely and proper accountabilities for PAF funds.

2.3 ARRESTS MADE

The IG has powers to arrest or cause arrests of public officials who investigations reveal to be corrupt. During the period under review, the following officials were arrested and are being prosecuted in various courts of law:

TABLE III

ARRESTS EFFECTED BETWEEN JULY - DECEMBER 2009

S/N	REFERENCE	TITLE OF ACCUSED	OFFENCE(S)
1.	MBR.CF/11/2009	Mugenyi Stanley, Principal Land Surveyor, Mbarara	Corruption and abuse of office.
2.	TS.63.2009	D/C ASP Mugyema George, Police Officer, CPS Kampala	Soliciting and receiving gratification
3.	TS.63.2009	D/C Munonya Emmanuel, Police Officer, CPS Kampala.	Soliciting and receiving gratification
4.	TS.179.2007	Mr. Gamusi Ronald, Primary teacher - Mukono.	Causing financial loss.
5.	MBR.CF/03/2008	Mr. Twine Naboth, Headteacher, Kitamba Primary School	Abuse of office.
6.	TS.77/2009	Mr. Katwesigye Robert, Court process server, Kabale	Soliciting and receiving gratification.
7.	GUL/CF/04/2009	Mr. Kirama Benson, Deputy Mayor, Gulu	Abuse of office and causing financial loss.
8.	GUL/CF/04/2009	Mr. Okongo Denis, Assistant Town Clerk, Gulu	Abuse of office and causing financial loss.

2.4 PROSECUTIONS

2.4.1 Introduction:

The powers of the Inspectorate of Government to prosecute or cause prosecution of cases involving corruption and abuse of office are derived from the Constitution of the Republic of Uganda 1995, which provides in Article 230 (1) that:

“The Inspectorate of Government shall have power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office”.

During the period under review, IG had seventy (70) ongoing cases, out of which sixty two (62) were carried forward from the previous period and eight (8) were new cases registered in courts during the reporting period. Only one case resulted into conviction. Below is a summary of cases that were prosecuted during the period and their status.

**TABLE IV:
SUMMARY OF ON-GOING PROSECUTION CASES DURING THE PERIOD JULY - DECEMBER 2009**

S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS
1.	Onegi Obel, former Chairman Board of Directors NSSF, Leonard Mpuuma, former Managing Director NSSF, Bakoko Bakoru, former Minister of Gender and Labour and James Isabirye a Business man.	Causing financial loss, abuse of office and corruption.	Leonard Mpuuma pleaded guilty, was sentenced to 3 years or a fine of Shs.50,000,000/= and compensation of Shs.50,000,000/=. He paid both fine and compensation. Hearing of prosecution case against others continues.
2.	Ganafa George, Goma Sub-county Accountant.	Embezzlement and abuse of office.	Hearing of prosecution case continues.
3.	Kabareeba LC III Chairman Rukungiri.	Embezzlement.	Accused died and case withdrawn.
4.	Twine Naboth.	Abuse of office and causing financial loss.	Case is on mention.
5.	Bakera Stephen, Officer in charge of salaries, Jinja Referral Hospital.	Abuse of office and causing financial loss.	Hearing of prosecution case continues.
6.	Akuta Olupot, former Chief Financial Officer, Kiboga district, Kateregga Mustapha, former Acting District Accountant and Kyeyune	Abuse of office, causing financial loss and Embezzlement.	Hearing of prosecution case continues.
S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS

	Mohammed, former Acting District Accountant.		
7.	Masaba Richard, Mayor of Mbale Municipal Council.	Abuse of office, causing financial loss and forgery.	Case transferred from Anti-corruption Court to Criminal Division High court Mbale.
8.	Wonyema James Masaba, Assistant Town Clerk, Mbale.	Abuse of office and causing financial loss.	Hearing of prosecution case continues.
9.	Stanley Mugenyi	Corruptly soliciting and receiving a bribe.	Accused jumped bail case is on mention.
10.	Rose Ochom, former CAO Kumi, Johnson Opolot, former Assistant CAO, Charles Okalebo, former Principal Accounts Assistant, Amos Stanley Omongo, former Internal Auditor and Benjamin Ailak, former DEO Kumi District.	Abuse of office and causing financial loss.	Benjamin Ailak pleaded guilty, hearing of prosecution case against others continues.
11.	Nabeta Tibiita Joseph, Primary School teacher, Kiyagi Primary School, Mukono.	Embezzlement.	Hearing of prosecution case continues.
12.	Kiwanuka, Labour Officer, Mukono.	Abuse of office and causing financial loss.	Hearing of defence case continues.
13.	Chemisto Alfred, former Town Clerk, Kapchorwa, Swami Martin a former Accounts Assistant, Sammy Nelson former Treasurer, Jimmy Yeshe, former Internal Auditor, Kapchorwa District and Andrew Kulani, a businessman Kapchorwa.	Abuse of office, causing financial loss and theft.	Hearing of prosecution case in progress.
14.	Kansiime Francis, Town Engineer, Kyenjojo Town Council.	Abuse of office, causing financial loss and Embezzlement.	Dismissed at no case to answer. IG filed an appeal.
15.	Tumushangye Dismas, Assistant Engineering Officer of Ntungamo district.	Abuse of office, causing financial loss and Embezzlement.	Hearing of prosecution case continues.
16.	Bongomin Richard Akal, Senior District Planner, Pader.	Abuse of office, causing financial loss, Embezzlement, forgery of documents, falsifying documents and uttering false documents.	Revision application was filed by IG and the ruling is to be delivered on notice.
17.	Mudioppe Peter, former Medical Superintendent, Busolwe Hospital, Tororo.	Embezzlement, causing financial loss and abuse of office.	Hearing of prosecution case continues.
18.	Dr. Ogram, Commissioner Labour and Wasswa, Labour Officer, Kampala.	Abuse of office.	Revision application was filed by prosecution and the case is on mention.
S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS

19.	B. S. Okello, Chairman, Ocira George, Ag. Secretary and Okot Jalon, Treasurer. All the officers of East Acholi Cooperative Union Ltd.	Abuse of office, causing financial loss, embezzlement and false accounting by a public officer.	Hearing of prosecution case continues.
20.	Ozelle Eriam, District Engineer, Kura Vasco, Education Officer, Okite George, Engineering Assistant, Okech Oloya, Sub-county Chief and Iwupat David, a Headmaster.	Abuse of office and causing financial loss.	Hearing of prosecution case continues.
21.	John Rubabanza and Syson Kekuruso 1. John Rubabanza, Deputy DISO Mpigi District. 2. Syson Kakuruso, Lawyer and Resident in Kampala District.	Forgery and uttering false document.	The accused filed a petition in Constitutional Court for interpretation, hearing in lower court stalled and the case is just being mentioned till disposal of the application in Constitutional Court.
22.	Oboth S.P.O., former CAO, Tororo.	Causing financial loss and abuse of office.	The accused petitioned Constitutional Court for interpretation of Constitutional matters, in the interim the matter is on mention.
23.	Proscovia Mbabazi, Goma Sub-County Cashier in Mukono District.	Embezzlement and abuse of office.	Hearing yet to commence.
24.	Matovu Emmanuel, former Prisons Commander, Mukono District.	Causing financial loss and abuse of office.	Hearing of Prosecution case continues.
25.	Ampumwize Nads, District Economist of Kabale District.	Causing financial loss, false accounting and embezzlement.	Hearing of prosecution case continues.
26.	Gizibui Sam, Sub-county Chief, Buwalasi Sub-county and Mataka Geoffrey, the Sub-Accountant, Sironko District.	Abuse of office, causing financial loss, embezzlement and false accounting by a public officer.	Hearing of prosecution case continues.
27.	Odoch Willy, Businessman/Supplier Agent of ODFA Holdings Ltd, Odongo Okino the Financial Controller, the Northern Uganda Reconstruction Programme and Martin Gwokto, former CAO, Arua district.	Abuse of office, causing financial loss, obtaining money by false pretence, forgery of documents and uttering false documents.	Pending a directive from the Principal Judge regarding how to proceed in absence of exhibits is awaited.
28.	Kayongo Male, former Chief Administrative Officer Kiboga and Okuta Oluput, former Chief Finance Officer, Kiboga.	Abuse of office, causing financial loss, embezzlement and false accounting by public officials.	Hearing of prosecution case continues.
S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS

29.	Gamusi Ronald, Teacher Bishop Primary School.	Causing financial loss.	Hearing of prosecution case continues.
30.	Eng. Mugisha and Eng. Sentumbwe Ahmed both Engineers working with Directorate of Water Development at Luzira, Kampala.	Corruption, abuse of office and conspiracy to defeat justice.	Hearing of prosecution case in the Supreme Court continues.
31.	Morris Robert Kairania, District Engineer, Bundibugyo currently at Kampala City Council as Senior solid waste Engineer, Senyondo Francis, former Ag. CAO Bundibugyo currently a Senior Assistant Secretary, Bundibugyo, Kapipa Isaac, a former CFO Bundibugyo and Kabagambe Samuel a former Senior Accounts Assistant, Bundibugyo.	Abuse of office and causing financial loss.	Hearing of the case continues.
32.	Senyondo Francis former Ag. CAO Bundibugyo currently a Senior Assistant Secretary, Bundibugyo, Kapipa Isaac, a former CFO Bundibugyo and Kabagambe Samuel, a former Senior Accounts Assistant, Bundibugyo.	Abuse of office, causing financial loss and giving false certificates.	Hearing of the case continues.
33.	Major General Muhwezi Jim, former Minister of Health, Captain Mike Mukula, Dr. Kamugisha Alex and Ms. Alice Kaboyo - Former State Ministers of Health and an Aide in President's Office.	All three are accused of Abuse of office and causing financial loss. In addition Major General Muhwezi Jim is accused of theft and embezzlement, Captain Mike Mukula is accused of embezzlement, Kamugisha, obtaining money by false pretences, Kaboyo, theft, forgery, making a document without lawful authority and uttering a false document.	Hearing of the case stalled following an application filed by accused persons in constitutional court.
34.	Tumwesigye Joseph, Land Officer, Ministry of Lands and Urban Development.	Abuse of office and causing financial loss.	Case was withdrawn.
35.	Musinguzi Balaam, Assistant Agricultural Officer, Ntungamo and Faith Najjuko, Cashier Mbarara National Agricultural	Causing financial loss, abuse of office and false accounting.	Hearing of prosecution case continues.

	Research centre.		
36.	Bufumbo Moses, Headteacher Namulonge Primary School, Mpigi district.	Causing financial loss, abuse of office and making false claims.	Ruling is awaited.
37.	Byarugaba Godfrey, District Water Officer, Ntungamo.	Causing financial loss and abuse of office.	Case was withdrawn.
38.	Muwonge Andrew, Secretary, Eflance Kiwanuka, Ag. Secretary, David Ssalango Kanakulya, Head of Finance, Sebunya Herbert, Internal Auditor, Suzan Wanume, Senior Assistant Electoral Officer and Aida Nankumba, Assistant Electoral Officer, all former employees of the Uganda Electoral Commission.	Causing financial loss and abuse of office.	Hearing of prosecution case continues.
39.	Nyete Japheth, Health Inspector, Water Department, Ntungamo District. (He has two other criminal cases pending).	Causing financial loss, false accounting and abuse of office.	Hearing of prosecution case continues.
40.	Kezaala Baswale Mohammed, Mayor Jinja Municipal Council.	Causing financial loss and abuse of office.	Case was withdrawn.
41.	Sebanenya Kyobe Ronald, Division Engineer, Nakawa Division.	Causing financial loss and embezzlement.	Dismissed for want of prosecution.
42.	Bizirake Mollie, Principal Assistant Town Clerk, Kampala City Council.	Abuse of office and causing financial loss.	Dismissed for want of prosecution.
43.	Magezi Richard, Community Development Officer, Rubaga Division.	Causing financial loss, embezzlement and false Accounting.	Mention.
44.	Mulambuzi David, Ag. Senior Principal Assistant Town Clerk Central Division.	Abuse of office and causing financial loss.	Mention.
45.	Gashenyi John Wycliffe, Town Clerk, Kiboga Town Council, Katamba Fred, Senior Assistant Secretary, Mukono District Local Government and Musaazi	Abuse of office and neglect of duty.	Mention.
46.	Kanaku	Abuse of office and causing financial loss.	Case was withdrawn.
47.	Okongo Denis and Kilara Benson	Abuse of office, and causing financial loss.	Mention.
48.	Kanakulya Ibrahim	Abuse of office and causing financial loss.	Dismissed.
49.	Ndifuna Moses, Grade II	Corruptly soliciting and	Convicted.

	Magistrate, Mbarara.	receiving a gratification, abuse of office.	
50.	Katwesigye Ernest	Corruptly soliciting and receiving a gratification.	Withdrawn.
51.	Mugyema Grevas and Munonya Emmanuel	Corruptly soliciting and receiving a gratification.	Case is still on mention.

* The nineteen (19) cases which are on appeal are not included in the summary above.

2.4.2 Constraints encountered by the Inspectorate of Government In Prosecution of Cases

Internal factors

- ***Inadequate facilitation***

- (a) Transport: The vehicles are still few and aged, making it sometimes difficult to travel to upcountry courts for prosecution.
- (b) Funds for travel inland are still limited.
- (c) There are no sufficient funds for clear staff retention programmes that cater for continuous training and improved motivation. In spite of improved motivation, Lawyers continue to leave the Inspectorate for better paying jobs. The rate of recruiting and training is not in pace with the exit.
- (d) Limited Legal reference materials

The Inspectorate of Government Library has limited reference materials. The situation has not improved in the period under review. Although the Library is stocked with materials such as High Court Bulletins, Kampala Law Reports, recent statutes, Statutory Instruments and Regulations, more Legal reference materials are required.

External factors

The Inspectorate of Government continues to face problems associated with court delays and sometimes hostile witnesses. Most of the cases in courts have taken long to be disposed of. This adversely affects the prosecution of cases since witnesses get fatigued, others lose interest in cases, and others face intimidation and are overwhelmed with fear while others die. Others simply cannot testify freely as most often they are accomplices, sometimes loss of exhibits from court also affect IG proceedings.

The Inspectorate of Government suffers delays also in the appellate process of the courts.

2.4.3 Future Plans

- The quality of prosecutions is to be improved through on job practical training of Lawyers, attachment of Lawyers to other prosecuting agencies and increased cooperation and co-ordination with the Directorate of Public Prosecutions.

2.5 CIVIL CASES

As part of its mandate and functions, the Inspectorate of Government as an independent institution with a corporate status handles civil suits, constitutional petitions and any other civil applications that are instituted by or against the Inspectorate of Government in Courts of Judicature. These include; Civil Suits, Civil Applications, Constitutional Petitions, Constitutional Applications and Mediation Proceedings.

For the period under review, the Inspectorate of Government handled a total of twenty eight (28) civil cases which include:-

- Five (5) civil suits
- Fifteen (15) civil applications
- Six (6) Constitutional petitions
- One (1) Constitutional application
- One (1) Mediation Proceeding

2.5.1 Status report on the civil cases:

Five (5) Civil suits

- Two (2) civil suits are pending hearing at the High Court of Uganda.
- One (1) civil suit was argued before the Supreme Court of Uganda and it is pending delivery of the judgement.

- One (1) civil suit was decided against the Inspectorate of Government by the Court of Appeal and the Inspectorate of Government has since filed an Appeal in the Supreme Court of Uganda.
- One (1) civil suit was withdrawn against the Inspectorate of Government.

Fifteen (15) Civil applications

- Eight (8) civil applications are pending hearing at the High Court of Uganda.
- Two (2) civil applications were argued before the judges of the High Court of Uganda and they are pending delivery of the judgements.
- Two (2) civil applications were decided in favour of the Inspectorate of Government and costs were awarded to the Inspectorate of Government.
- One (1) civil application was decided against the IG.
- Two (2) civil applications were withdrawn against the IG.

Six (6) Constitutional petitions

- Three (3) Constitutional petitions are pending hearing at the Constitutional Court of Uganda.
- Three (3) Constitutional Petitions were argued and they are pending delivery of judgements by the Constitutional Court of Uganda.

One (1) Constitutional Application

- The Constitutional Application was withdrawn by the Petitioner and costs were awarded to the IG.

One (1) Mediation Proceeding

- The mediation proceeding is pending hearing before the Registrar of the High Court of Uganda, Commercial Division.

2.6 ENFORCEMENT OF THE LEADERSHIP CODE OF CONDUCT

Article 225(1) (d) and 234 of the Constitution of the Republic of Uganda 1995, section 3 (1) of the Leadership Code Act 2002 and S.8 (1) (d) of the Inspectorate of Government Act

2002 mandates the Inspectorate of Government to enforce the Leadership Code of Conduct.

The Leadership Code Act, 2002 provides for a minimum standard of behaviour and conduct for leaders; it requires all specified leaders to declare their incomes, assets and liabilities to the Inspector General of Government. The Code prohibits conduct that is likely to compromise the honesty, impartiality and integrity of leaders or conduct that leads to corruption in public affairs; and it imposes penalties on leaders who breach the Code.

Section 37 of the Leadership Code Act 2002 provides that the Inspectorate shall include in its statutory Report to Parliament a report on its enforcement of the Code.

During the period under review, the IG carried out the following planned activities:

2.6.1 Verification of leaders' declaration of incomes, assets and liabilities and investigations of allegations of the breach of the Leadership Code

- During the period under review, six verifications of leaders' declarations were carried out and 31 properties of the six leaders were physically verified in the districts of Isingiro, Mbarara, Kanungu, Mubende, Kabale, Lira and Kampala, including taking out bank Inspection Orders of 15 bank accounts from 10 banks country wide. Fourteen (14) investigations of alleged breach of the Leadership Code, and verification of leaders' declarations were completed.

2.6.2 Asset forfeiture and recovery

As a result of investigations and verification it was established that the assets of one Principal Accountant were not commensurate to his income and liabilities. The leader's property worth over 1.2 billion shillings is to be forfeited and confiscated. He took the matter to the High Court to stop the confiscation and forfeiture.

2.6.3 Examination and processing of leaders' declarations of income, assets and liabilities of 2009

During the period under review, a total of 8,133 declarations of income, assets and liabilities of leaders submitted were examined and processed leaving a balance of 998 declarations to be examined and processed.

2.6.4 Identifying leaders who failed to declare for the year 2009

1,548 leaders were identified as defaulters and reminder letters were sent to 95 of them who responded and gave explanations. The exercise is continuing.

2.6.5 Distribution of Declarations of income, assets and liabilities forms for the period ending March 2010

The process of distribution of declarations of income, assets and liabilities forms to the 1,653 leaders due to declare in the period ending 31st March 2010 commenced.

2.6.6 Gifts declared by leaders

Section 10(1) of the Leadership Code Act, 2002 requires a leader to declare to the Inspector General of Government a gift or donation received on any public or ceremonial occasion, or a commission on any transaction.

During the period under review the Senior Superintendent of Police declared to the Inspector General of Government a fine art painting, one steel travelling mug, one sculpture and a set of two melamine trays. He was advised to keep the gifts for his home use.

2.6.7 Future Plans

- Continue with investigations and verifications of leader's declarations of income, assets and liabilities and the allegations of breach of the Leadership Code.
- Complete the examination and process the remaining 998 declarations of income, assets and liabilities of leaders for the year 2009.
- Complete seeking explanation to the remaining identified leaders who failed to declare for the year 2009.

- Resume and complete data entry of 5,775 leaders' declarations for the years 2007/2008.
- Receive, examine and process declarations of income, assets and liabilities of leaders submitted in the period ending 31st March 2010.
- Finalise the Leadership Code Rules.
- Complete simplification of the Leadership Code Act, 2002.
- Test the new designed declaration of income, assets and liabilities form amongst a cross section of selected leaders.

2.7 IMPLEMENTATION OF ADMINISTRATIVE JUSTICE IN PUBLIC OFFICES - THE OMBUDSMAN FUNCTION

The Ombudsman function of the Inspectorate of Government is derived from Article 225 (1) of the 1995 Constitution, which outlines the functions of the Inspectorate of Government.

The Inspectorate of Government fulfils the functions through investigation of maladministration and administrative injustice within public offices and recommending corrective action.

During the period under review, the nature of complaints handled included;

- Employment disputes e.g. unfair dismissals, victimization and sexual harassment.
- Non-payment or delayed payment of salary, salary arrears, leave allowances, pension, gratuity and terminal benefits.
- Inheritance disputes and administration of estates.
- Property disputes.
- Improper tendering procedures especially by both Central and District Local Governments.
- Abuse of office.

During the reporting period, Ombudsman complaints accounted for **32% (268)** of all complaints handled by the office. Majority of these were against Ministry of Lands, Kampala office, Ministry of Public Service and Administrator General's department.

Below is a summary of some of the Ombudsman complaints that were successfully handled.

- **Comp 56/1/09 Alleged non-payment of pension arrears**

The complainant alleged that his pension arrears were not paid by Ministry of Public Service. The matter was followed up and he was paid.

- **Comp 6/7/09 Alleged flouting of procurement procedures**

It was alleged that the Uganda Aids Commission was deliberately delaying the tendering process so as to encourage corrupt practices. IG intervened and the bidding process was finalized.

- **Comp 21/9/09 Alleged wrongful refusal by the Commissioner Land Registration to register a caveat**

It was alleged that the Commissioner Land Registration had unfairly refused to register a caveat. Investigations revealed that the complainant had no interest in the said land since he was not the registered proprietor.

- **Comp 56/1/09 Alleged non-payment of pension arrears**

The complainant alleged that Ministry of Public Service had delayed to pay his pension arrears. Investigations revealed that he had been paid but there had been a mix-up in accounts. The complainant was informed accordingly and he confirmed having received the money and thanked the IG in writing for its assistance.

- **Comp 55/7/07 Alleged non-payment of salary arrears**

The complainant alleged that Mulago hospital had failed to pay him salary arrears from November 2001 to June 2005. IG intervened and he was paid.

- **Comp 38/8/07 Alleged delay in delivering**

The complainant alleged that there was delay in delivering a ruling in MSC Application 78 of 2002 arising from HCCS 707 of 2001. IG intervened and the ruling was delivered.

- **Comp 14/12/08 Alleged non-payment of salary arrears**

The teacher attached to Wakiso district alleged that she had been unfairly denied salary arrears. Investigations revealed that the complainant had absented herself from duty a number of times and she had even apologized in writing for it. She could therefore not be paid for days she had not worked. The district was therefore found not to have been at fault.

- **Comp 37/6/07 Alleged non-payment of pension arrears**

The complainant alleged that Ministry of Public Service had refused to pay him his pension arrears. IG intervened and the arrears were paid.

- **Comp 80/7/09 Alleged refusal to refund cash bail**

The complainant alleged that his cash bail had not been refunded by the Chief Magistrate's Court Soroti. IG intervened and the money was refunded.

- **Comp 37/4/07 Alleged diversion of loan repayment funds**

Luwero district officials were alleged to have diverted funds meant for loan repayment by teachers. IG intervened and the District Administration refunded the money.

- **Comp 21/8/07 Alleged delayed payment of pension**

The complainant alleged that Ministry of Public Service had delayed to process his gratuity and pension arrears worth Shs.86 million. IG intervened and he was paid.

- **Comp 105/1/08 Alleged non-payment of salary arrears**

Teachers attached to Masindi District Local Government complained that the district had failed to process their salary arrears. IG intervened and the salary arrears were paid.

- **Comp 25/10/05 Alleged non-payment of terminal benefits and salary arrears**

The complainant, a former employee of Civil Aviation Authority alleged that he had not been paid his terminal benefits and two months' salary. IG intervened and he was paid all his dues.

- **Comp 2/12/08 Delay to be confirmed into the Teaching Service**

The complainant alleged that the Education Service Commission had delayed to confirm him into the teaching service yet he had taught for many years. IG intervened and he was confirmed.

- **Comp 25/11/08 Alleged non-payment of pension benefits**

The complainant alleged that Ministry of Public Service had delayed to pay pension benefits due to his deceased's father's estate. The matter was investigated and it was established that the deceased's benefits had been sent to the Administrator General's office. The complainant was accordingly advised to pick the money from Administrator General's office.

- **Comp 41/4/09 Alleged irregularity in the appointment of the Clerk to Council, Mpigi District**

The complainant alleged that the Clerk to Mpigi District Council lacked the requisite qualifications for the post. The matter was investigated and it was established that the Clerk had the requisite qualifications and allegations were found to have been baseless.

- **LD 3/08 Alleged failure to get a special certificate of title for Block 312, Plot 172 at Busiro, Mengo**

The complainant alleged that the Land office had refused to issue a special certificate of title to him. The original certificate of title was located and transferred following this office's intervention.

- **Comp 47/7/07 Alleged non-payment of pension arrears by the Ministry of Public Service**

The complainant alleged that his pension arrears had not been paid by the Ministry of Public Service. IG intervened and he was paid.

- **TS.51.2002 Alleged irregular allocation of land comprised in Bulemezi Block 1015 Plot 14 by Luwero District Land Board**

The complainant received 208 hectares of land in accordance with the Uganda Land Commission decision of 1989 and a certificate of title was issued.

- **Comp 60/11/07 Alleged failure to pay terminal benefits by the Ministry of Public Service**

The complainant alleged that his terminal benefits had not been paid by the Ministry of Public Service. IG intervened and the benefits were paid.

- **Comp 14/2/09 Alleged fraudulent allocation of Plot 31, Kayunga Road, Njeru Town Council**

The complainant alleged that his Plot had been fraudulently allocated to another person. IG intervened and the complainant was given the plot he was entitled to.

- **Comp 9/5/08 Alleged delay by the Administrator General to grant a certificate of no objection to selected beneficiaries in respect of the estate of the late Mudebo George Wabulo**

The certificate of no objection was issued following IG's intervention.

CHAPTER THREE: PREVENTIVE MEASURES

3.1 INTRODUCTION

Although enforcement measures tend to attract more public attention, preventive measures are more effective in combating corruption in the long-term, promoting the rule of law, administrative justice and good governance. Hence in the endeavour to curb corruption and promote good governance in public institutions, the IG has developed a strategy which includes public awareness programmes and research into public policies and systems of public institutions and during the period under review the following preventive measures were carried out:

3.2 PUBLIC AWARENESS PROGRAMMES

Under the 1995 Constitution of the Republic of Uganda, the Inspectorate of Government is mandated to sensitize and educate the public about the values of constitutionalism in general and the activities of the office in particular, through any media or any other means it considers appropriate. The public is also educated about their Constitutional right to access public services without having to pay bribes or any other extra costs and made aware of their civic duties and responsibilities to demand for accountability of public funds from their leaders, value for money and to report corrupt practices, mismanagement or abuse of public office to the IG. The public awareness programmes continue to prompt the public to report corrupt practices and to form partnership with the Inspectorate of Government in the fight against corruption. The Inspectorate of Government continued to carry out Public Awareness Programs during the period under review, through workshops, radio programmes, TV programmes, publication of booklets and inserts placed in the print media.

3.2.1 Public Awareness in Tertiary Institutions

The IG is not only involved in sensitizing the youth about issues of corruption through seminars and workshops but promotes and supports the establishment of integrity clubs in tertiary institutions whose members act as ambassadors for Anti-corruption crusade in the various institutions they attend. During the period under review, two student leaders' workshops were conducted in Soroti and Karamoja region at Lions Club in Soroti on 3rd and 4th October, 2009 and Kabale/Mbarara regions on 28-29th November 2009 at Green Hills Hotel, Kabale. An action plan was drawn at the end of each seminar through which the participants committed themselves to be partners in the fight against corruption. In both workshops students made the following recommendations to Government:

- Include issues of corruption in the school curriculum
- IG should extend anti-corruption seminars to secondary schools.
- There should be grass root sensitization on matters of corruption.
- There should be intensive teaching of patriotism to citizens.
- Religious leaders should be sensitized on issues of corruption so that they can improve on the accountability of church funds.
- Institutions that are mandated to fight corruption should be strengthened.
- Government should deal more seriously with the corrupt officials.
- Government should consider regular transfers to curtail syndicate corruption.

In the same period several integrity clubs were launched in the various tertiary institutions. These include the following:

- On 31st October 2009 the Integrity Ambassadors' Club Busitema University Chapter was launched.
- On 6th November 2009, the Integrity Ambassadors' Clubs were launched in Jinja Laboratory Training School, YMCA and Hotel and Tourism Training Institute.
- On 7th November 2009, Integrity Ambassadors' Club All Saints University - Lango Chapter was launched.

- On 14th November 2009, Integrity Ambassadors' Club East African Civil Aviation Academy Chapter was launched.
- On 21st November 2009, a workshop was held at Kichwamba Technical College under the theme ***"A corruption free generation begins with you"***.
- On 22nd November 2009, Integrity Ambassadors' Club Mountains of the Moon University Chapter was launched.
- On 27th November 2009, Integrity Ambassadors' Club Kabale School of Comprehensive Nursing Chapter was launched.

3.2.2 Media and Communication programmes

The Inspectorate of Government recognizes the fact that in Uganda radio broadcast is the most efficient, cheapest, flexible and accessible mass medium. The IG therefore, uses radio talk shows to educate the public about the office and the evils of corruption. During the period under review the IG has had quite a number of radio and TV talk shows. For instance IG staff appeared on;

- Vision Radio - Kampala
- Capital Radio - Kampala
- Voice of Kigezi
- Radio Pacis - Arua
- NBS Radio - Moyo
- Radio Vitalis - Soroti
- Open Gate Radio - Mbale
- Spice Radio - Hoima
- Radio Simba - Kampala

Most of these have been one hour radio programs focusing on educating the citizens on what the office does and the challenges it faces.

3.2.3 Television Programs

In the period under review, televised talk shows on topical issues have also been held on the following channels:

- UBC
- WBS
- Record TV

3.2.4 Newspaper inserts, press releases and articles

Inserts and articles mainly of clarifications on some issues of concern have been placed in the press.

3.2.5 Film shows

The IG, during 2009, has broadened its public awareness campaigns through the use of audio-visual methodology of short anti-corruption films and spot messages. Under the IG/ISPGG, several anti-corruption film episodes have been produced and so far a school tailored program has been on going where coverage has included secondary and/or tertiary institutions in the districts within the following IG Regional offices:

- Kabale Regional offices; Kisoro and Kabale districts
- Soroti Regional office; Amuria, Soroti, Katakwi, Kaberamaido, Kumi and Bukedea districts.
- Jinja Regional office; Iganga, Kamuli, Kaliro, Bugiri, Namutumba and Mayuge districts.

The main purpose of the film shows and spot messages has been to trigger and promote debate among the youth on issues of accountability, corruption, administrative injustice, the rule of law, and ethics. In so doing we hope to stir hatred in their minds against corruption so they become better future leaders.

3.2.6 International Anti-Corruption day dialogue

On 9th December 2009 the Inspectorate of Government led the marking of the International Anti-Corruption day by holding a half-day dialogue at Kampala Serena Hotel. The IG organized the function jointly with Transparency International (Uganda) (TIU) with

funding from UNDP. The function was successful with attendance of up to 250 participants from about 50 various institutions. This was pursuant to Resolution 58/4 of 31st October 2003 of the United Nations General Assembly which designated the day. The dialogue attended by Government officials, civil society, the academia and development partners among others, came up with a set of resolutions and recommendations to be presented to various sections of Government for policy review and to sections of the press for publicity. They are the following;

- Government should strengthen the technical, financial and human resource capacities of the anti-corruption agencies so as to ensure effective and efficient work.
- Provide exemplary leadership.
- Government should inculcate the culture of patriotism, honesty and integrity among the citizens by incorporating these values in school curricular, public education campaigns and induction courses for all newly recruited public servants.
- Government should address corruption in the private sector since the private sector promotes and perpetuates corruption in the public sector.
- Government and donors should strengthen the civil society by increasing their funding.
- Government should harmonize the public payroll to iron out discrepancies in the scales of its public employees to ensure fairness in the delivery of services in all sectors.
- Government should address absenteeism among public servants in all sectors.
- Government should recognize and support the mass media to deter and expose corrupt practices in all sectors of the economy.
- Government should lead and propel the urgency among all anti-corruption agencies to demonstrate results and aggressively address corruption.
- Government should lead the public and citizenry in identifying, shunning and isolating, rather than glorifying the corrupt and their practices.

3.3 National Integrity Survey III (NIS III)

Integrity surveys are very important tools used by the IG in fighting and monitoring the levels of corruption in the country. The surveys help the IG to gauge the public

perception about corruption and generate empirical data that can be discussed, analyzed, and used to help Government, Civil Society, private sector, and other partners in order to formulate and implement strategies to improve governance and thereby reduce corrupt practices.

During the period under review, the IG carried out the following District Leaders workshops to disseminate NIS III findings under the theme *“leaders’ integrity”*. The workshops were attended by; district leaders, religious leaders, the business community, civil society representatives, cultural leaders, student leaders and the media.

- **Arua District leaders’ Workshop**

The workshop was held at Hill View Gardens Arua Town on 7th August 2009. 237 participants from seven districts of Arua, Moyo, Adjumani, Maracha & Terego, Koboko, Nebbi and Yumbe attended the workshop.

- **Mbale District Leaders’ Workshop**

The workshop was held at Mt. Elgon Hotel on 4th December, 2009. 316 participants from five districts of Mbale, Bukwo, Budaka, Kapchorwa and Pallisa attended the workshop.

- **Hoima District Leaders’ Workshop**

The workshop was held at Kolping Hotel on 14th December 2009. 186 participants from five districts of Hoima, Masindi, Bulisa, Kiboga and Kibale attended the workshop.

Issues addressed in these workshops included the following: perceived levels of corruption in the various regions; the most common form of corruption; the emerging forms of corruption; leader’s integrity for efficient and effective service delivery and trend analysis with regard to causes and levels of corruption.

The participants made the following recommendations to Government:

- There is need to strengthen the political will to fight corruption.

- The pay of public servants especially police and medical personnel should be improved.
- Within the education system integrity subjects should be taught from primary school level.
- A meaningful minimum wage should be put in place.
- Double standards in dealing with corrupt officials should be stopped.
- Regular transfers should be made within local and central government so as to fight syndicate corruption.
- Integrated financial management system should be extended to all districts.

3.4 POLICY AND SYSTEMS STUDIES

The Constitution of the Republic of Uganda 1995 and the Inspectorate of Government Act 2002, empower the Inspectorate of Government to promote fair, efficient and good governance in public offices.

The Inspectorate of Government Act 2002 Section 8(1) specifically mandates the Inspectorate of Government to take necessary measures for the detection and prevention of corruption in public offices and in particular;

- (i) To examine the practices and procedures of those offices in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedures which, in the opinion of the Inspectorate, may be conducive to corrupt practices.
- (ii) To advise the public offices on ways and means of preventing corrupt practices and on methods of work or procedures conducive to effective performance of their duties and which, in the opinion of the Inspectorate of Government, would reduce the incidences of corruption.

Given that strengthening of institutions is a key anti-corruption measure, the Inspectorate of Government carries out studies into operations, policies, systems, procedure and legislation of various Government Departments and institutions with a view of identifying

weak areas that may be conducive to corruption and make recommendations, for remedial measures. This is a preventive measure that the IG adopted in its overall strategy of promoting good governance and efficiency in public offices by tackling corruption from the root causes.

The institutions to be studied are selected on the basis of information the Inspectorate of Government receives in form of public complaints, media reports and periodic surveys.

3.4.1 Planned activities

During the period under review, the Inspectorate of Government planned to carry out the following system studies:

- Completion of the study into the management of examination by the Uganda National Examinations Board (UNEB).
- Completion of the study into the management of the Administrator General's office.
- Study into the causes of pensions and gratuity arrears in the Ministry of Public Service.

3.4.2 Achievements

- The report of the study into the management of examinations by the Uganda National Examinations Board was completed, stakeholders' consultative workshops held and a recommendations implementation schedule is being agreed upon before a dissemination workshop is held.
- The report of the study into the management of the office of the Administrator General was finalized. Stakeholders' consultative workshop is being planned to ensure wider involvement of stakeholders and acceptance of recommendations.
- Field activities into the study of the management of the pension arrears and gratuity by the Ministry of Public Service were initiated.

3.4.3 Future Plans

The IG plans to issue and disseminate reports of studies into the management of examinations by the Uganda National Examinations Board (UNEB).

- Thereafter, IG will embark on completing the study into the management of Pensions arrears and gratuity by Ministry of Public Service.
- Carry out a study into the operational efficiency and effectiveness of the National Agricultural Research Organisation (NARO).
- Carry out a study in Health Service Delivery by the Ministry of Health.

CHAPTER FOUR: CAPACITY BUILDING THROUGH TRAINING AND INTERNATIONAL COOPERATION

The Inspectorate of Government is committed to strengthening and building capacity of its staff by organizing relevant training programs and study tours both at individual and group levels. IG further appreciates that the war against corruption and promotion of good governance can only be won and achieved through the cooperation, support and exchange of ideas with other institutions both at the national and international levels. IG therefore, interacts with as many stakeholders as possible. This is done by not only organizing workshops and conferences for selected stakeholders but by also attending and participating in those organized by other stakeholders. IG also interacts with other stakeholders through exchange of visits and study tours.

Training and International cooperation activities carried out during the reporting period are highlighted below:

Table V

4.1 Staff training and International co-operation for the period July - December 2009

Staff	Destination	Duration	Purpose	Funded under	Benefits
Ten (10) IG staff	UWI	13 th - 17 th July 2009	Procurement Fraud Task Force Development	ACT	Improved skills in handling procurement fraud.
Thirty three (33) IG staff	UWI Techno Brain Uganda Ltd	13 th - 24 th July 21 st - 25 th September 2009	Basic Computer application	ACT	Improved computer skills so as to quicken investigation and report writing.
Sixteen (16) IG staff	Grand Imperial Hotel	20 th - 31 st July 2009	Surveillance Techniques	ADB	Improved practical and theoretical knowledge of surveillance as part of investigations.
Forty three (43) IG staff	Fairway Hotel	17 th - 21 st August 2009	Investigation and report writing skills	ADB	Improvement in the quality of reports.
Ten (10) IG staff	UWI	2 nd - 4 th September 2009	First Respondent to Digital Evidence	ACT	Improved skills of investigating computer related crimes.
Sixteen (16) IG staff	UWI	5 th - 12 th , 12 th - 16 th October 2009	Financial Forensic Techniques	ACT	Improved skills and techniques of investigating sophisticated financial crimes.
Twenty six (26) IG senior staff	Sheraton Hotel	16 th - 20 th November 2009	Human Resource Management Systems	ADB	Improved managerial skills.
Eleven (11) IG staff	Jinja Nile Resort	7 th - 10 th December 2009	Trial Advocacy and Plea Bargaining	ACT	Improve advocacy skills of IG prosecutors and to help them appreciate the value of plea bargaining.

Seventy four (74) IG staff	Imperial Royale Hotel	13 th - 24 th July, 7 th - 16 th December 2009	Procurement and Supply Chain Management	ADB	Create a better understanding of the procurement process.
Director Education and prevention of corruption	Nairobi, Kenya	25 th - 27 th November 2009	Meeting of civil society mobilization experts	GTZ and Government of Uganda	To highlight the relevancy of civil society organizations in promoting good governance.
Three (3) senior officers led by the Ag. IGG	Arusha, Tanzania	27 th November 2009	Adoption of the draft for the East African Anti-Corruption protocol.	Government of Uganda	Exchange of ideas on fighting corruption.
Three (3) IG staff led by Ag. IGG	Copenhagen, Denmark	17 th October - 7 th November 2009	Anti-corruption course	DANIDA	To appreciate how Denmark has tackled corruption almost reducing it to zero hence borrow a leaf from them.
Ag. IGG and an Officer	Kigali, Rwanda	12 th - 16 th October 2009	Ombudsman Institution & African Ombudsman Regional meeting.	Government of Uganda & Rwanda Ombudsman	Sharing experiences on the Ombudsman function.
Six (6) senior officers led by the Secretary to the IG	Bujumbura, Burundi	28 th October - 1 st November 2009	Annual General Meeting of the East African Association of Anti-Corruption Authorities (EAAACA)	Secretariat of EAAACA	Exchange of ideas on fighting corruption across the region.
Ag. IGG	Doha, Qatar	7 th - 8 th November, 9 th - 13 th November 2009	Global Forum on Fighting Corruption and Safeguarding Integrity and Conference of the States Parties to the United Nations Convention Against Corruption.	Government of Uganda	Exchange of experiences in fighting corruption.

Ag. IGG	Cambridge United Kingdom	30 th August - 6 th September 2009	11 th Cambridge International Symposium on Economic Crime.	Government of Uganda	Exchange of experiences in fighting corruption.
Ag. IGG	Nairobi, Kenya	28 th - 31 st July 2009	2 nd East African Investment Conference	Government of Uganda	Exchange of experiences in fighting corruption.
Ag. IGG	Makerere University Convocation	24 th September 2009	Public dialogue on Corruption legal framework Vs Commitment	MUK	Understanding the missing link in Uganda's fight against corruption.
Ag. IGG	Golf Course Hotel	29 th September 2009	Augmenting anti- corruption initiatives through synergies.	Uganda Law Society	The fight against corruption. The real issues.
Ag. IGG	Imperial Royal Hotel	11 th September 2009	Parliamentary and Civil Society Consultative Workshop	Parliament	Understanding protection issues. The whistle blowers Protection Bill 2009.
Ag. IGG	Imperial Royale Hotel	13 th August 2009	Mainstreaming the fight against corruption in JLOS	Justice Law and Order Sector	Addressing perception and real issues.

CHAPTER FIVE: IMPLEMENTATION OF INSPECTORATE OF GOVERNMENT'S RECOMMENDATIONS

5.0 INTRODUCTION

The Inspectorate of Government appreciates cooperation from most Institutions and Action Officers who have been implementing its recommendations. However, there are some Institutions and Action Officers who ignore, delay or refuse to implement IG's recommendations without giving credible reasons. This greatly undermines the effectiveness of the office. There is, therefore, need for the Parliament and the Executive to support IG in ensuring that its recommendations are implemented.

Below are institutions and Action Officers that IG would like to commend for implementing its recommendations and those who have failed to do so despite various follow-ups and reminders.

5.1 COMMENDATION OF MINISTRIES, DEPARTMENTS AND OFFICIALS FOR IMPLEMENTING IG RECOMMENDATIONS

The Inspectorate of Government appreciates cooperation from the following Ministries, Departments and officials who implemented IG recommendations during the period July to December 2009.

Ministry of Education and Sports

The Permanent Secretary, Ministry of Education and Sports has been responsive in implementing the IG recommendations. Examples include the following;

- (i) The Permanent Secretary Ministry of Education and Sports recovered Shs.3,994,238/= from the former Caretaker, Principal of Uganda Technical College - Bushenyi, currently the Principal at Uganda Technical College, Elgon as recommended in the report MBRR/CF/01/2006, about alleged diversion of UNEB registration fees.

- (ii) In report KBL/CF/01/2009 on alleged abuse of office by the management of Kinyasano Girls School, Kabale District, IG recommended that PS, MOES should surcharge the H/M and the teacher a sum of Shs.5,200,000/=. The money was refunded to the school account.
- (iii) IG issued a report FP/CF/06/2009 on abuse of office and irregular recruitment by the Headteacher and Deputy Headteacher of Saad Memorial S.S. Kasese. In this report it was recommended that PS MOES should warn the Headteacher of Saad Memorial S.S. to desist from implementing capital expenditure programmes without following the PPDA Regulations, and this was done. In another letter dated 19th October 2009, PS MOES submitted the teacher at Saad Memorial S.S.S to CID to investigate her case concerning forged documents. Vide a letter dated 19th October 2009, PS MOES wrote to Solicitor General to seek legal opinion about the case and approval of the recommendation to dismiss the teacher, the Solicitor General advised that the teacher should be submitted to Education Service Commission with recommendation for dismissal.
- (iv) In the report MBRR/10/02/2007 on alleged abuse of office by the Headteacher and Bursar of Rubaare S.S. in Ntungamo district, it was recommended that (a) the Deputy H/M and the former school Bursar respectively of Rubaare S.S. are exonerated from the allegations that they opened up a new account where Shs.3m from government was deposited and later misused. (b) The P/S MOES should decline to accept the resignation of former school Bursar, but instead submit his names to the Education Service Commission for dismissal from service for possession and uttering a forged Diploma certificate. In a letter dated 26th October 2009, PS MOES interdicted the Senior Account Assistant for having presented forged documents during the validation interviews.

CAO Kaabong District

The Inspectorate of Government issued a report MRT/CF/01/2008 dated 12/10/2009 concerning alleged mismanagement and abuse of authority by Kaabong District Local Government officials. In this report it was recommended among others that the CAO Kaabong should initiate the recovery of Shs.5,958,675/= from the District Chairperson for

his failed trip to Canada. The money was recovered and deposited on Kaabong General Fund Account.

CAO Bundibugyo District

In the report FP/CF/05/07 about alleged abuse of office by officials of Bundibugyo District Local Government, it was recommended that CAO Bundibugyo should ensure that the District Chairperson vacates the hospital house which was done.

Town Clerk Bushenyi Ishaka Town

The Town Clerk Bushenyi Ishaka Town re-advertised the tender for revenue collection at Bushenyi-Ishaka Bus/Taxi Park and awarded the tender to Wasswa Hassan and SB Mugenyi as recommended in the report MBRR/CF/01/2009.

CAO Bushenyi

In the report MBRR/11/10/2007 concerning alleged dismissal of a teacher and abuse of office by Ag. H/M St. Michael High School Bushenyi, it was recommended that the school authorities should finalize payment of outstanding salary arrears to a former teacher and the CAO Bushenyi implemented the recommendation.

The Clerk to Council Rakai District

The Clerk to Council Rakai District has been supportive in implementing IG recommendations. For example, the Speaker to Council was removed from office as recommended in the report MSK/CF/19/2008 concerning alleged abuse of office and misuse of Government vehicle by the Speaker and CFO Rakai District.

The Chief Administrative Officer Luwero District

The Inspectorate of Government issued a report TS/107/2008 about irregularities in the tendering process of Ziobwe Taxi Park - Luwero District. In this report, it was recommended that JANDA Trade and Transporters Company should be allowed to manage revenue collection at Ziobwe Taxi Park up to the end of its contract period. CAO Luwero implemented the recommendation.

The Chief Administrative Officer Wakiso District

The Chief Administrative Officer, Wakiso has been responsive in implementing IG recommendations. For example, in the report TS/159/2007 about misappropriation of public funds by top officials of Kira Town Council - Wakiso District, it was recommended that CAO Wakiso should initiate the process of recruiting medical personnel for Kimwanyi Health Unit to make it operational. Kimwanyi Health Unit is now operational as recommended. In another report HQT/44/03/2008, it was recommended that CAO Wakiso should cancel the allocation of lock-up number 9 to a new applicant and allocate it to a sitting tenant since 1985. This was done.

The Chief Administrative Officer, Masaka District

The Chief Administrative Officer, Masaka District has been supportive in implementing IG recommendations. The following are examples of reports he has implemented.

- (a) He implemented all the recommendations in the report TS/35/2006 as follows.
 - (i) He submitted the Community Development Officer for dismissal for misappropriating Shs.2,400,000/= and failure to account for Shs.6,235,000/=.
 - (ii) He recovered Shs.1,114,600/= from the District Planner, Shs.1,342,000/= from Kyazanga Sub-county Chief and Shs.4,163,050/= from CFO.
- (b) In another report MSK/CF/23/2008 about Diversion of school desks procured under LGDP, CAO Masaka implemented the recommendation to remove the LC III Chairperson from office.

Pallisa District Local Government

The Inspectorate of Government issued a report HQT/08/12/2005 concerning mismanagement of the restructuring exercise by the Pallisa District Service Commission. The District Service Commission Pallisa dismissed all the concerned officers as recommended.

The Chief Administrative Officer Sironko District

The Chief Administrative Officer, Sironko remitted to Central Government Treasury all the money as recommended in the report MBL/05/11/2005 about diversion of salary arrears by Sironko District authorities. In addition, he dismissed Ag. O/C Salaries, Sironko District.

The Chief Administrative Officer Mukono District

The Inspectorate of Government issued a report HMA/CF/57/2004 on a complaint about an officer holding two offices of a Veterinary Officer at Mukono District Local Government and an officer under IFAD in Hoima. In this report, it was recommended that CAO Mukono should recover Shs.6,010,014/= from the Veterinary Officer. During the period under review it was established that CAO Mukono had recovered all the money.

The Chief Administrative Officer Hoima District

CAO Hoima implemented the recommendations in the report HMA/04/02/2007 on alleged abuse of office by the Headteacher Bulindi COU Primary School. In a letter dated 28th October 2009, CAO Hoima submitted the Headteacher to the District Service Commission to be seriously warned. In another letter dated 28th October 2009, CAO Hoima warned the Education Assistant and informed her to refund Shs.1,348,879/=.

The Chief Administrative Officer Dokolo District

CAO Dokolo implemented recommendations in the report LIR/CF/08/2008 concerning alleged irregular recruitment of staff by the District Service Commission Dokolo as follows:

- (i) The appointment of the Town Clerk was upheld as recommended.
- (ii) The case of District Health Officer was submitted to the Secretary District Service Commission for review.
- (iii) CAO reported that the Community Development Officer was already appointed before the report was issued.
- (iv) The Appointments of the Community Development Officer, Senior Accounts Assistant and Assistant Engineering Officer were upheld as recommended.
- (v) The drivers were terminated.
- (vi) The Town Clerk refunded Shs.476,000/= and was reprimanded as recommended.

The Ag. Registrar Uganda Nurses and Midwives Council (UNMC)

The Inspectorate of Government issued a report TS/106/2007 concerning alleged mismanagement and abuse of office authority by officials of Uganda Nurses and Midwives Council. In this report it was recommended that money to the tune of Shs.8,500,000/= illegally collected by the UNMC for the second set of examinations that were never held be returned to the Nurses and Midwives who paid it and the Ag. Registrar forwards evidence of refund to the Inspectorate of Government. The Ag. Registrar UNMC placed a notice in the *New Vision* of Monday November 16, 2009 page 20, in which all beneficiaries were requested to report to UNMC premises to receive their exam fee refund. The notice also included a list of the names of the beneficiaries. By follow-up of 12th February 2010, 92 out of 1,042 students had been refunded their money.

The Chief Administrative Officer Kasese District

The Chief Administrative Officer, Kasese District has been responsive in implementing IG recommendations. For example he implemented the recommendation to submit the former Sub-county Chief of Kyabarungira to District Service Commission for appropriate disciplinary action. In another report FP/CF/08/2008 about alleged irregular recruitment of Personnel Officers at Kasese District it was recommended that CAO should ensure that Kasese District Service Commission rescinds the appointment of Bihanikire Samson and appoint Ms. Kabugho Rhita to the post of Personnel Officer, who scored highest at the interviews. This recommendation was implemented.

The Chief Administrative Officer Katakwi District

The Inspectorate of Government issued a report SRT/CF/29/2007 about alleged abuse of office by the Town Clerk Katakwi District. In the report it was recommended that CAO Katakwi should submit the Town Clerk Katakwi Town Council to Katakwi DSC for dismissal for abuse of office, conflict of interest and breach of the Leadership Code Act. It was also recommended that the Town Clerk Soroti Municipal Council should (a) recover shs.300,000/= from a teacher at Rock View Primary School. (b) Withdraw powers of accounting officer from the Town Clerk of Katakwi Town Council. By a letter dated 19th

August 2009, the Chairperson LC III Katakwi Town Council communicated to CAO Katakwi the resolution of the Council upholding IG's recommendations.

The Chief Administrative Officer Amuria District

The CAO Amuria District implemented the recommendations in the report SRT/CF/51/2004 concerning alleged payment for incomplete works and diversion of funds by Kuju Sub-county Chief. In the report it was recommended that the CAO should ensure that the Parish Chief for Willa and Alere Parishes, Kuju Sub-county, now Amuria District makes good of Shs.1,745,244/= being funds irregularly paid to the contractor, Ms Maku Technical and Construction Services for final certificate and retention for completion of Aojakitoi Aid Post. This was done.

The Chief Administrative Officer Pader District

The CAO Pader District implemented the recommendation in the report GUL/CF/09/2008 on alleged recruitment of the District Natural Resource Officer by the DSC, Pader and irregular payment of salary to a teacher. In this report it was recommended that the CAO should;

- (i) Recover Shs.7,200,261/= from the District Natural Resource Officer which was irregularly and wrongly paid to her as salary and should present her to the DSC for the appointment to be rescinded since she did not take it up.
- (ii) Present the former H/M Populace Primary School to the DSC for appropriate disciplinary action for his failure to inform the district authorities of the presence of a ghost teacher on the school payroll while she did not report for duty.
- (iii) The DSC should rescind the appointment of the District Natural Resources Officer and the post should be re-advertised.
- (iv) Recover Shs.320,181/= paid as salary to the said teacher when he was already on the said unpaid leave.

Vide letters dated 10/09/2009, the CAO Pader District wrote to the O/C Salary about the recovery of Shs.320,181/= from the teacher and to the Headteacher cautioning him about harbouring a ghost teacher on the school payroll and to the District Police Commander, Pader requesting him to bring the teacher to book for having received Shs.7,200,261/= without teaching.

The CAO Kamwenge

In a report FP/CF/05/2008 about alleged embezzlement of PAF funds by officials of Water Development in Kamwenge District, it was recommended;

- (i) That CAO should recover from the Community Development Officer in charge of Water Department Shs.4,212,000/= she misappropriated and falsely accounted for, claiming to have provided meals to participants in the training and mobilization exercise of water source committees in the FY 2006/07, and Shs.560,000/= subsistence allowance payable to the Assistant CDO which she received but did not pay to him.
- (ii) It was also recommended that CAO should submit the CDO I/C water department to the DSC to disciplinary action with a view to dismiss her for abuse of office and making false claims. The CAO recovered Shs.4,770,000/= from the Water Officer and she was later dismissed.

5.2 MINISTRIES, DEPARTMENTS, INSTITUTIONS AND ACTION OFFICERS WHO HAVE NOT IMPLEMENTED IG RECOMMENDATIONS

Although implementation of IG recommendations, directives and orders has improved, there are still some implementing authorities who have still remained problematic, as illustrated by the following examples:

Town Clerk, Kyotera Town Council

In a report MSK/CF/37/2004 about cancellation of tender for purchase of the lorry belonging to Kyotera Town Council, it was recommended that the tender for sale of the lorry be cancelled and re-advertised. This recommendation has not been implemented.

CAO Yumbe

The Inspectorate of Government issued a report ARU/06/03/2007 on alleged non-payment to M/S Baamaliki Constructors and Engineers for works undertaken at Ariwa Primary School, Odnavu Sub-county Yumbe District. In this report it was recommended that;

- (i) The claim of M/S Baamaliki Constructors and Engineers of Shs.7,880,000/= should be paid.
- (ii) CAO Yumbe should advise Sub-county Chiefs in the district to desist from making payments of variations without forwarding them to the Contracts Committee for approval as required by law. The claim was not paid as recommended.

CAO Kamwengye

In a report FP/CF/34/2005 on alleged embezzlement of funds by the Parish Chief of Busiriba, Kamwengye District, it was recommended that Shs.1,150,000/= embezzled by the Parish Chief Kinoni be recovered from him and paid to Kinoni Parish. The recovery of the said money has not been done.

CAO Jinja

The Chief Administrative Officer, Jinja Local Government ignored implementing the recommendation to caution the Chairperson and the Executive Committee, Buwenge Town Council to desist from perpetrating illegalities by approving irregular payments as recommended in the report JNJ/CF/13/2007 concerning irregular payment of DANDLIF GROUP PARTNERS for alleged extra works of Shs.15,000,000/= by Buwenge Town Council Clerk and the Chairperson.

The DPC Kyenjojo District

The DPC Kyenjojo District ignored implementing the recommendations to recover property from Hiima Tea Factory. The recommendation was made in the report FP/06/05/2007 concerning delay of service by Police at Kyenjojo.

The CAO Moyo

The Inspectorate of Government issued a report ARU/CF/34/2005 concerning alleged non-accountability of funds by Moyo District officials. In this report it was recommended that the CAO should warn the affected District officers in writing against the practice of not accounting for public funds and a total sum of Shs.7,434,616/= should be recovered from them. The money has not been recovered as recommended.

In another report ARU/CF/29/2007 about alleged embezzlement of district funds through the hiring of Moyo district Plant by the Ag. District Engineer and the CAO, it was recommended that CAO Moyo District should ensure that Interdisciplinary Technical Services Ltd pays the balance of Shs.372,970/= to Moyo district. The above funds have not been recovered as recommended.

CHAPTER SIX: GENERAL CONSTRAINTS, CHALLENGES, FUTURE PLANS AND RECOMMENDATIONS

6.1 INTRODUCTION

Despite the continued support by Government and the donors to strengthen the institution, which is highly appreciated, the IG continues to face several external challenges as well as operational problems, some of which arise from inadequate resources. These constraints adversely affect the execution of the IG's mandate of preventing and combating corruption and abuse of office/authority, promotion of good governance and enforcement of the Leadership Code of Conduct. A total of Shs.16,727,000,000/= (shillings sixteen billion seven hundred twenty seven million) was appropriated to IG for the financial year 2009/2010 compared to Shs.17,061,000,000/= (shillings seventeen billion sixty one million) last financial year. This shortfall in budget adversely affected the operations of the office and additional funds need to be provided. This chapter highlights some of the challenges and constraints faced by the IG, makes recommendations and outlines the future plans of IG.

6.2 CHALLENGES AND CONSTRAINTS FACED BY THE IG IN ACHIEVING STRATEGIC OBJECTIVES

6.2.1 Inadequate funding:

Funding provision under the IG ceiling is insufficient compared to the operational cost of investigations, prosecutions, verification of declarations and public awareness programmes. The areas of critical need include provision of operational funds for the Regional Offices, travel inland, vehicles maintenance, NSSF contributions and Gratuity.

6.2.2 Under staffing:

Additional staff are required especially in all Regional Offices. Insufficient staff in the regional offices has led to high officer/complaint ratio, which results in case backlog as officers in the regions cannot cope with the volume of work.

6.2.3 In-adequate remuneration

Insufficient remuneration of staff has resulted in the inability by IG to attract and retain experienced prosecutors and other qualified and experienced staff, which negatively affects the efficiency and effectiveness of the office.

6.2.4 Operating in rented premises

The IG is currently renting office premises. The cost of renting office premises in the Regional Offices and Headquarters is expensive. The IG needs to construct its own office premises so as to give it independence and the right profile.

6.2.5 Limited legal reference materials

The Inspectorate Library needs to be stocked with recent Statutes, Statutory Instruments and Regulations and other essential legal reference materials to facilitate its work.

6.2.6 Hostile witnesses and court delays

The Inspectorate of Government continues to face the problems of court delays and hostile witnesses. Many cases in courts take too long to be disposed of and causes witnesses to get fatigued, lose interest in cases, while others face intimidation and are overwhelmed with fear and others die. Some witnesses simply cannot testify freely as most often they are accomplices. Sometimes loss of exhibits from courts also affects proceedings.

6.2.7 Corruption and negative attitude

Corruption and negative attitudes in the institutions that are supposed to be partners with the IG in the fight against corruption, affect successful prosecution of some cases and delays in handling others. Some institutions/officials take unnecessarily too long or just ignore to provide the required information.

6.2.8 Inadequate institutional support in implementation of IG recommendations

Lack of cooperation, corruption and negative attitude in some institutions that are supposed to be partners with the IG in the fight against corruption has remained a major concern.

There is need to ensure full implementation to address the issues that have already been raised in order to eliminate corruption in Uganda. There are instances when some institutions have deliberately ignored or delayed implementation of the IG recommendations, which undermines the effectiveness of the office and hinders the realization of desired results.

6.2.9 External delays

Lack of computerized data in some Government Ministries/Departments causes delays in the retrieval of information required for verification and investigations e.g. from the Land office and Company Registry.

6.2.10 Implementation of the Leadership Code of Conduct outside Uganda

Enforcement of the Leadership Code of Conduct outside Uganda is still a challenge especially where no mutual technical assistance agreements exist with the countries in issue. The capacity of IG to handle foreign investigations also needs to be built and appropriate resources are required for such investigations.

6.2.11 High public expectations of better outcomes in fighting corruption

There are high public expectations for the IG to handle complaints expeditiously, yet the financial, human and material capacities to meet this challenge are limited, resulting in a backlog of cases.

6.2.12 Keeping ahead of sophistication in corruption techniques

Corrupt persons normally have advanced methods of defrauding the public and this requires IG staff to be technically advanced and to have specialized training in order to keep ahead in the fight against corruption. The challenge, however, is inadequate funding to carry out the necessary training. The IG needs to purchase modern equipment such as surveillance equipment, radios, cameras, etc. to be used during investigations.

6.2.13 Acceptance of corruption by the public

The society seems to have accepted corruption as a way of life and some people are not keen on reporting corruption cases. The challenge is to get the public support in the fight against corruption.

6.2.14 Poor record keeping in Government institutions also slows down IG investigations.

6.3 RECOMMENDATIONS

In order to overcome the constraints and be able to fulfill IG mandate, the following recommendations are submitted to Government through Parliament.

6.3.1 Failure to implement the IG recommendations

Where the institutions or action officers especially District Administrators ignore to implement the IG recommendations for no good reason, such officers should be summoned to answer before the relevant Parliamentary Committees.

6.3.2 Effective enforcement of the Leadership Code Act

Computerization of the Land Registry should be completed to help speed up the verification of the leaders' declaration as the problems of manual records and procedures will be minimized. Corruption in the department and incidents of fake and missing Land Titles will also be reduced.

The IG continues to appeal to Government to establish mutual technical assistance agreements with other countries to be able to verify the leaders' incomes, assets and liabilities outside Uganda and to also continue giving political support for the implementation and compliance with the Leadership Code Act 2002.

6.3.3 Inadequate funding

Government should realise that IG is a national cross-cutting institution responsible for three major functions of promoting good governance, preventing and combating corruption and enforcement of the Leadership Code of Conduct. Each of these functions should be funded as a separate vote function to be adequately provided for, unlike the current practice under which only the anti-corruption function is provided for as a vote function.

6.4 FUTURE PLANS

6.4.1 Improved investigations and prosecutions

IG will continue to improve efficiency and effectiveness in investigations and prosecutions through specialized training, on-the-job training and attachment of lawyers to other prosecuting agencies and increased supervision.

6.4.2 Training

Continue to improve on skills of IG staff through training and sharing information and experiences with other anti-corruption institutions.

6.4.3 Computerization

Make effective use of computerization for increased efficiency and effectiveness in the office and better outputs and impact against corruption in Uganda.

6.4.4 Procurement of IG premises in Kampala

The IG plans to have its own premises. This will give IG the right profile in accordance with the Constitution. The IG is currently renting offices at the Jubilee Insurance Centre and in the Regions. The rent for these offices is too high and adversely affects prioritization for effective outcomes.

6.4.5 Strengthening and consolidating the IG

The office will focus its efforts on strengthening and consolidating its position and the Regional Offices by providing better facilitation and training in order to effectively discharge its functions.

6.4.6 Education and sensitization of the public

IG will continue to educate and sensitize the public and civil society organizations on the issues of corruption, the implementation of the Leadership Code Act, PAF monitoring programs using the print and electronic media, seminars and workshops.

6.4.7 Investigations, prosecutions and verification of leaders' assets

IG will continue with investigations, prosecution and physical verification of leaders' assets, updating leaders' register and distributing declaration of income, assets and liabilities form to leaders in accordance with the Leadership Code Act, 2002.

6.4.8 The IG will invoke the provision of S.35(c) of the Inspectorate of Government Act against those who fail to comply with its orders and directions by prosecuting them in accordance with the law.



Appendix A

**STATISTICAL ANALYSIS AND GRAPHICAL
PRESENTATION OF THE IG ACTIVITIES FOR THE
PERIOD JULY–DECEMBER 2009**





During the period July – December 2009, the Inspectorate of Government handled a workload of 3,588 complaints including 189 Audit reports. A total of 2,572 complaints were brought forward from the previous period and the new complaints were 827. The figure below illustrates how the complaints were handled during the reporting period.

Figure 1: Work load July – December 2009

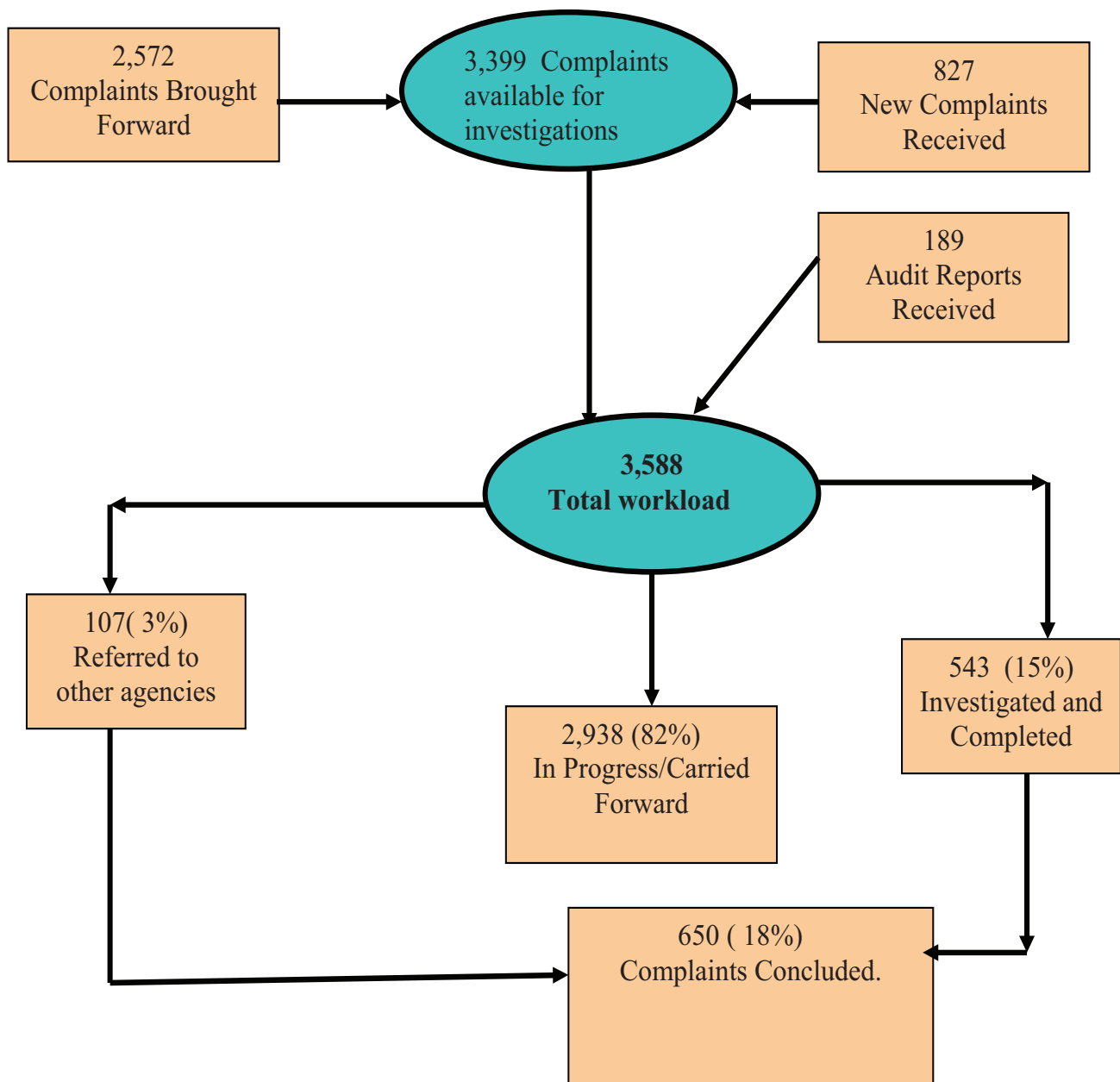
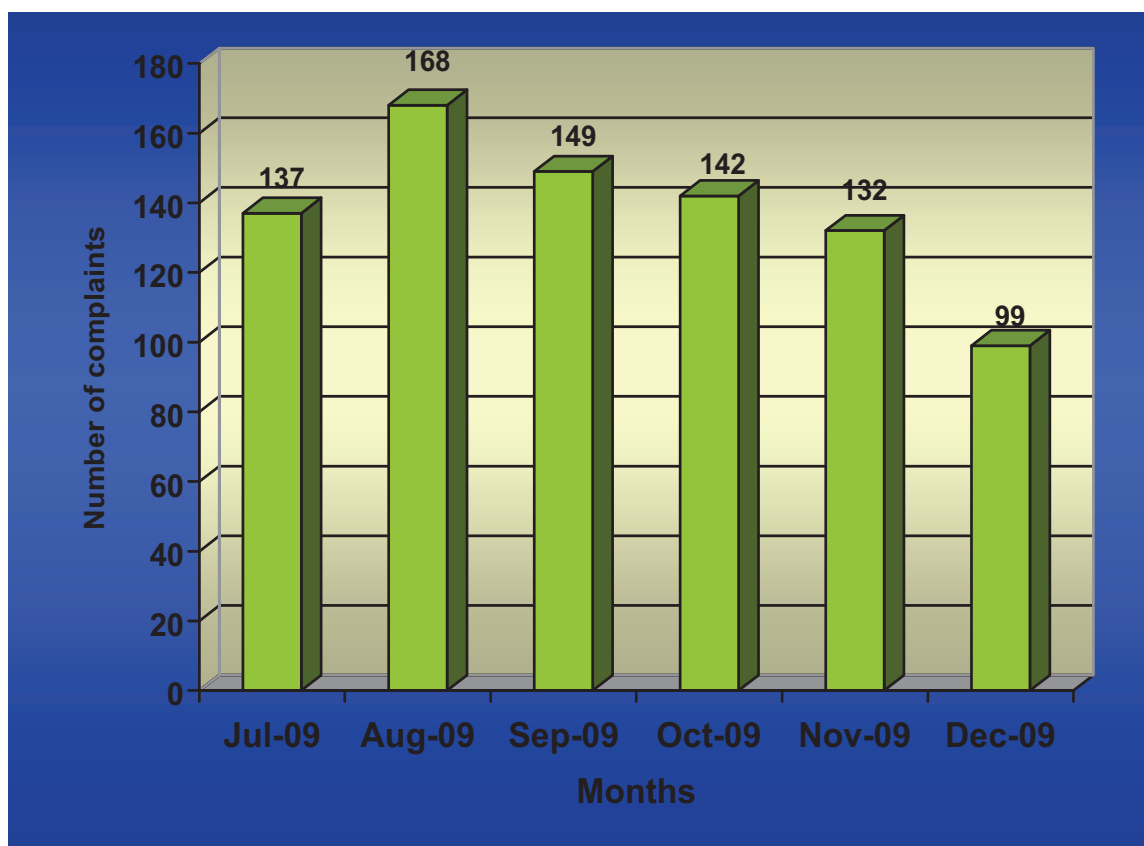


Figure 2

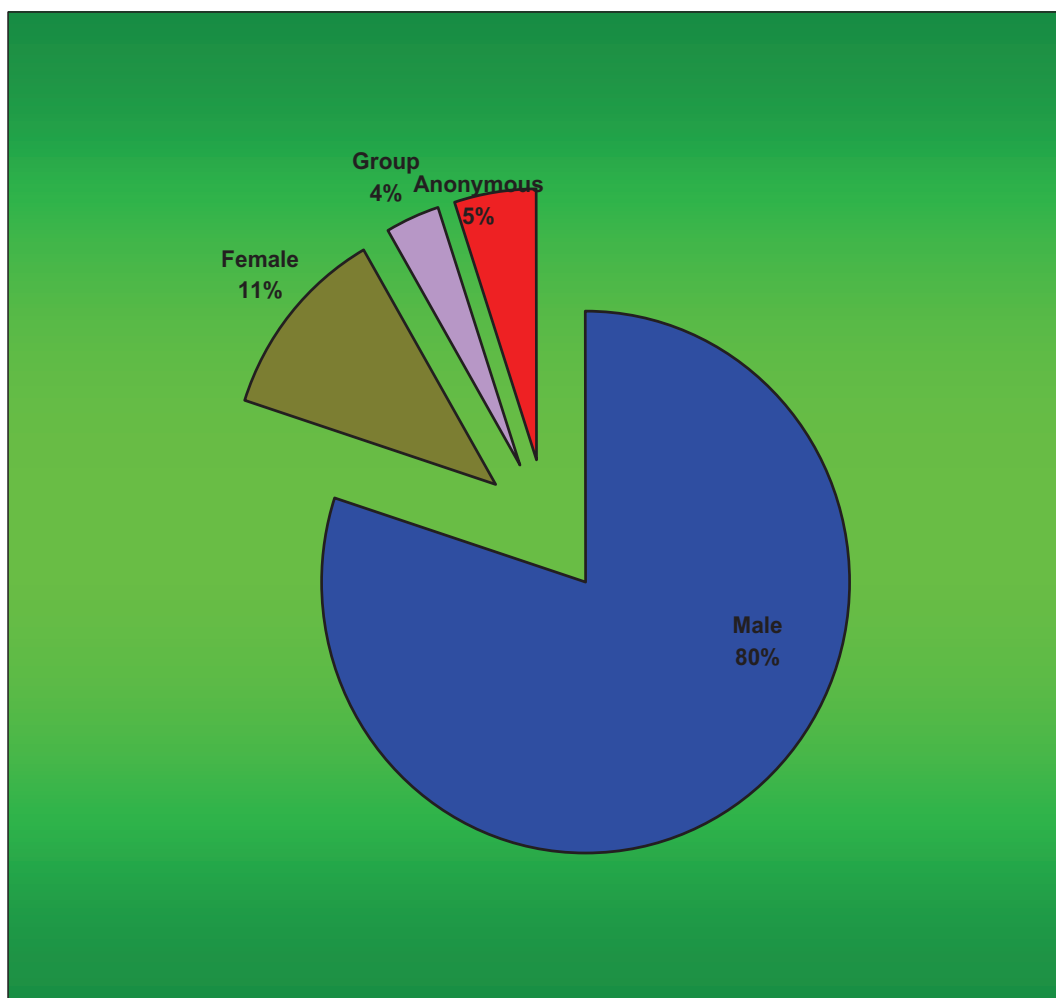
New complaints Received during the Period July – December 2009



As illustrated in the above diagram, the complaints received did not follow any particular trend but the highest number of complaints (168) were registered in the month of August and the lowest (99) were registered in the month of December 2009.

Figure 3

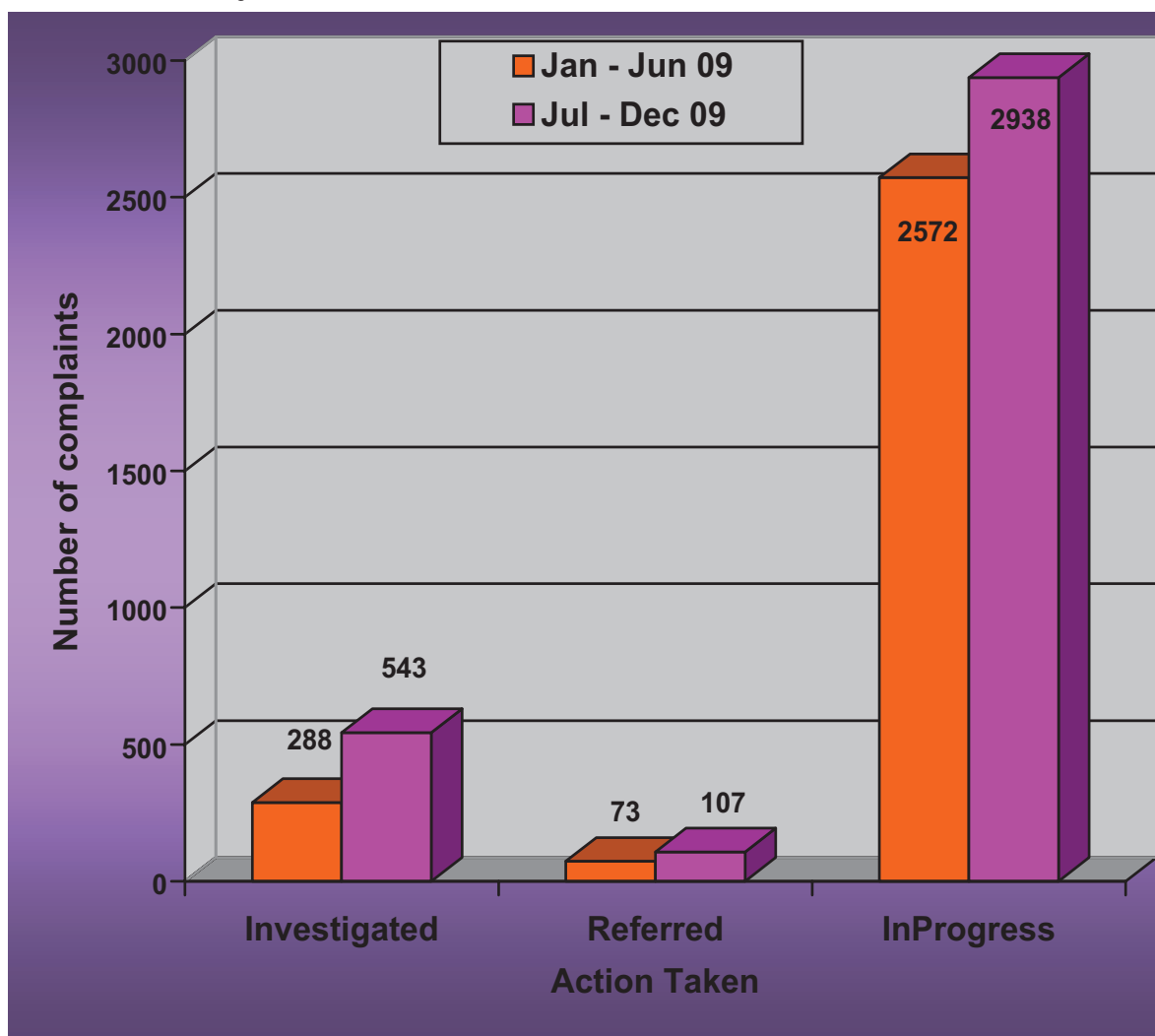
Categorization of Complaints Registered by Gender for the period July – December 2009



The chart above illustrates that only a small fraction of the complaints (11%) were received from women. The majority of the complaints (80%), were lodged by men and those that came from groups of individuals were 4%. Only 5% of the complainants did not disclose their identities.

Figure 4

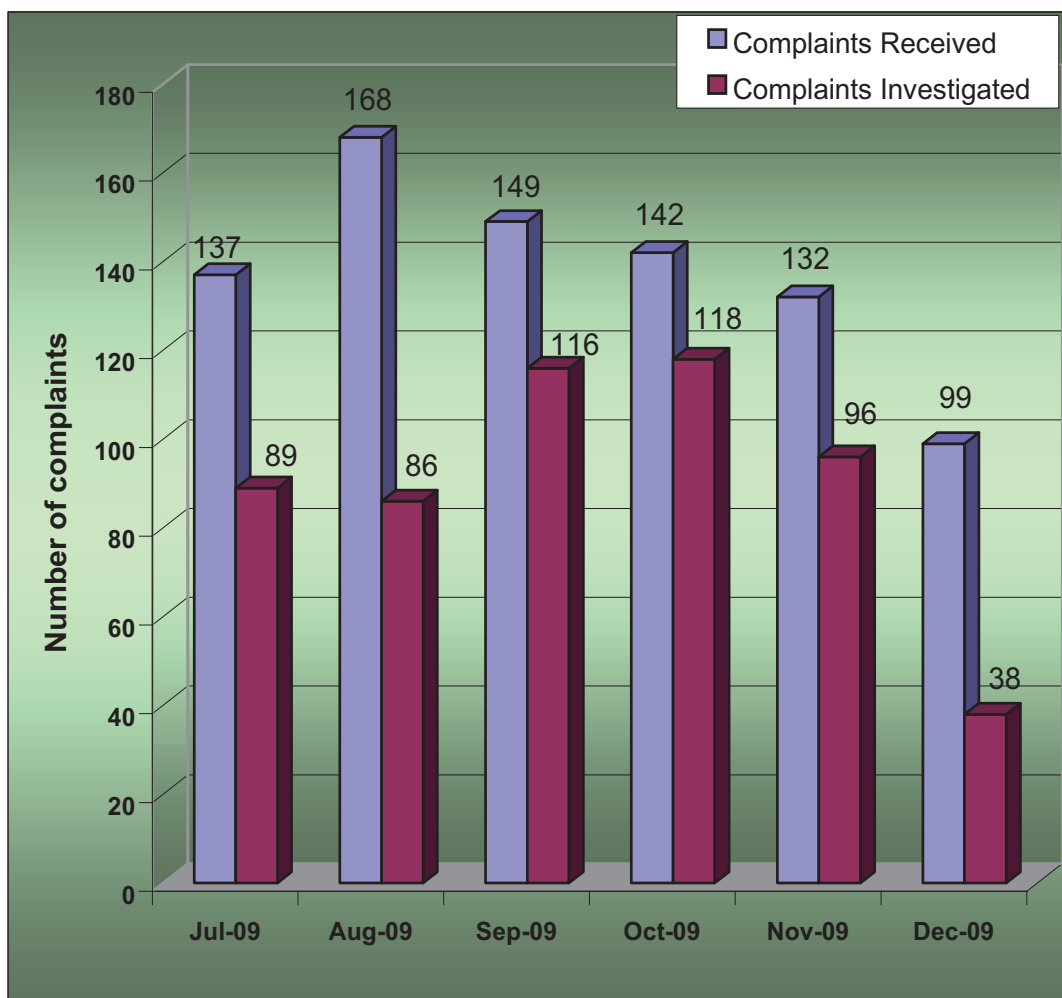
Comparison of Investigations for the Periods and January- June 2009 and July – December 2009



The diagram above shows that the total number of complaints which were investigated & completed increased from 288 complaints during the period January – June 2009 to 543 during the period July – December 2009. The complaints that were processed and referred to other institutions also increased from 73 to 107.

Figure 5

Comparison of the new complaints received and those that were investigated during the period July – December 2009



The figure above shows that the highest number of complaints was received in the month of August 2009 (168 complaints) while the highest number of complaints investigated & completed (118 complaints) was in the month of October 2009.

Table VI

Comparison of the Complaints Received by the Inspectorate offices for the last two Reporting periods

a) January – June 2009

Month	Kampala Offices	Regional offices	Total
Jan-09	82	62	144
Feb-09	47	50	97
Mar-09	84	82	166
Apr-09	52	57	109
May-09	31	54	85
Jun-09	67	69	136
Total	363	376	739
	49.1%	50.9%	100%

b) July – December 2009

Month	Kampala Offices	Regional offices	Total
Jul-09	80	57	137
Aug-09	78	90	168
Sept-09	64	85	149
Oct-09	77	65	142
Nov -09	72	60	132
Dec -09	47	52	99
Total	418	409	827
	50.5%	49.5%	100%

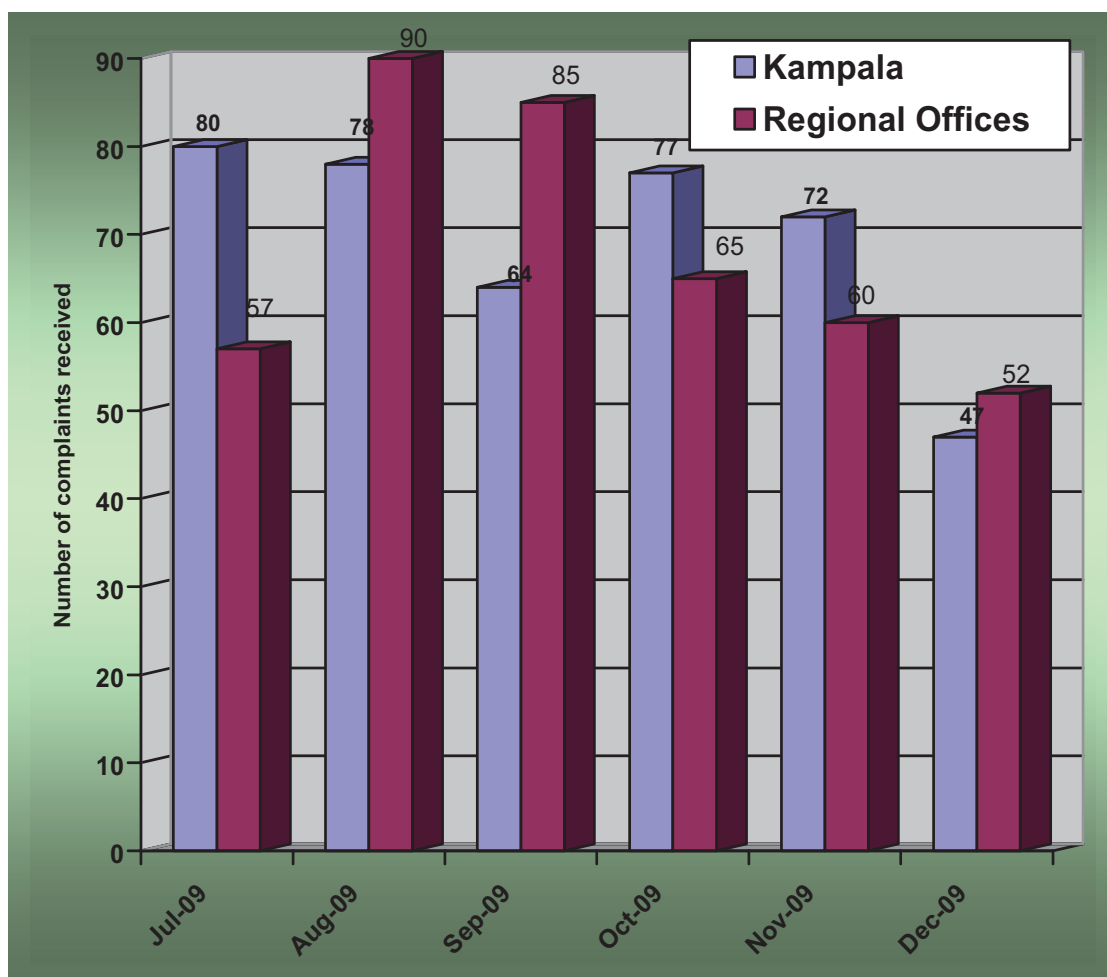
The tables above illustrate that most of the complaints were registered at Kampala Headquarters in relation to the regional offices during the period July – December 2009, whereas more complaints were registered at the regional offices during the previous period. Individually, Kampala office receives more complaints compared to each of the regional offices mainly because of its central location and the fact that most Government departments are located in Kampala.

c) Complaints received from individual Regional Inspectorate Offices.

Office/ Period	Jul-09	Aug-09	Sep-09	Oct-09	Nov-09	Dec-09	Total	%age
Kampala	80	78	64	77	72	47	418	50.5%
Fort Portal	3	14	17	7	7	8	56	6.8%
Masaka	18	14	9	4	6	3	54	6.5%
Arua	7	16	7	5	6	5	46	5.6%
Soroti	1	4	13	6	8	10	42	5.1%
Jinja	8	3	7	9	7	6	40	4.8%
Mbarara	1	10	7	5	4	2	29	3.5%
Gulu	2	8	7	4	2	6	29	3.5%
Hoima	5	6	3	6	2	3	25	3.0%
Kabale	5	1	3	5	6	4	24	2.9%
Tororo	3	5	3	1	4	2	18	2.2%
Lira	0	5	4	4	3	1	17	2.1%
Moroto	3	3	3	7	0	0	16	1.9%
Mbale	1	1	2	2	5	2	13	1.6%
Total	137	168	149	142	132	99	827	100%
	16.6%	20.3%	18.0%	17.2%	16.0%	12.0%	100.0%	

Figure 6

Comparison of complaints received by the Inspectorate Offices for the period July – December 2009



The chart above shows that more complaints were received at Kampala Headquarters during the months of July, October and November 2009. The regional offices received more complaints during the months of August, September and December 2009..

Table VII

Trend of the complaints Registered at the Kampala Headquarters and Regional Offices for the Periods Jan 2000 – December 2009

Period	Kampala HQs	Regional Offices	Total Complaints
Jan - Jun 2000	1336	1057	2393
Jul - Dec 2000	1333	1083	2416
Jan - Jun 2001	830	846	1676
Jul - Dec 2001	736	882	1618
Jan - Jun 2002	664	837	1501
Jul - Dec 2002	683	1284	1967
Jan - Jun 2003	617	963	1580
Jul - Dec 2003	711	1235	1946
Jan- June 2004	630	1054	1684
Jul – Dec 2004	430	805	1235
Jan – June 2005	416	741	1157
Jul – Dec 2005	386	600	986
Jan – Jun 2006	279	408	687
Jul – Dec 2006	380	495	875
Jan – June 2007	450	647	1097
Jul – Dec 2007	496	495	991
Jan – Jun 2008	557	363	920
Jul – Dec 2008	466	388	854
Jan – Jun 2009	363	376	739
Jul – Dec 2009	418	409	827

The table above shows that from December 2000, the total number of complaints received by the Inspectorate of Government have been reducing

up to June 2006. However, the number of complaints increased again in 2007 possibly due to widespread public awareness programmes that were carried out during the year but the complaints registered have been fluctuating.

Table VIII

Trend of the complaints Investigated by the Inspectorate of Government for the Periods Jan 2001 – December 2009

Period	Kampala HQs	Regional Offices	Total Complaints
Jan - Jun 2001	652	636	1288
Jul - Dec 2001	460	542	1002
Jan - Jun 2002	454	650	1104
Jul - Dec 2002	333	670	1003
Jan - Jun 2003	588	720	1308
Jul - Dec 2003	218	730	948
Jan- June 2004	310	582	892
Jul – Dec 2004	233	412	645
Jan – June 2005	280	695	975
Jul – Dec 2005	232	617	849
Jan – Jun 2006	143	572	715
Jul – Dec 2006	44	715	759
Jan – June 2007	136	773	909
Jul – Dec 2007	226	908	1134
Jan – Jun 2008	196	590	786
Jul – Dec 2008	137	466	603
Jan – Jun 2009	89	199	288
Jul – Dec 2009	156	378	543

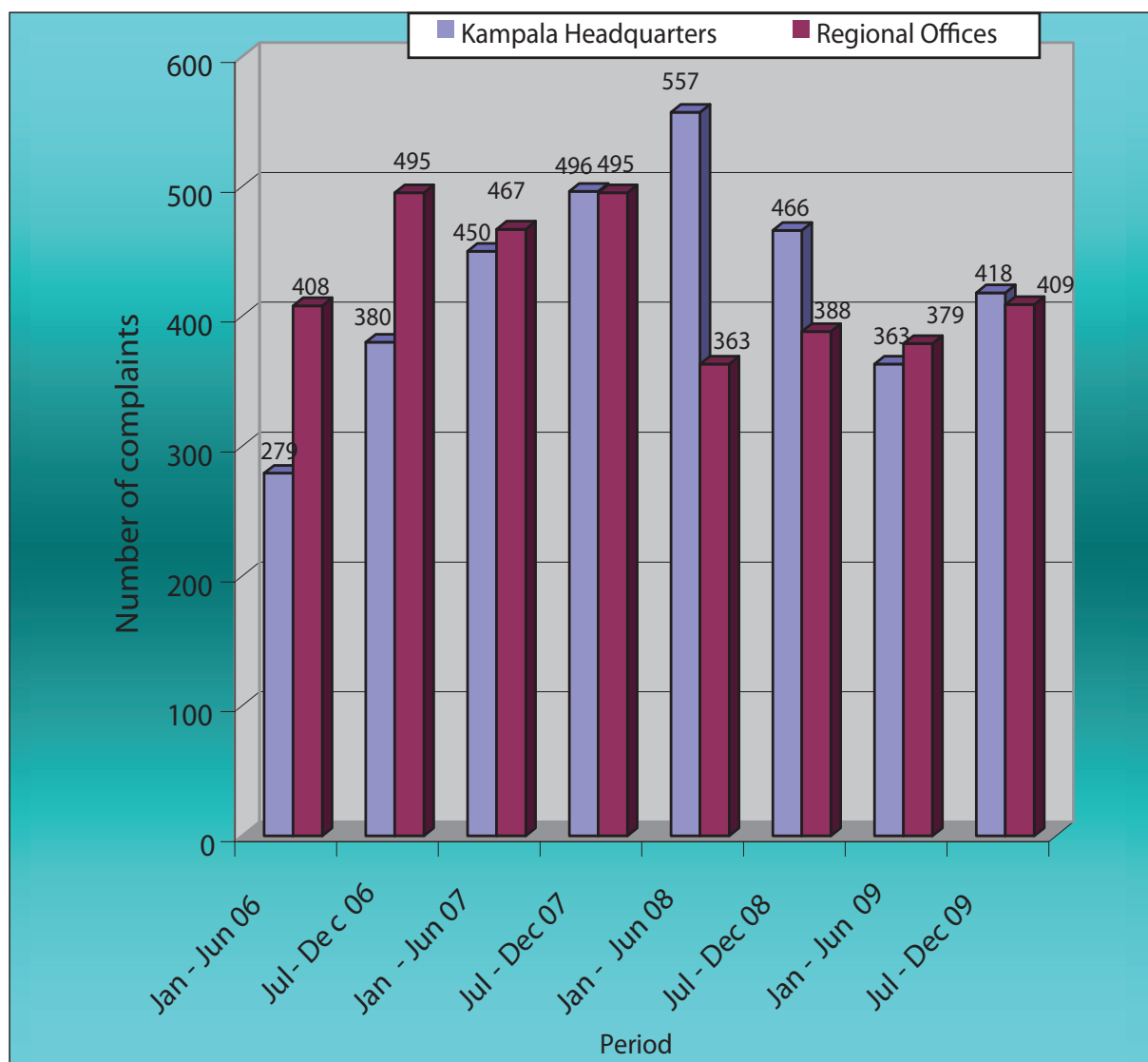
Table IX

Trend of the complaints Referred to other Institutions by the Inspectorate of Government for the Periods Jan 2001 – December 2009

Period	Kampala HQs	Regional Offices	Total Complaints
Jan - Jun 2001	312	255	567
Jul - Dec 2001	300	271	571
Jan - Jun 2002	139	210	349
Jul - Dec 2002	260	246	506
Jan - Jun 2003	130	200	330
Jul - Dec 2003	58	150	208
Jan- June 2004	138	172	310
Jul – Dec 2004	101	80	181
Jan – June 2005	50	77	127
Jul – Dec 2005	65	63	128
Jan – Jun 2006	57	40	97
Jul – Dec 2006	67	79	146
Jan – June 2007	143	164	307
Jul – Dec 2007	133	299	432
Jan – Jun 2008	99	117	216
Jul – Dec 2008	152	78	230
Jan – Jun 2009	34	39	73
Jul – Dec 2009	27	80	107

Figure 7

Comparison of the complaints handled at the Kampala Headquarters and Regional Offices for the periods January 2006 – December 2009



As the chart above shows, more complaints have been handled at the Regional Offices Compared to Kampala Headquarters. It should be noted however, that with the emerging of regional offices, more technical staff were deployed to these regional offices leaving the headquarters with less investigative staff as majority of the staff are engaged in non investigative work like enforcement of the leadership code, administration, follow up of recommendations and public awareness programmes among others.

Table X
Complaints received according to the districts of origin for the period July – December 2009

S/No	District	Number of Complaints	Percentage
1.	Kampala	176	21.3%
2.	Manafwa	40	4.8%
3.	Soroti	35	4.2%
4.	Wakiso	24	2.9%
5.	Jinja	23	2.8%
6.	Kabarole	23	2.8%
7.	Arua	19	2.3%
8.	Hoima	19	2.3%
9.	Kabale	16	1.9%
10.	Kasese	15	1.8%
11.	Nebbi	15	1.8%
12.	Rakai	15	1.8%
13.	Gulu	14	1.7%
14.	Kapchorwa	14	1.7%
15.	Mbale	14	1.7%
16.	Bushenyi	13	1.6%
17.	Mukono	13	1.6%
18.	Kamwenge	12	1.5%
19.	Lira	12	1.5%
20.	Tororo	12	1.5%
21.	Busia	11	1.3%
22.	Kamuli	11	1.3%
23.	Kyenjojo	11	1.3%
24.	Moyo	10	1.2%
25.	Sembabule	10	1.2%
26.	Iganga	9	1.1%
27.	Amuru	9	1.1%
28.	Bundibugyo	8	1.0%
29.	Mayuge	8	1.0%
30.	Mbarara	8	1.0%

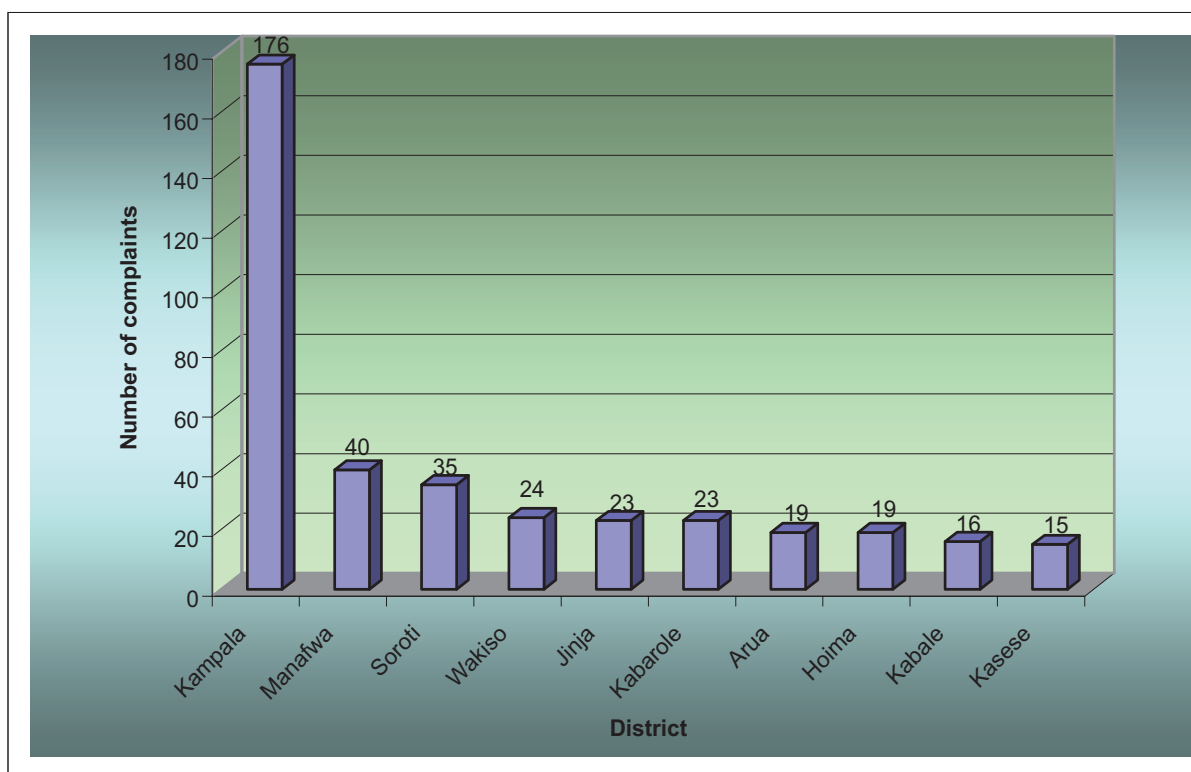
S/No	District	Number of Complaints	Percentage
31.	Bugiri	7	0.8%
32.	Kanungu	7	0.8%
33.	Luwero	7	0.8%
34.	Pader	7	0.8%
35.	Pallisa	7	0.8%
36.	Rukungiri	7	0.8%
37.	Ibanda	7	0.8%
38.	Oyam	7	0.8%
39.	Adjumani	6	0.7%
40.	Kitgum	6	0.7%
41.	Namutumba	6	0.7%
42.	Maracha Terego	6	0.7%
43.	Kaberamaido	5	0.6%
44.	Kayunga	5	0.6%
45.	Kibaale	5	0.6%
46.	Kotido	5	0.6%
47.	Masindi	5	0.6%
48.	Nakasongola	5	0.6%
49.	Mityana	5	0.6%
50.	Budaka	5	0.6%
51.	Kaabong	5	0.6%
52.	Isingiro	4	0.5%
53.	Kiboga	4	0.5%
54.	Kiruhura	4	0.5%
55.	Kumi	4	0.5%
56.	Mubende	4	0.5%
57.	Nakapiripirit	4	0.5%
58.	Ntungamo	4	0.5%
59.	Abim	4	0.5%
60.	Buliisa	4	0.5%
61.	Apac	3	0.4%
62.	Kaliro	3	0.4%
63.	Masaka	3	0.4%
64.	Moroto	3	0.4%
65.	Bukedea	3	0.4%
66.	Kalangala	2	0.2%



S/No	District	Number of Complaints	Percentage
67.	Katakwi	2	0.2%
68.	Kisoro	2	0.2%
69.	Sironko	2	0.2%
70.	Yumbe	2	0.2%
71.	Lyantonde	2	0.2%
72.	Foreign Country	2	0.2%
73.	Amuria	1	0.1%
74.	Mpigi	1	0.1%
75.	Amolatar	1	0.1%
76.	Nakaseke	1	0.1%
77.	Bududa	1	0.1%
78.	Dokolo	1	0.1%
79.	Koboko	0	0.0%
80.	Bukwo	0	0.0%
81.	Balamogi	0	0.0%
82.	Not given	12	1.5%
	Total	827	100.0%

Figure 8

**The top ten districts where most of the complaints originated from
During the period July – December 2009**



The chart above shows that most complaints originated from Kampala District followed by Manafwa District. Most complaints are registered in Kampala mainly because of its central location, high level of literacy compared to the regional offices and due to the fact that most Government departments which are mostly complained against are located in Kampala.. It was also observed that most complaints originate from the districts where the Inspectorate of Government has an Office. This may be attributed to easy accessibility of these offices, which makes it easier for people to lodge their complaints.

Table XI

**The Nature of Complaints Received during the period
July – December 2009**

S/No	Nature of complaint	Number of Complaints	Percentage
1	Abuse of office	213	25.8%
2	Mismanagement and misappropriation of public resources	131	16.0%
3	Non payment of salaries and other benefits	95	11.5%
4	Property Dispute	76	9.2%
5	Delay of service delivery	54	6.5%
6	Tenders & Contracts	44	5.3%
7	Forgery and uttering false documents	36	4.4%
8	Victimization/ Oppression	35	4.2%
9	Conflict of Interest	27	3.3%
10	Bribery & Extortion	24	2.9%
11	Embezzlement	20	2.4%
12	False Claims	14	1.7%
13	Tax evasion	5	0.6%
14	Corruption (Specific)	4	0.5%
15	Others	48	5.8%
	Total	827	100.0%

The table above, shows that most of the complaints received during the period July – December 2009 were those involving abuse of office and public resources

which totaled 213 complaints accounting for 25.8% of the total complaints received. This was followed by complaints of Mismanagement and misappropriation of public resources which numbered 131 accounting for 16.0% of the total complaints received. The least complaints were in the category of Tax evasion (0.6%) and direct cases of corruption(0.5%).

Table XII

Nature of complaints investigated and completed during the period July – December 2009

	Nature	No. of Complaints	Percentage
1	Mismanagement & Misappropriation	96	19.4%
2	Non payment of salaries & other benefits	92	18.7%
3	Abuse of office	88	17.8%
4	Delay of service delivery	45	9.1%
5	Property Dispute	36	7.3%
6	Forgery & uttering false documents	28	5.7%
7	Embezzlement	24	4.9%
8	Tenders & Contracts	19	3.9%
9	Bribery & Extortion	17	3.4%
10	Victimization/ Oppression	13	2.6%
11	Conflict of Interest	12	2.4%
12	False Claims	11	2.2%
13	Corruption (Specific)	7	1.4%
14	Tax evasion	1	0.2%
15	Others	54	11.0%
	Total	543	100.0%

Table XIII

Nature of complaints referred to other institutions during the period July – December 2009

S/N	Nature of complaint	Number of complaints	Percentage
1	Forgery & uttering of false documents	19	17.8%
2	Mismanagement & Misappropriation	18	16.8%
3	Non payment of salaries & other benefits	16	15.0%
4	Abuse of office	13	12.1%
5	Property Dispute	10	9.3%
6	Victimization/ Oppression	9	8.4%
7	Bribery & Extortion	5	4.7%
8	Delay of service delivery	3	2.8%
9	Embezzlement	2	1.9%
10	False Claims	2	1.9%
11	Tenders & Contracts	1	0.9%
12	Tax evasion	1	0.9%
13	Conflict of Interest	0	0.0%
14	Others	8	7.5%
	Total	107	100.0%

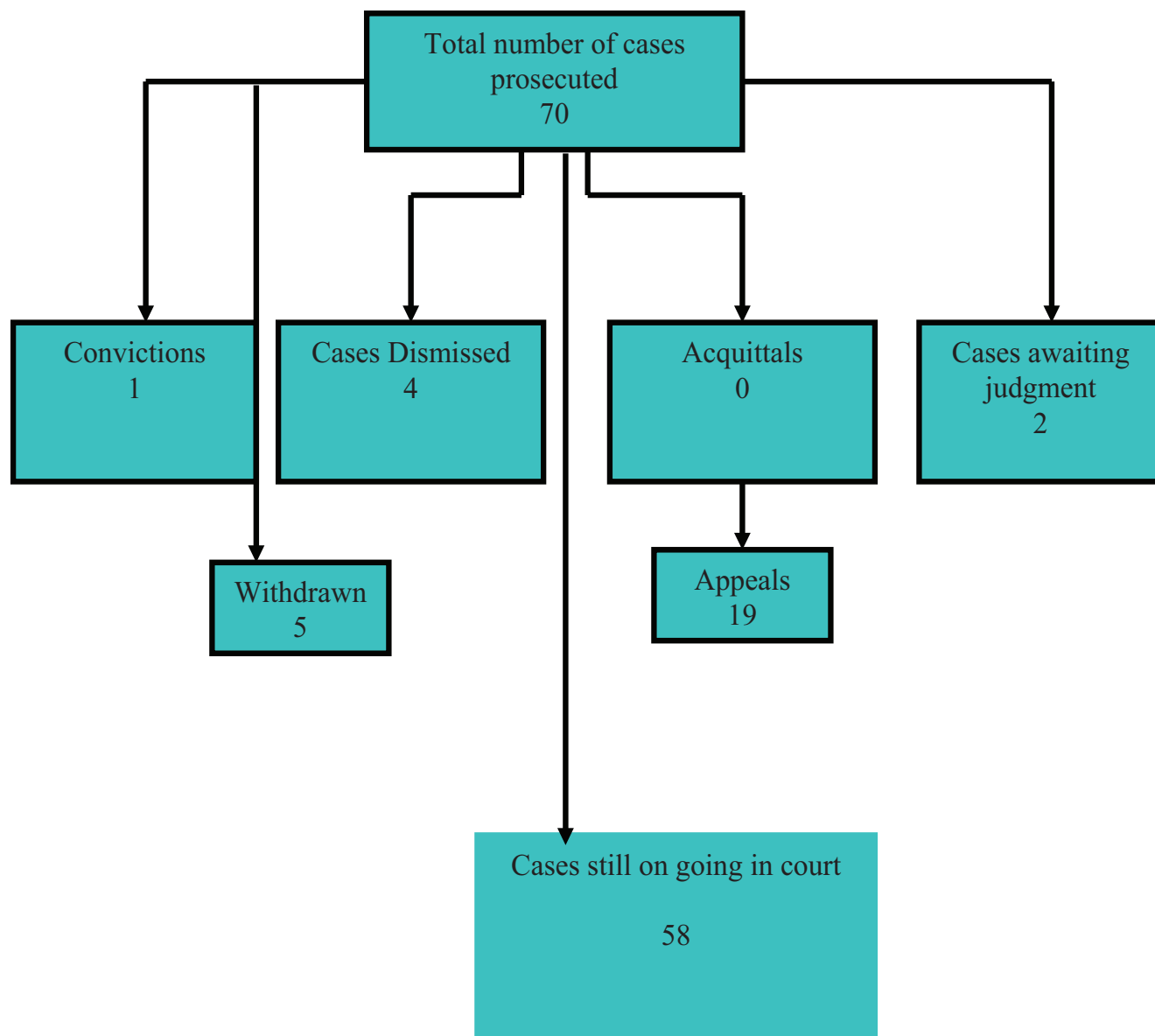
Table XIV

Arrests and Dismissals During the period July – December 2009

Office	No. Of Arrests	No. Of Dismissals
Kampala	4	10
Mbarara	2	0
Soroti	0	2
Mbale	0	3
Fort Portal	0	1
Arua	0	0
Gulu	2	9
Masaka	0	12
Jinja	0	0
Hoima	0	0
Kabale	0	1
Lira	0	8
Tororo	0	0
Moroto	0	0
Total	8	46

Figure 9

Prosecution Cases Handled during the period July – December 2009



It should be noted that each case might have more than one charge/count.

Table XV

Departments/Institutions complained against during the period July – December 2009

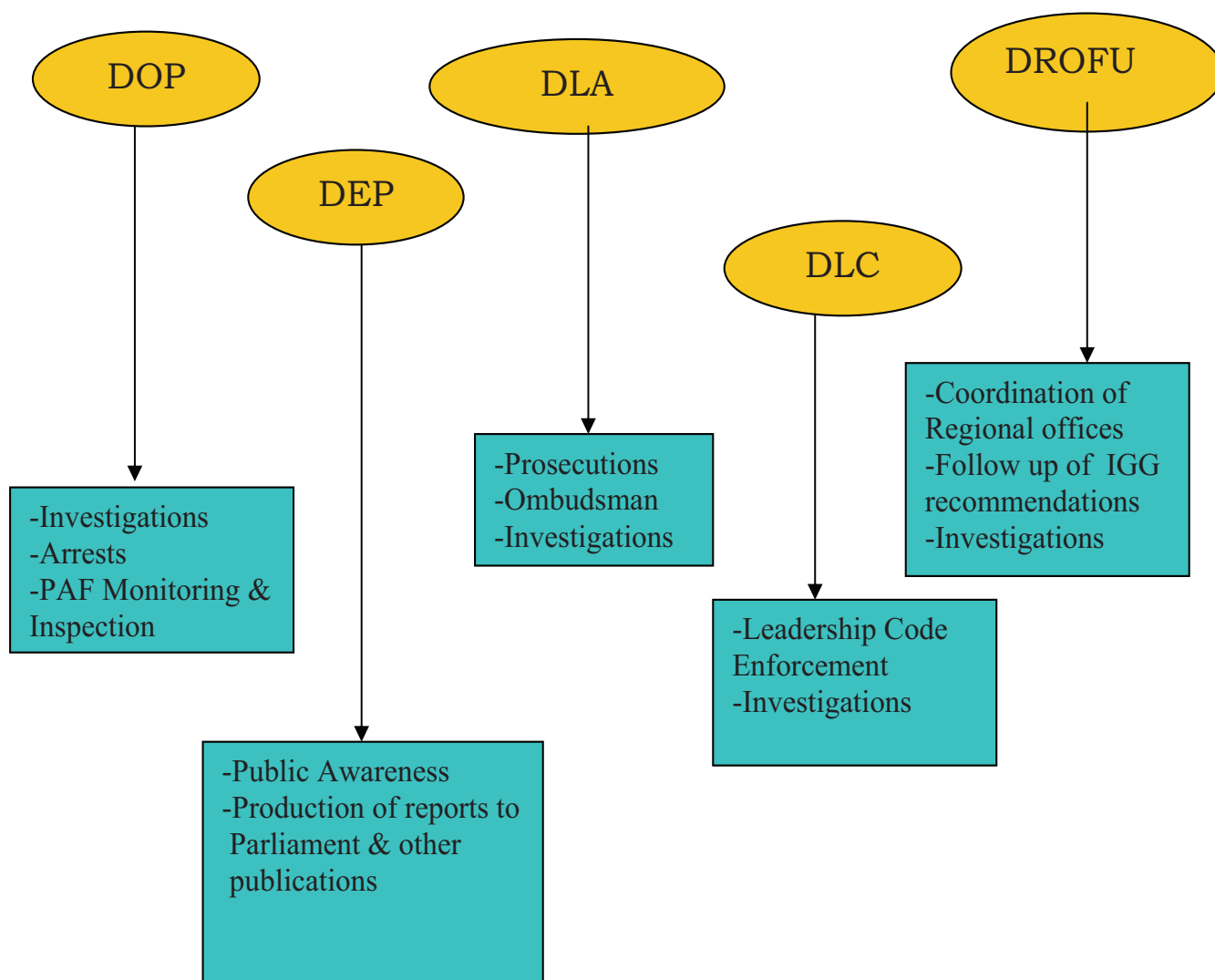
S/N	DEPARTMENT/INSTITUTION	Number of Complaints		Total Complaints	%age
		Kampala	Regional Offices		
1	District Administration	60	89	149	18.0%
2	Individuals (Public officials)	58	40	98	11.9%
3	Municipal & Town Councils	24	47	71	8.6%
4	Police	23	38	61	7.4%
5	School Administrations (Head teachers for Primary & Secondary schools)	13	37	50	6.0%
6	District Service Commissions	18	24	42	5.1%
7	LCs	11	25	36	4.4%
8	Judiciary	16	13	30	3.5%
9	Lands Office	17	4	21	2.5%
10	Administrator General	18	0	18	2.2%
11	Hospitals	9	9	18	2.2%
12	Private companies /Organizations	5	12	17	2.1%
13	Sub county Chiefs	2	14	16	1.9%
14	Tertiary Institutions	9	5	14	1.7%
15	Tender Boards/contract committees	2	10	12	1.5%
16	KCC	12	0	12	1.5%
17	Colleges/institutes	7	5	12	1.5%
18	Ministry of Public Service	7	3	10	1.2%
19	Land Board	8	1	9	1.1%
20	DEOs	5	3	8	1.0%
21	NAADS	6	1	7	0.8%
22	URA	5	0	5	0.6%
23	Education Service Commission	4	0	4	0.5%
24	UNRA	3	1	4	0.5%
25	Ministry of Education	1	2	3	0.4%
26	Prisons	2	1	3	0.4%
27	NFA	2	1	3	0.4%
28	MPs	2	1	3	0.4%
29	NUSAF	3	0	3	0.4%
30	Ministry of Finance	2	1	3	0.4%
31	ISO & UPDF	2	0	2	0.2%

S/N	DEPARTMENT/INSTITUTION	Number of Complaints		Total Complaints	%age
		Kampala	Regional Offices		
32	Inspectorate of Government	2	0	2	0.2%
33	Ministry of Health	1	1	2	0.2%
34	Ministry of Lands	2	0	2	0.2%
35	Posta (U) Ltd	2	0	2	0.2%
36	Uganda Railways Corp	2	0	2	0.2%
37	Immigration Department	2	0	2	0.2%
38	NSSF	2	0	2	0.2%
39	NGOs	2	0	2	0.2%
40	Resident State Attorneys	2	0	2	0.2%
41	Uganda AIDS Commission	2	0	2	0.2%
42	National Planning Authority	2	0	2	0.2%
43	Ministry of Disaster Preparedness	2	0	2	0.2%
44	Public Service Commission	2	0	2	0.2%
45	Face Technology	2	0	2	0.2%
46	Ministry of ICT	2	0	2	0.2%
47	Law Development Centre	2	0	2	0.2%
48	UMEME	2	0	2	0.2%
49	DPACB	1	0	1	0.1%
50	NHCC	1	0	1	0.1%
51	Ministry of Works	1	0	1	0.1%
52	District Engineers	1	0	1	0.1%
53	OPM	1	0	1	0.1%
54	DDHS	0	1	1	0.1%
55	Electoral Commission	1	0	1	0.1%
56	Privatization Unit	1	0	1	0.1%
57	Solicitor General	0	1	1	0.1%
58	CAA	1	0	1	0.1%
59	UBC	1	0	1	0.1%
60	Ministry of Gender	1	0	1	0.1%
61	Ministry of Local Government	1	0	1	0.1%
62	NARO	0	1	1	0.1%
63	VCCU	1	0	1	0.1%
64	National Medical Stores	1	0	1	0.1%
65	Attorney General	1	0	1	0.1%
66	Nakasero Market Authority	1	0	1	0.1%

S/N	DEPARTMENT/INSTITUTION	Number of Complaints		Total Complaints	%age
		Kampala	Regional Offices		
67	Ministry of Internal Affairs	1	0	1	0.1%
68	State House	1	0	1	0.1%
69	NDA	1	0	1	0.1%
70	EADB	1	0	1	0.1%
71	NEMA	1	0	1	0.1%
72	PAC	0	1	1	0.1%
73	FUFA	1	0	1	0.1%
74	Others	8	17	25	3.0%
	Total	418	409	827	100.0%

Figure 10

Activities of the Inspectorate of Government by Directorates

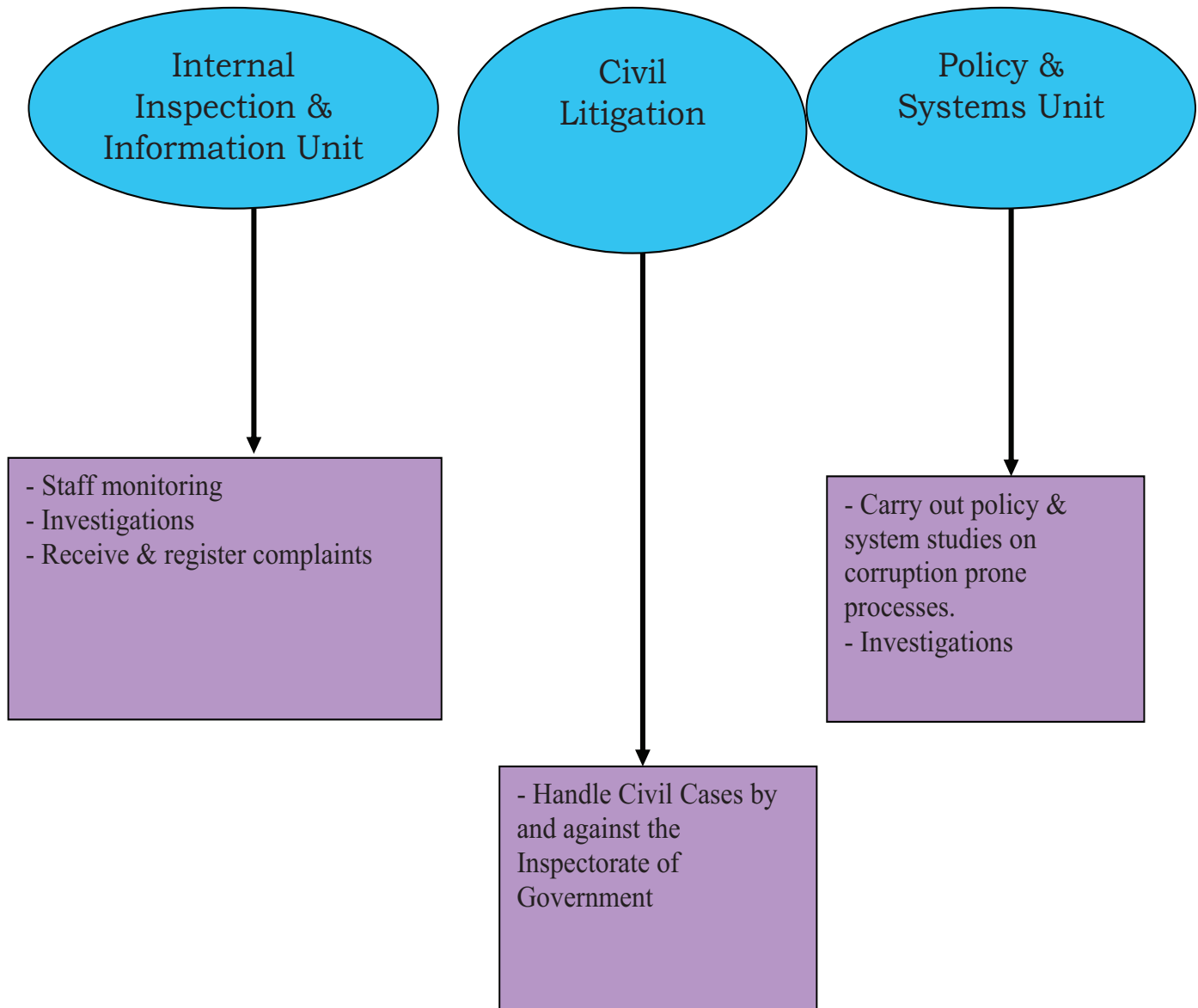


Key:

- DOP – Directorate of Operations*
- DEP – Directorate of Education and Prevention of Corruption*
- DLA - Directorate of Legal Affairs*
- DROFU – Directorate of Regional Offices and Follow Up.*
- DL/C – Directorate of Leadership Code*

Figure 11

Other Activities of the Units of the Inspectorate of Government



The above units also report to the IGG in execution of their duties

Figure 12

Activities of the Department of Finance and Administration

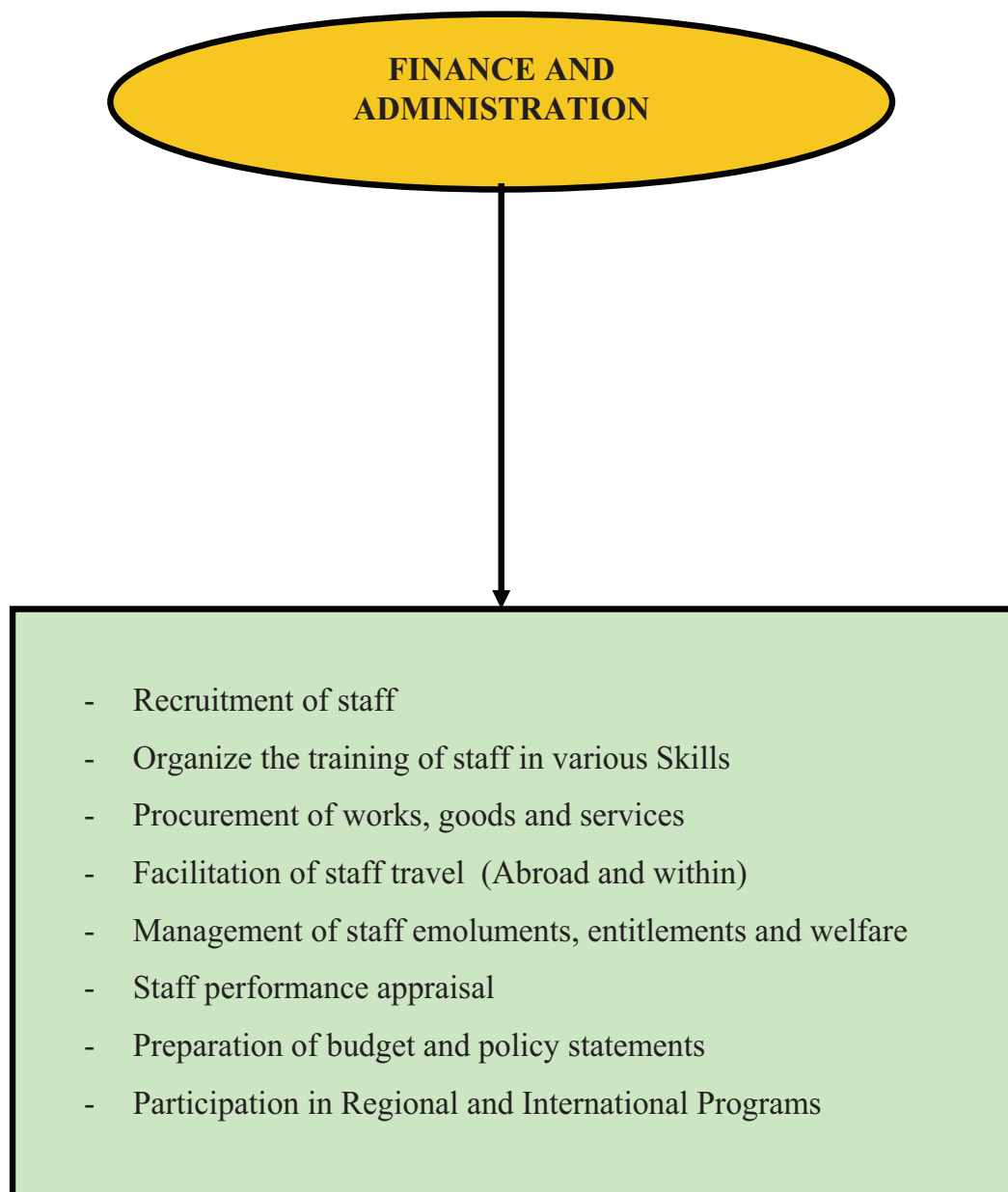
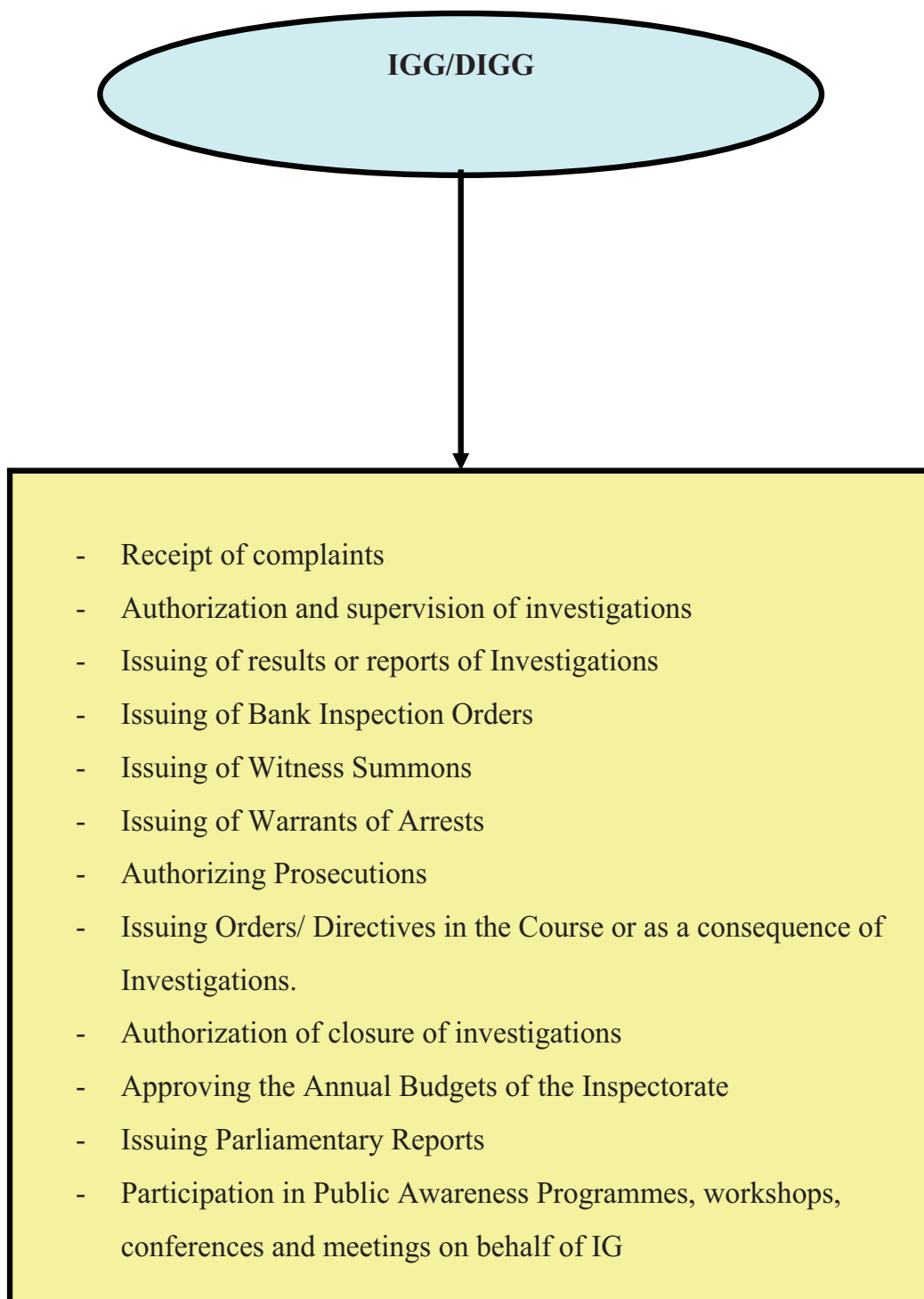


Figure 13

Activities of the IGG/ DIGG





Appendix B

**LIST OF SOME OF THE CASES INVESTIGATED AND
COMPLETED DURING THE PERIOD
JULY–DECEMBER 2009**





LIST OF SOME OF THE CASES INVESTIGATED AND COMPLETED DURING THE PERIOD JULY - DECEMBER 2009

S/N	File Ref and Date of Issue	Subject Matter	Recommendations	Implementer	Action on implementation of Recommendations
1.	LIR/CF/08/2008 3/9/2009	Alleged irregular recruitment of staff by the District Service Commission - Dokolo	<p>The appointment of the Town Clerk Dokolo Town Council by Dokolo DSC to be upheld.</p> <p>The CAO to submit the DHO, the District Natural Resource Officer & the Senior Procurement Officer to the DSC for rescinding of their appointments as none of them met the minimum requirements for the positions they were appointed to. The positions to be re-advertised and filled appropriately.</p> <p>The district chairman, Dokolo to caution the DSC members for short listing and appointing the persons who did not meet the minimum requirements for the posts.</p> <p>The CAO to forward the CDO Dokolo to the DSC to rescind her appointment as she was erroneously appointed.</p>	The CAO Dokolo	Implemented

2.	MRT/CF/01/ 2008 12/10/2009	Alleged mismanagement and abuse of authority and public office by Kaabong District Local Government officials	<p>The CAO to submit the two drivers for dismissal because they were appointed on the basis of forged O'Level Certificates which they presented to the DSC</p> <p>The PS Ministry of Local Government to submit the then CAO Kaabong District Local Government to PSC for dismissal for contravening the Local Government Financial & Accounting Regulations, 2007 and the Local Government PPDA Regulations, 2006.</p> <p>The CAO Kaabong District Local Government to initiate recovery of shs. 13,062,520/= for 5 solar panels and the accessories not accounted for.</p> <p>The District Chairperson to refund shs. 5,958,675/= for the failed trip to Canada within 30 days of the receipt of this report, failure of which he should vacate office.</p> <p>The Kaabong DSC to advertise and fill the post of CFO/ Head Finance Department to replace the officer who has reached retirement age of 60 years.</p> <p>The DSC to advertise and fill the post</p>	PS Ministry of Local Government	Partially implemented - The District Chairman refunded the money.
----	----------------------------------	---	--	---------------------------------------	---

			of District Engineer and that of Supervisor of Works.			
3.	ARU/CF/06/2008 10/8/2009	Alleged non-compliance with instructions of the Permanent Secretary MOES by the H/M Muni Girls S.S	<p>The P/S MOES to submit the teacher to the Education Service Commission for dismissal for presenting a forged clearance letter purportedly signed by the head teachers of Aripea, Aria & Muni Girls S.S whereas not.</p> <p>The district CID officer, Arua was directed to consider having the teacher prosecuted for forgery & for uttering false documents contrary to Sec.342 & 351 of the Penal Code Act Cap. 120.</p> <p>The CAO Arua, to caution the District Personnel Officer for putting the teacher on the payroll of Muni girls S.S without confirming that he had assumed duty at the school.</p>	The P/S MOES	Not yet implemented	Investigations established that the allegations lacked merit.
4.	ARU/08/03/2006 23/07/2009	Alleged wrongful termination of the Parish chief, Kiraba- Gulinia, Adjumani district	<p>The Parish chief, Kiraba- Gulinia did not exercise his right to appeal to the PSC against the compulsory retirement; accepted his severance package, and even wrote to the personnel section of the district requesting for reinstatement in the service of the district, should the opportunity arise.</p> <p>Therefore, the IG upheld the</p>	The CAO Adjumani district		



		retirement, as the decision to compulsorily retire the officer was justified.			
5.	ARU/CF/02/2008 18/08/2009	Alleged misappropriation of funds for Wadalei S/C by the Ag. S/C Chief	The CAO was directed to recover a total of shs. 1,589,500/= from the former Ag. S/C chief Wadalei, currently the Extension (Veterinary) Officer, Nyaravur; being funds he received and diverted, misappropriated or failed to account for.	The CAO Nebbi	Implemented
6.	ARU/CF/04/2006 21/07/2009	Alleged questionable expenditure by Yivu S/C officials	The CAO to recover shs. 4,500,000/= from the then Sub County Chief now S/C Chief of Okollo that he irregularly paid out and for which he presented false accountability and to submit him to the DSC for appropriate disciplinary action for the above stated misconduct.	The CAO Arua district	Implemented
7.	ARU/CF/27/2008 30/09/2009	Alleged irregular recruitment of a Town Clerk for Koboko Town Council	The DSC to rescind the probationary appointment of the Town Clerk (Principal Township Officer) scale U2 and re-advertise the post for filling in accordance with the qualifications specified for the post. The district chairman to caution the DSC to adhere to the job specifications in the advertisement for the post and not to introduce new	The CAO Koboko	Not yet Implemented. The CAO wrote to the Attorney General for technical and legal advice. The case is also under review by the IG after a petition by the District Chairman and the CAO

			considerations that were not specified for the post.			
8.	ARU/CF/39/2007 21/07/2009	Alleged mismanagement of funds for Moyo Town Council Urban Water (A/CAO)	<p>The CAO to take disciplinary action against the caretaker secretary DSC..</p> <p>The CAO was directed to recover shs. 6,720,000/= from the former Ag. Town Clerk, Moyo Town Council, who is substantially assistant CAO Moyo being the financial loss suffered as a result of making payments to Able Holdings Ltd for works that were not worth the shs. 16,000,000/= that was paid out.</p>	The CAO Moyo district	Implemented	
9.	FP/CF/06/2008 16/10/2009	Alleged misuse/misappropriation of Public funds & property at Mahyoro sub county in Kamwenge district	<p>The CAO was directed to recover the irrigation pump battery from the, former Sub County Chief Mahyoro who is currently A/CAO Kitagwenda County and ensure that the irrigation pump is refurbished and utilised by the district to serve its intended purpose.</p>	The CAO Kamwenge District	The said sub-county chief had been interdicted over another issue.	
10.	FP/CF/05/07 25/11/2009	Alleged abuse of office by officials of Bundibugyo DLG	The CAO was directed to ensure that the Chairperson vacates the hospital house with immediate effect.	The CAO, Bundibugyo District	Implemented	
11.	FP/CF/13/2008 16/07/2009	Alleged mismanagement and abuse of office by the	The CAO to ensure that Kapaulo shallow well is made functional and a proper water source located and constructed for Kibira village in	The CAO Kyenjojo District	Not yet implemented	



		Sub County Chief of Kyegegwa in Kyenjojo District	Kyegegwa Sub County. The Sub County chief of Kyegegwa, to seek permission from Kyenjojo District to have some of the trees surrounding the administration block cut down in order to avoid further damage to the buildings and the water tanks.		
12.	FP/CF/14/2008 18/09/2009	Alleged existence of ghost teachers on the payroll for Kyarubingo Technical School in Kamwenge district	The district CID Officer, Kamwenge to investigate further the case of forgery and utterance of false documents by the four teachers mentioned in the report with a view of prosecuting them. The PS to forward, Head teacher St'Joseph Technical School, Kyarubingo to the Education Service Commission for appropriate disciplinary action for negligently processing and helping four teachers to access the school's payroll resulting into irregular payment of salaries of shs 38,572,128/=	The District CID Officer The PS MOES	Not yet implemented
13.	FP/CF/15/2008 18/09/2009	Alleged irregularities in the award of Contracts to M/S Focus 3000 Co Ltd & M/S Rujumba & Co. Ltd	The CAO to submit the former Sub-County Chief of Kyabarunga S/County now S/County chief Maliba to the DSC for appropriate disciplinary action for negligence in his actions when he failed to verify the tender awards with the Kasese District authorities.	The CAO Kasese	Implemented



Republic of Uganda

16.	GUL/02/07/2008 10/7/2009	Alleged Non payment of salary for a teacher by the CAO Amuru District	<p>The CAO was justified in withholding the salary of the said teacher for the months of November to December 2007 & January 2008 as he did not work for it.</p> <p>The CAO was directed to forward the said teacher to the DSC for dismissal for misconduct & failure to execute his duties, in contravention of Chapter 1 F-a 1 of the Uganda Government Standing Orders.</p>	The CAO Amuru district	Implemented.
17.	GUL/CF/02/2006 10/8/2009	Alleged embezzlement of shs 7m/= for condom distributors workshop by officials of Kitgum District Health Department.	<p>The CAO to submit the concerned parties to the DSC, Kitgum for appropriate disciplinary action.</p> <p>The CAO to recover shs 1,415,000/= from Ms. Amono being the balance of shs 4, 5000, 000/= she misappropriated.</p>	The CAO Kitgum district	Partially implemented
18.	GUL/CF/05/2009 19/08/2009	Alleged irregular payment of salaries to a teacher of Palukere Primary School by the CAO Amuru District	<p>The CAO to cause the immediate deletion of the teacher from the payroll of Karutu Primary School.</p> <p>The P/S Secretary to the Treasury was informed not to release any funds in the names of the said teacher 11/1/2006/5629 under vote No. 570 of Amuru District since he has no claim to that effect.</p>	The CAO Amuru District	Implemented

19.	GUL/CF/09/ 2008 12/8/2009	Alleged recruitment of the District Natural Resource Officer by the DSC, Pader and irregular payment of salary to a teacher by Pader District authorities	<p>The CAO was directed to recover shs 7,200,261/= from the District Natural Resource Officer which was irregularly and wrongly paid to her as salary and should present the matter to the DSC for the appointment to be rescinded since she did not take it up.</p> <p>The CAO to present the former H/M Populace P/S, to the DSC for appropriate disciplinary action for his failure to inform the district authorities of the presence of a ghost teacher on the school payroll while she did not report for duties.</p> <p>The DSC to rescind the appointment of the District Natural Resources Officer and the post should be re-advertised.</p>	The CAO Pader District	Implemented
20.	GUL/CF/10/ 2007 10/7/2009	Alleged irregular appointment of members of PAC & District Land Board by the District Chairperson Dokolo	<p>The District Chairperson to ensure that the District Executive Committee recommends to the District Council for appointment of a Land Board that fulfills all the requirements of Section 57 of the Land Act Chapter 227 so that it is approved by the Minister of Lands, Housing & Urban Development & it embarks on operations.</p> <p>The CAO Dokolo to caution the former</p>	The CAO Dokolo	Implemented.

			Ag.CAO, for failing to guide the District Council appropriately by ensuring that the nominated District Land Board was approved by the Ministry of Lands, Housing & Urban Development before it commenced operations. The appointment of members of the PAC to be rescinded & the District Council should ensure that they are replaced by people who meet the minimum qualifications as required under Section 88 of the Local Government Act chapter 243.			
21.	GUL/CF/10/2008 16/10/2009	Alleged mismanagement of the recruitment exercise by Pader DSC	The CAO Pader District Local Government to submit the District Education Officer, (special Needs), and Senior Community Development Officer, to the DSC to have their appointments rescinded since they did not possess the required academic qualifications at the time of their appointments.	CAO Pader	Implemented	
22.	HMA/04/02/2007 19/08/2009	Alleged abuse of office by the Head teacher Bulindi COU Primary School	The CAO to recover Shs. 1,348,879/= from an Education Assistant, being money she received as salary while absent from her station without leave. Head teacher to be submitted to the DSC to be seriously warned for failing to report the continued absence of a	The CAO Hoima	Implemented	



23.	HMA/CF/25/ 2007 28/08/2009	Alleged abuse of office and financial mismanagement by the head teacher Kasiita Primary School-Kibaale District	<p>member of his staff without leave.</p> <p>The CAO to recover a total of shs. 210,000/= from the H/M Kasiita Primary School being money that he borrowed from funds generated from the sale of eucalyptus trees.</p> <p>The head teacher to account for a total of shs. 760,000/= being PTA contributions in the third term of 2006 which remained unaccounted for.</p> <p>The H/M Kasiita Primary School to ensure that shs. 200,000/= borrowed from Katweyombeki SACCO is paid back with immediate effect.</p> <p>The Management of Kasiita P/S should ensure that salary arrears of shs. 110,000/= and shs. 120,000/= due to the female teachers respectively are paid to them.</p>	The CAO Kibaale District	Implemented.
24.	HQT/10/02/2006 9/9/2009	Alleged ghost teachers and inflated salary arrears by officials of Luwero & Nakaseke Districts	<p>District officials in charge of salaries from Luwero and Nakaseke Districts be cleared of the allegation that they created ghost teachers and inflated their salaries through which scheme government lost a lot of money.</p> <p>The CAO to recover a total of shs. 942,000/= from an officer being the</p>	The CAO Luwero District	Not yet implemented



			money he received between September 2006- February 2007 when he was appearing on the payroll twice.			
25.	HQT/39/01/2 006 6/8/2009	Alleged victimisation of a former Teacher at Buwere Primary School, Mpigi	The CAO was directed to submit the said teacher to the DSC for appropriate disciplinary action for misconduct.	The CAO Mpigi district	Implemented	
26.	HQT/74/09/2 007 1/7/2009	Alleged irregular surveying of Buligo land by Busoga University	The lesser (Busoga Church of Uganda) should in liaison with the lessee (Busoga University) make arrangements to adequately compensate the squatters on the land before any steps of eviction may be taken. For the occupying squatters with significant developments on the land, Busoga Church of Uganda should in liaison with Busoga University make arrangements to allow the squatters an opportunity of buying their interest and processing their own copies of lease titles for the part they occupy, for purposes of harmony.	The Vice Chancellor Busoga University	Implemented.	
27.	JNJ/05/03/2 008 17/09/2009	Alleged non payment of pension arrears by Iganga District.	Mr. Kitaulwa should be paid pension at a salary scale of U7 and not U8. It is improper for the Iganga District Local Government to deduct all the	The CAO Iganga District		

			money in respect of Mr. Kitaulwa's pension. They should make partial recoveries from his monthly pension until the entire sum is recovered. Mr. Kitaulwa to follow up the payment of his gratuity with the Ministry of Public Service.			Not yet implemented
28.	JNJ/CF/08/2008 30/10/2009	Alleged irregular recruitment of Senior Procurement Officer by the DSC Mayuge	Mayuge DSC was absolved from the allegations of irregularly appointing the Senior Procurement Officer.	The CAO Mayuge		Nothing to implement
29.	JNJ/CF/21/2007 22/07/2009	Alleged fraudulent eviction from plots of land by the Chairman Jinja municipal council, Mpumudde Division in Jinja District	Mpumudde division council to cause removal of the LIU members still on the committee for their participation in unfairly allocating the project plots to themselves and to the so called private developers to further their personal interests at the cost of the project, hence mismanaging the Mpumudde C3 project land, contrary to the objectives of the project. The Ministry of Lands Housing and Urban Development in collaboration with other stakeholders such as the Mpumudde Division leadership to expedite the processing of the lease titles to the project plot owners for	The C/Person Mpumudde Division Jinja District		Not yet implemented

			development in line with the project objectives. The LIU and other stakeholders to ensure that development on the project land is in line with the fundamental project objectives and in conformity with the Laws and regulations relevant to urban development.			
30.	JNJ/CF/25/2 009 20/10/2009	Alleged abuse of office and embezzlement of funds in Busimo Primary School Iganga District	The head teacher to ensure that the said teacher obtains formal sick leave to enable him attend treatment. The head teacher be absolved of the allegations that he connived with the said teacher to share his salary, forging posting instructions for teachers, harasses teachers, levies extra fees for personal use, sold school maize, iron sheets and cement and that he does not involve teachers in school expenditure.	The CAO Iganga district	Implemented	
31.	JNJ/CF/31/2 007 20/10/2009	Alleged abuse of office by the former CAO Iganga	The former CAO Iganga District was absolved of the allegations raised against him.	The PS Ministry of Local Government	Nothing to implement	
32.	JNJ/CF/32/2 008 19/10/2009	Alleged irregular recruitment of Procurement Officers by Jinja DSC	The technical person, should be absolved from the allegation that he influenced the recruitment of procurement officers by the Jinja DSC	The CAO Jinja District	They were cleared of all allegations, no action to be taken	

33.	JNJ/CF/34/2 008 20/10/2009	Alleged abuse of office by the Sub county Chairperson, Ikumbya Subcounty, Iganga district	The Jinja DSC should be absolved from the allegation of irregular recruitment of Senior Procurement Officer, Procurement Officer and Assistant Procurement Officers of Jinja District Local Government and Jinja Municipal Council It was recommended that the Iganga District C/P recovers the shs. 240,000/= that the sub county chairperson used to feed LCs.	The chairperson Iganga District Local Government	Implemented		
34.	JNJ/CF/40/2 005 7/10/2009	Alleged embezzlement of funds and abuse of office by the Sub County Chief and Chairperson of Busede Sub County, Jinja District.	The CAO to reprimand the Sub County Chairperson Busede to desist from usurping the powers of his Sub County Chief and cashier by involving himself in the collection and expenditure of district funds.	The CAO Jinja District	Not yet implemented		
35.	JNJ/CF/40/2 008 22/07/2009	Alleged injustice in the recruitment of a Lands Officer by the Bugiri DSC	This office agrees with the position taken by the Bugiri DSC that the position should either be re-advertised or the Ministry of Public Service be requested to re-designate the position to U4 so that the Lands Officer may be appointed.	The CAO Bugiri District	Implemented		

36.	KBL/CF/04/2009 17/07/2009	Alleged corruption by the District Procurement Committee and the District Engineer Rukungiri District	<p>The DSC Bugiri was absolved of the accusations of impropriety in handling the recruitment.</p> <p>The current execution of works on Nyakairo- Rwakigaju road and the award of tender to SDR General Services as the best evaluated tenderer for the rehabilitation of Nyakairo-Rwakigaju road was upheld.</p> <p>The award of tenders for the construction of Buhandagazi Health Centre II, Royonzo Health Centre II, Nyabushengi gravity flow scheme and revenue collection at Buyanja market was upheld</p> <p>The CAO to warn the C/man DSC to desist from issuing irregular instruments of appointments that are not considered and approved by the whole commission.</p>	The CAO Rukungiri District	Implemented
37.	MBL/CF/03/2009 9/9/2009	Alleged double earning of salary by Sports Officer, Mbale District Local Government	<p>The sports officer Mbale District Local Government should refund shs.4,816,127/= he illegally earned from government as a teacher between March 2008 to March 2009 when he was not teaching; to the IG within three months from the date of this letter or be prosecuted.</p>	The CAO Mbale	Not yet implemented

38.	MBRR/07/10 /2008 22/07/2009	Alleged irregularities in the award of the revenue collection tender for Kabwohe - Itendero Taxi Park by the Bushenyi District Contracts Committee	<p>The CAO Mbale should thereafter submit the sports officer to the DSC for appropriate disciplinary action for his lack of integrity and dishonesty, when he failed to resign his teaching job on being appointed District Sports Officer and continued earning two salaries from government. He also failed to follow the procedure of seeking appointments on transfer within service as laid down in the Government of Uganda Standing Orders.</p> <p>The CAO's office was cautioned to desist from advertising any bid opportunity unless the user department has initiated it</p> <p>The CAO to ensure that all adverts clearly specify the tender period being advertised and not the whole financial year in order to avoid such confusion in the future.</p>	The CAO Bushenyi District	Implemented	
39.	MBRR/09/07 /2008 7/9/2009	Alleged mismanagement of UPE funds & abuse of office by the H/M of Kakindo	<p>The CAO to caution the H/M Kakindo P/S, for employing a private teacher since this is a responsibility of the DSC.</p> <p>The H/M Kakindo P/S should be</p>	The CAO Bushenyi District	Implemented	

40.	MBRR/10/02/2007 3/8/2009	P/S in Bushenyi District Alleged abuse of office by the Head teacher & Bursar of Rubaare SS in Ntungamo District	<p>cleared of all the allegations except on irregularly recruitment of one teacher</p> <p>The deputy H/M and the former school bursar respectively of Rubaare SS are exonerated from the allegations that they opened up a new account where shs. 3m from government was deposited and later misused.</p> <p>The P/S MOES should decline to accept the resignation of former school bursar, but instead submit his names to the Education Service Commission for dismissal from service for possession & uttering a forged diploma certificate</p> <p>The O/C CID Ntungamo should track down the officer former school bursar for possible prosecution for possession & utterance of a forged diploma certificate.</p>	The P/S MOES	Implemented.
41.	MBRR/19/10/2004 26/08/2009	Alleged abuse of office by the Principal Staff Surveyor Mbarara	<p>The Commissioner Lands & Survey Department was advised to reinstate Plot 8 Constantino Lobo Road as it was before the subdivision.</p>	The Commissioner, Lands & Surveys Dept	Not yet implemented
42.	MBRR/CF/13/2007 10/7/2009	Alleged forgery of academic documents by various Nurses in Ntungamo	The CAO to submit both the affected enrolled nurses from Ntungamo District Local Government to Ntungamo DSC for dismissal from service.	The CAO Ntungamo District	Not yet implemented

43.	MBRR/CF/1 72008 12/8/2009	District Alleged abuse of office by members of, and non qualification by chairman and Secretary DSC Ntungamo	<p>The CAO to submit the affected nurses to the DSC for cancellation of their probationary appointments.</p> <p>The District CID Officer should carry out further investigations and prosecute the said officers for offences of forgery & uttering false documents contrary to Sections 342 and 351 of the penal code Act Cap 120. The CID Officer should also make sure that they surrender the forged documents in their possession</p> <p>The CAO to submit the Secretary Ntungamo DSC to have his appointment as Secretary, DSC rescinded as he does not have the requisite qualifications. The DSC should then absorb him into a position where he is qualified, but where no position exists, the commission should retire him pursuant to the PSC Guidelines on Restructuring of Local Government Staff for June 2005.</p> <p>The CAO to submit the Senior Economist to the DSC for rescission of his appointment as he lacks the qualification for that appointment. The DSC should then absorb him into a position where he is qualified, but where no position exists, the</p>	The CAO Mbarara Mbarara	Not yet implemented
-----	---------------------------------	---	---	-------------------------------	---------------------

44.	MRT/CF/04/ 2008 20/10/2009	Alleged gross mismanagement and incompetence of the District Chairperson, Nakapiripirit	commission should retire him pursuant to the PSC Guidelines on Restructuring of Local Government Staff for June 2005. The Nakapiripirit District Executive Committee and Nakapiripirit District Council should endeavor to expedite further nominations and appointment of the two other members of the DSC for the approval of Public Service Commission to fully constitute a DSC in accordance with Sec.54 of the Local Government Act Cap.243	The District Chairperson, Nakapiripirit	Not yet implemented
45.	MSK/CF/08/ 2008 26/10/2009	Alleged abuse of office and embezzlement of Public funds by Masaka Municipal Council	The PS to submit the Town Clerk Masaka Municipal Council to the PSC for appropriate disciplinary action for his misconduct and dishonesty exhibited in delivering and misappropriation of the council funds which was only refunded as a way to avert severe consequences bound to arise from investigations carried out by this office. The results of the interviews should be cancelled as the whole selection was marred by massive irregularities & all posts declared vacant by the Ministry of Local Government, including those unfairly shelved, should be immediately advertised using the correct person specifications.	The Permanent Secretary Ministry of Local Government	Not yet implemented
46.	MSK/CF/22/ 2008 6/8/2009	Alleged irregularities in the recruitment of staff by Lyantonde DSC		The CAO Lyantonde District	Not yet implemented

			<p>The Ag. Secretary DSC should cease to be so and revert to her duties as Personnel Officer because she is not qualified to act as Secretary DSC.</p> <p>The Labour Officer, should cease to be so or Senior Labour Officer because he does not qualify for the posts and should revert to Personnel Officer which is his substantive position.</p>			
47.	MSK/CF/26/2008 22/07/2009	Alleged irregular procurement of computers by the H/M Sembabule S.S	<p>The PS to submit the former H/M Sembabule SS & currently at Sam Iga SSS to the ESC for disciplinary action with a view of demoting him to a classroom teacher for mismanaging the school internet project and flouting procurement regulations.</p> <p>The PS to submit the current head teacher Sembabule SS to the ESC for disciplinary action with a view of demoting him to a classroom teacher for his unprofessional conduct in the implementation of the school internet project and flouting procurement regulations. He failed to account for shs. 6,628,500/= withdrawn against cheque no. 00537.</p>	The PS, MOES Kampala	Implemented	This issue was deliberated by the District Council on
48.	SRT/CF/05/2008	Alleged gross irregularities in the recruitment	The CAO was directed to institute proceedings of having the current Amuria DSC disbanded for	The CAO Amuria district		

	25/09/2009	for various posts in Amuria District by the DSC	incompetence, contrary to Sec.55 (4) (c) of the Local Government Act, cap 243. A competent DSC of members of high moral character and integrity should be instituted.		10th/12/2009
49.	SRT/CF/07/2008 19/08/2009	Alleged irregularities in the recruitment of staff by Kaberamaido DSC	<p>The DSC should conclude the exercise for recruitment of the Senior Accounts Assistant.</p> <p>Due diligence should be undertaken by the Commission to ensure that only qualified candidates with person specifications as stipulated in the advert of 12th May 2008 are recruited for the nine(9) positions of Senior Accounts Assistant, Kaberamaido District.</p>	The Chairperson DSC Kaberamaido	Not yet implemented
50.	SRT/CF/28/2007 19/08/2009	Alleged mismanagement of funds in Anyara Secondary School, Kaberamaido District	<p>The CAO to ensure that irregularly accounted for funds are recovered from;</p> <p>a) A resident of Anyara Trading centre & former Treasurer Anyara S.S who should refund shs. 800,000/=</p> <p>b) The S/County chief Anyara who should refund shs. 1, 045,700/= that he did not account for.</p> <p>ii) The P/S MOES should ensure that</p>	The CAO Kaberamaido District	Implemented

51.	SRT/CF/51/2 004 7/7/2009	Alleged payment for incomplete works and diversion of funds by Kuju Sub-County Chief.	USE funds to Anyara S.S are spent and accounted for as per the memorandum of understanding between the school and the Ministry and as per the USE guidelines. Further, the P/S MOES should ensure that the BOG of Anyara S.S recruits qualified teachers for the school.	The CAO should ensure that the Parish Chief for Willa and Alere parishes, Kuju Sub County, now Amuria District refund shs.1,745,244/= being funds irregularly paid to the contractor, Ms Maku Technical & Construction Services for final certificate and retention for completion of Aojakitoi Aid Post in 2004. Failure of which the funds should be recovered from him.	The CAO Katakwi District should ensure that within a period of 30 days of issuing of this report a total of shs. 1,745,244/= is recovered from the, current Sub Accountant Ongongoja S/C Katakwi District, being funds he irregularly aided to be paid to the contractor, Ms Maku Technical & Construction Services for final certificate and retention for completion of Aojakitoi Aid Post in 2004, yet the work was incomplete.	The CAO Amuria District	Implemented
-----	--------------------------------	---	--	--	--	-------------------------	-------------

52.	JNJ/CF/04/2 009 19/10/2009	Alleged abuse of office by the Head teacher, Spire Road Primary School	The CAO to warn the H/teacher Spire Road against taking decisions concerning the operations of the school without the involvement of the School Management Committee.	The CAO Jinja District	Not yet implemented
53.	TOR/CF/02/ 08 4/8/2009	Alleged abuse of office by the Secretary DSC, Busia District	<p>The decision to rescind the appointments of the PPO & SPO respectively are upheld.</p> <p>The PPO was absolved from the allegations that he caused irregular appointments of the PPO & SPO</p> <p>The CAO to implement the appointment of the Grade III Teacher as soon as possible since she was among the 82 successful applicants who were appointed by the commission.</p>	The CAO Busia District	Not yet implemented
54.	TOR/CF/05/ 08 23/07/2009	Alleged influence in the recruitment of District Education Officer & Senior Inspector of Schools by the district leadership, Butaleja	The appointment of the DEO and the Senior Inspector of Schools were regular & in accordance with the given guidelines.	The CAO Butaleja District	Nothing to implement

55.	TS/09/2009 19/10/2009	Alleged gross mismanagement of public funds and abuse of office /authority by the Town Clerk Iganga Council	Matter is in court.	The Office of the Chairman Iganga Town Council	The matter is in court
56.	TS/106/2007 17/07/2009	Alleged abuse of office authority & mismanagement by officials of Uganda Nurses & Midwives Council	Money to the tune of 8,500,000/= illegally collected by the UNMC for the second set of examinations that were never held be returned to the nurses and midwives who paid it and the Ag. Registrar is charged to forward evidence of refund to the Inspectorate.	The Ag. Registrar UNMC	Implemented
57.	TS/131/2007 8/9/2009	PAF inspection in Nakawa Division for F/Y 2005/06	The Town Clerk of KCC should order for supply of furniture to Kayanja Health Centre, using shs. 4,985,793/= that was withheld by Nakawa Division.	The Town Clerk KCC	Not yet implemented
58.	TS/134/2008 21/08/2009	Alleged abuse of office by the Undersecretary MOFPED	That the Undersecretary should be cautioned against using Ministry headed papers to transact private business as this is likely to misrepresent such transactions.	The P/S- Secretary to Treasury, MOFPED	Implemented
59.	TS/156/2007 21/07/2009	Alleged abuse of office by the Head teacher Ndeeba S.S.Kayunga	Warn the Head teacher Ndeeba SS for causing a teacher's transfer in an improper manner. The said teacher should have been referred to the Disciplinary Committee at the MoES to handle his case of absenteeism but	The P/S MoES	Implemented

			not irregularly transferring him as a solution. Submit the Senior Personnel Officer to PSC for appropriate disciplinary action for processing the said teacher's irregular transfer without instructions from the Commissioner Secondary Education and desk officer as it was supposed to be.		
60.	TS/164/2007 16/07/2009	Alleged diversion of funds for reconstruction of teachers' houses at Lake Victoria Primary School Entebbe	The mayor to reprimand the town Clerk Entebbe Municipal Council for negligence The contractor should be black listed for a period of two financial years during which he should not be given contracts by Entebbe Municipal Council for breaching the said contract and abandoning the construction site before completion of work.	The Mayor, Entebbe Municipal Council	Not yet Implemented
61.	TS/18/2009 25/9/2009	PAF inspection in Isingiro District for F/Y 2006/07	The Production Officer should be cautioned to follow the right accountability procedures. The district should use all means available including Legal action to cause those few people with outstanding loans and administrative advances to refund or account for those funds. Thereafter,	The CAO Isingiro District	Not yet Implemented



			the district must abide by the financial and accounting regulations. The Veterinary Officer should account for shs. 4,147,000/= within two weeks that was advanced to him for control of foot and mouth disease, otherwise the funds be recovered from his salary. The staff of Works Department under the supervision of the Ag District Engineer should be commended for the satisfactory supervision of construction works in the roads, health, and water & education sectors however a substantive District Engineer should be recruited to enhance the technical capacity.			
62.	TS/80/2005 19/08/2009	Alleged payment of double salary to a Health Assistant with Mpigi, Wakiso and Ntungamo Districts	Ensure that the Health Assistant pays shs.5, 376,680/= that she fraudulently earned from Ntungamo District as double salary within three (3) months from the issue of the report. The money should be paid to the IG Assets recovery A/C no. 231-204407-1 in BoU. Submit the Health Assistant to the DSC for appropriate disciplinary action.	The CAO Ntungamo District	Not yet Implemented	
63.	TS/96/2006	Alleged	The PS to recover shs. 841,424/=	The P/S	Not yet Implemented	

	8/7/2009	mismanagemen t and non payment of the late Byabasajja Edward by the principal of Bwera PTC	illegally paid out salary in respect to the late Byabasajja from the then Principal for having failed to exercise her duty as Accounting Officer of Bwera PTC, to cease sanctioning payment in the names of a deceased person and for failure to return monies so released to Treasury in line with the Uganda Government Standing Orders and Accounting Instructions 1991.	MOES	
64.	TS/08/2009 30/11/2009	Alleged gross mismanagemen t and abuse of office at Kitgum District	The CAO Kitgum District Local Government was directed to recover all outstanding payments arising from the hire of the bull dozer by M/S Service Technologies.	CAO Kitgum	Not yet implemented
65.	JNJ/CF/08/0 9 24/11/2009	Alleged irregular payment for garbage collection by Jinja Municipal Council	The former members of the Jinja Municipal Council Contracts Committee should be seriously reprimanded for irregular award of the tender for garbage collection to M/S Solid Waste Management Enterprises Ltd, that was not the best evaluated bidder. They should not be reappointed to the Contracts Committee. The Town Clerk, Jinja Municipal Council should streamline the use of the Municipal vehicles by the tenderers to collection garbage. The terms should be clear and explicitly	The Town Clerk Jinja	Not yet implemented

			stated. The Town Clerk, Jinja Municipal Council should ensure that a proper payment system especially to tenderers of garbage collection in the Central Division is put in place to avoid over payments and double claims.			
66.	JNJ/CF/27/08 25/11/2009	Alleged abuse of office by some officials of Kaliro District	<p>Kaliro District Administration is hereby absolved from the allegation that they were deducting a portion of the civil servants salaries in order to finance the construction of the Administration block, as the decision was abandoned before implementation.</p> <p>The Town Clerk Kaliro Town Council should forward a driver and an Askari to the District Service Commission for dismissal as they both have forged academic certificates.</p> <p>The driver and askari should be referred to the O/C CID Kaliro District for possible prosecution for personating and uttering false documents C/S 384 and 351 of the Penal Code Act, cap 120.</p>	CAO, Kaliro	Not yet implemented	
67.	JNJ/CF/07/0	Alleged	Bugiri District officials are hereby	CAO, Bugiri	Not yet implemented	

9	24/11/2009	embezzlement of Primary Health Conditional Grant meant for Sigulu Women Development Association by some officials of Bugiri District Local Government	absolved of the allegations that they forged documents to obtain and embezzle money meant for SIWODA under the Primary Health Care Conditional Grant. The District Gender, Culture & Youth Officer was cautioned to ensure that officials' records are properly kept to avoid occurrences such as that of SIWODA having two certificates.		
68.	JNJ/CF/26/07 24/11/2009	Alleged irregular award of contracts for road maintenance and shoddy works in Iganga District	Directed to put in place routine maintenance mechanisms for roads and ensure that they are adhered to so as to ensure longevity of the roads.	CAO, Iganga	Not yet implemented
69.	JNJ/CF/002/09 24/11/2009	Alleged irregular award of tender to manage Naluwerere Trailer Park by the Bugiri District Contracts Committee	The award of the contract to M/S Mutumba James & Mutumba Siraji is upheld as there was no irregularity in the award. Bugiri Contracts Committee is absolved of the allegation that they awarded the tender to manage Naluwerere Trailer Part irregularly.	CAO, Bugiri	No action to be taken
70.	FP/CF/16/06	Report on Alleged	The CAO to recover from the Chief Finance Officer Kamwenge District	CAO Kamwenge	Not yet implemented

	22/12/09009	Inadequacies in Kamwenge Town Council Accounts for the Year Ended 30 th June 2004	Local Government within three months shs 535,000= given to him as personal advance by Kamwenge Town Council in the Financial year 2000/01. The Town Clerk, Kamwenge Town Council should ensure that the Town engineer either accounts for shs 5,687,000= or the funds are recovered from his emoluments. The Town Clerk Kamwenge Town Council should remit unpaid taxes to URA totaling to shs 3,536,701=.	District	
71.	JNJ/CF/041/08 25/11/2009	Alleged abuse of office and irregular recruitment of Statistician - Mayuge District	The District Service Commission should advertise the position of a District Planner and the statistician be absolved from the allegation that he did not have the required experience for the job of District Statistician.	CAO Mayuge District	Not yet implemented
72.	MSK/CF/24/2008 16/10/09	Report on Alleged Irregular Retention in Service after Retirement of the Examiner of Accounts by Sembabule Town Clerk	To submit the Secretary DSC to the DSC Sembabule for dismissal for contravening Chapter I Appendix F-a (2) of the Government of Uganda Standing Orders through manipulation and orchestrating massive anomalies and inconsistencies in the DSC minutes and correspondences which led to retention of. The Examiner of	The CAO Sembabule	Not yet implemented

			Accounts in service irregularly earning in salary a total of shs 11,930,547= hence causing financial loss to Government. The Town Clerk, Sembabule Town Council should be reprimanded for neglect of duty when he failed to act promptly (by not interdicting) on the decision and advice of PSC to retire the examiner of accounts from service leading to continued payment of irregular salary to the affected official. The Town Clerk, Sembabule Town Council should ensure that the Examiner of Accounts name is deleted from the payroll immediately.		
73.	JNJ/CF/003/09 14/12/2009	Alleged shoddy/substandard works under LGDP projects for the FY 2007/2008 by NASMAF and Waguma Contractors in Iganga Town Council	Ensure that the damaged culvert on Noor Islamic Road is replaced to avoid further damage. The Town Clerk to proceed and get a consultant to design a proper bridging for the portion of Buwongo road which was damaged in order to complete construction of the road.	Town Clerk, Iganga Town Council	Not yet implemented
74.	JNJ/CF/046/08	Alleged abuse of office by the Chief	The accusations against the CAO Kamuli are false.	CAO, Kamuli	Not yet implemented

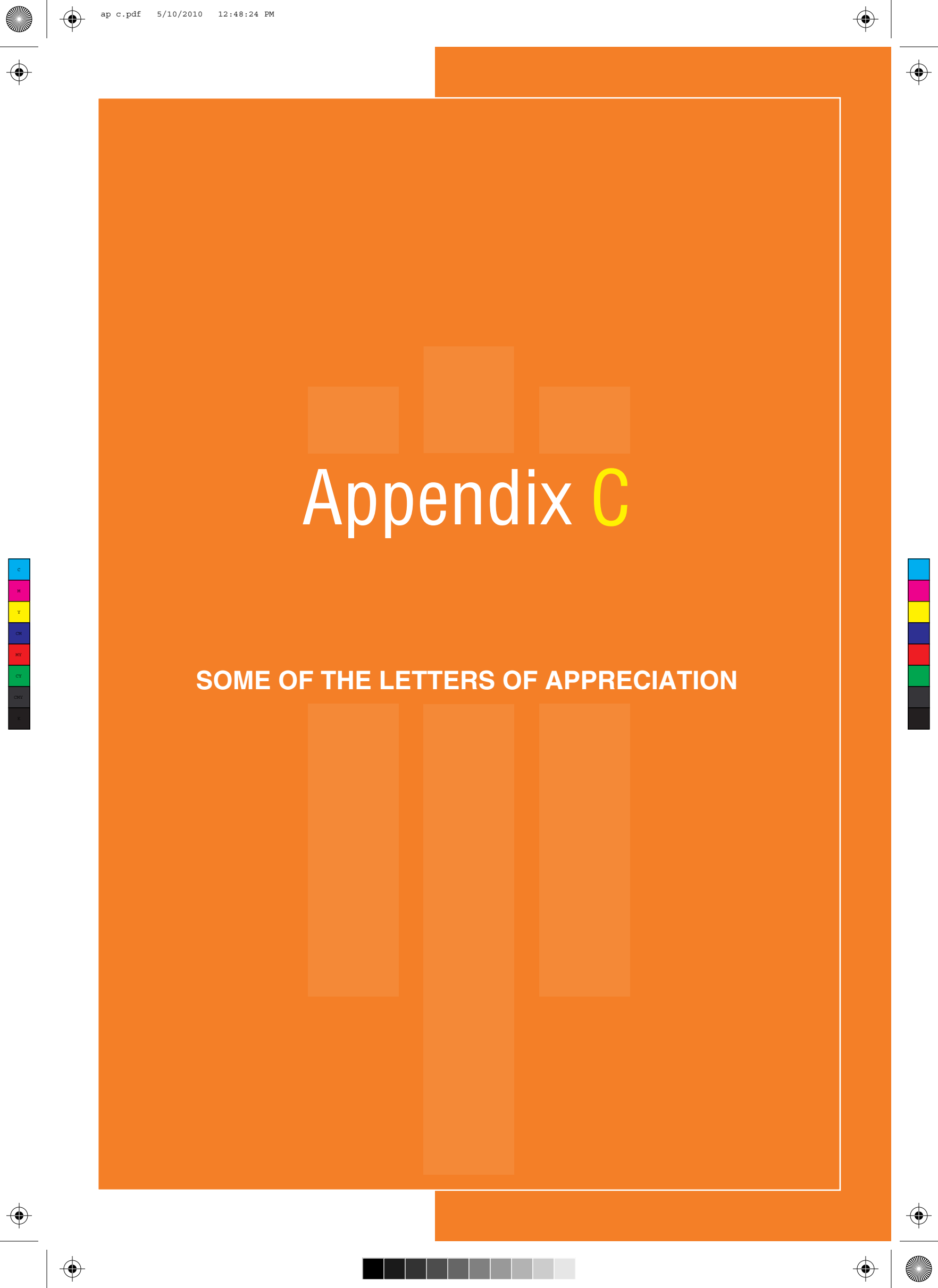
			JICA Construction team members who worked on the road between Kamuli Town Council and the District Headquarters should account for shs 3,000,000= that they got to pay the labourers. In case of failure, the Permanent Secretary, Ministry of Works, Transport should recover it from them and pass it over to Kamuli District Local Government.		
75.	10/12/2009	Administrative Officer, Kamuli District.	Alleged mismanagement of UPE funds by the headteacher Kalait Primary School, Kwapa Sub County Tororo District	TOR/CF/04/09 17/12/09	Not yet implemented
76.	JNJ/CF/007/08 12/11/09	Alleged abuse of office and illegal recruitment	Submit the head teacher Kalait P/S to the DSC for a formal warning for flouting the UPE Capitalization Grant, Planning and Implementation Guidelines for the District and Urban Councils, May 2007. This should be done within three (3) months from the date of this letter. The DEO should warn the SMC members for their participation in irregular spending shs 863,300= on lunch and facilitation allowances to; teachers members of Finance Committee and to themselves as members of the SMC. The complainant be informed that the allegations of plucking off their academic documents from their application forms were untrue. That	The CAO Tororo District	Not yet implemented

77.	MBL/CF/13/08 22/12/2009	procedure by Namutumba DSC officers	they were not short listed by the DSC Namutumba due to lack of the required experience and lack of a Post Graduate Diploma in Law and Administration respectively The appointment for the post of PPO-General Management, in Sironko District be rescinded by the DSC and the post should be re-advertised, as the appointment was done unfairly by the elimination of others from competing for the post. As a Technical Officer and Head of the Public Service in the District, you should ensure that in future recruitment in the District is undertaken according to the relevant laws and regulations to safeguard the integrity of the recruitment process including formal submissions of vacant posts to be filled by the Commission. The Chairperson Sironko District Service Commission is hereby directed to desist from signing commission minutes outside meetings of the commission and conducting recruitment before receiving formal submission of vacancies to be filled.	The CAO Mbale District	Not yet implemented
78.	TS 06/2009	Alleged forgery	The District Internal Auditor be	The CAO,	Not yet implemented



	4/11/2009	of academic documents by the District Internal auditor, Kayunga	submitted to the District Service Commission for dismissal for presenting forged academic documents	Kayunga District	
79.	TS 31/2009 16/10/2009	Alleged illegal eviction of two individuals from Plot 53 Peninsula Road, Kampala	The Commissioner Land Registration to immediately cancel the lease/certificate of title in respect to plot 53 Peninsula road, that was irregularly issued to M/S Bakennum Enterprise Ltd The said individuals be evicted from the wetland by NEMA	Commissioner Land Registration Executive Director, NEMA	Not yet implemented
80.	TS 97/2007 2/11/2009	Alleged fraud, embezzlement and mismanagement of public funds at National Animal Genetic Resources Centre and Data Bank.	The Executive Director to ensure that proper record system is maintained at Maruzi Ranch Inform Uganda land Commission about lease agreement with MTN and Celtel and have it ratified by them	Executive Director, NAGRC & DB	Implemented





Appendix C

SOME OF THE LETTERS OF APPRECIATION





INTEGRITY AMBASSADORS' CLUB
KABALE SCHOOL OF COMPREHENSIVE
NURSING,

P.O. BOX 07,

KABALE

7th/DEC/09

THE DIRECTOR OF
EDUCATION AND PREVENTION OF
CORRUPTION

SUBILEE INSURANCE HOUSE
KAMPALA H/QUARTER.



Dear Sir,

REF: APPRECIATION LETTER:

I hereby convey my heart-felt gratitude to the kind co-operation and consideration you rendered to us in financing the launching of our club and for the wonderful occasion that we had together at Green Hills Hotel Kabale during the work shop for student leaders.

The launching of the club has been an eye opener to everyone at school and in the district, it has also made us register more members in the club.

I must say may the Lord bless you forever in the fight against Corruption.

Thank you.

Yours son,

John

OKALEBO JOHN PRESIDENT OF CLUB



Serere County.
KYERE SUB-COUNTY.
ABUKET PARISH
O CHEKETUM

TO THE I.G.G.
SOROTI BRANCH.



22nd Dec. 2009

RE: LETTER OF APPRECIATION IN CONNECTION WITH
THE RECOVERY OF 150,000/= WHICH WAS TAKEN
FROM MY NIECE KELYTESIA ABITO IN KAKUJA-KYERE.

Sir I am very grateful to let you know that as I brought my complaint regarding the above money, which was taken by a police Officer in Kyere Police Post. in unjustified manner, The officer you directed to recover that money from that corrupt Policeman of Kyere Police Post acted immediately and the money was paid back to my niece. ALL this was done because you intervened. That is why I am very much happy and I appreciate the speed and the way The I.G.G. does his work. The very girl who brought about this problem is back at my home married to that very grandson of mine Ogera Francis.

Her father also is now a very good father-in-law of that my grandson Ogera Francis.

Nothing is either in Local Court or Police Offices. I am happy about what you did to me. Both sides now are in peace.

Thanks,

Yrs in Xto Adwong Olele Benn.

Kyere - Ocheketum.
22nd Dec. 2009.



Kalaki Sub-County,
Kalaki Parish,
Oyerai Village
6-11-2009.

The Inspectorate of
Government,
Soroti Office,
P.O. Box 346,
SOROTI - UGANDA.



I Ekadu Michael a man of above mentioned
address, I have received a cheque No 005337
dated 8/10/2009
of Two hundred Seventy thousand Shs only,
(270.000)
Being bursary ~~to~~ transfer from Kalaki SSS
to St Katherine Secondary School ^{Kira Dist.} for the
year 2008/2009. of Itwalo Rose Ekadu, (S4)

The Copy of the cheque from Kalaki SSS
and the copy of the receipt from St Katherine
Secondary School ^{Kira dated 20/10/2009.} are attached here.

Thank you for your Cooperation

Yours faithfully.

Ekadu Michael
EKADU MICHAEL.



Co-Church of Uganda,
Vocational Training
Institute, SOROTI
14th September 2009

The IGG
SOROTI REGIONAL OFFICE
SOROTI

Dear Sir,
I acknowledge, and concur
with the advice you have
given me, to my satisfaction.

Thank you.
Yours faithfully
[Signature]

AMINU CHARLES



Kyaki Village, Mombasa
Asamuk Sub-County
Amuria District
24/07/2009

The IGG
Soroti Regional Office

Sr/Madam:



LETTER OF APPRECIATION FOR WORK DONE
RE UNDERPAYMENT OF PENSION: MR OBATE
PHILIP RETIRED SENIOR SUPT OF POLICE

I, Obate Philip retired Sen. Supt of Police
herby sincerely appreciate the effort made
by the IGG Soroti Regional Office in investigating
the complaint regarding underpayment of
my pension.

I say thank,

Sincerely Yours

Retd Sen. Supt. Police

24/07/2009,

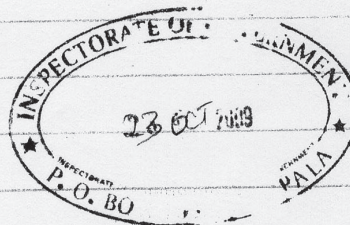


IG 95/132/01

PROG 3

Ag. DWA - Note 2
Please give copy to Jure K
Jure may need it for
Kawenge Trading Centre.
Signed reports
P.O. BOX 130
Kasese Uganda.
19/10/09 29/10/09

The Inspector of Government,
Jubilee Insurance Centre
Plot 14 Parliament Avenue.
P.O. Box 1682,
Kampala Uganda.



Dear Sir,

Acknowledgement and Appreciation

I was very sorry to learn from your office
on phone on the 15th Oct. 2009 that I have never informed
your office about my Pension monthly payments.

In fact I wrote a letter on the 29/07/09 to inform
your office that the Public Service had started paying
me Pension monthly. (The letter is attached)

The Public Service started paying in July 2009
In that very month they paid me, One hundred forty three
thousand shillings 143,000/= This money is being
sent to me monthly. Thank you.

I am yours faithfully

ROSEMARY NYANJURA

R.M. Nyanjura 0773981194



The IGC,
Soroti Regional Ofc.



Box 108,
SOROTI.
20th NOV. 2009,

Acknowledgement of Receipt
of Payment of Pension
for Oct. and Ameans.

Dear Sir,

This serves to confirm
that Soroti M. Council has
started making payments
of my Pension Ameans.

In October ²⁰⁰⁹ They paid
Shs 359,000/- be Ameans
of 300,000/- and monthly pay
of Shs 59,000/-

Let me take this opportunity
to thank your office for the
assistance rendered. It is



align of good service
delivery to the needy. Other-
wise it was not forth
coming.
Thank you very
much

Adakken Samroh.



①
RA
plse file appropriately.
10/8/09

KOCH ONGAISO DIVISION
OKYONA PARISH.
OTUMPIKI VILLAGE
GULU (U)
10/08/2009.

To
ACTING INSPECTORATE GENERAL OF GOVERNMENT
INSPECTORATE OF GOVERNMENT,
P.O. Box 1682,
KAMPALA (U).

THROUGH REGIONAL INSPECTORATE OFFICE
GULU REGIONAL OFFICE
P.O. Box 771.
GULU (U).

SIR

RE: APPRECIATION.



I brought my complain to this office in 2005 when my lawyer failed to work on my case and decided to hide in Kampala.

This office (office of the inspectorate of government) went to Kampala and took me to the law council court. They continue to link to the law council court until I was judged the better side.

I was finally paid 11,000,000 Sh (eleven million Shillings). Now am very happy about how the office of the inspectorate of government has helped me. I thank this office gratefully.

Your Sincerely Constantino Okello

~~et~~

10/08/2009.



Appendix D

THE INSPECTORATE OF GOVERNMENT ACT, 2002





THE INSPECTORATE OF GOVERNMENT ACT, 2002.

ARRANGEMENT OF SECTIONS.

Section.

PART I—PRELIMINARY.

1. Interpretation.

PART II—INSPECTORATE OF GOVERNMENT.

2. The Inspectorate.
3. Appointment of members of Inspectorate.
4. Removal of Inspector-General and Deputy Inspector-General.
5. Oath of members of Inspectorate.
6. Appointments Board.

PART III—FUNCTIONS OF INSPECTORATE.

7. Functions of Inspectorate.
8. Jurisdiction of Inspectorate.
9. Independence of Inspectorate.
10. Branches of Inspectorate.
11. General powers of Inspectorate.
12. Powers of access and search.
13. Special powers of Inspectorate.

PART IV—SECRETARY AND OTHER STAFF
OF INSPECTORATE.

14. Secretary to Inspectorate.
15. Other staff.
16. Oath of Secretary and other staff.

PART V—PROCEDURE FOR INVESTIGATIONS.

17. Rules of procedure.
18. Limitation on investigations by Inspectorate.
19. Conduct of investigations.
20. Effect of findings and recommendations of Inspectorate.
21. Immunity of officers.
22. Privilege of information.

PART VI—INVESTIGATIONS.

23. Provisions relating to complaints.
24. Right to be heard.
25. Procuring information and attendance of witnesses.
26. Failure of witnesses to attend.
27. Witness allowances.

PART VII—REPORTS.

28. Reports of Inspectorate.
29. Action on report.

PART VIII—GENERAL.

30. Resources of Inspectorate.
31. Signification of acts of Inspectorate.

33. Seal of Inspectorate.
34. Protection of informers and witnesses.
35. Offences.
36. Personation of member or official of Inspectorate.
37. General penalty
38. Minister's power to amend First Schedule.
39. Regulations.
40. Repeal and transitional provisions.

FIRST SCHEDULE.

Currency Point.

SECOND SCHEDULE

PART A.

Oath of the Inspector-General/Deputy Inspector-General.

PART B.

Oath of Secretary and other staff.

THIRD SCHEDULE.

Forms.

THE INSPECTORATE OF GOVERNMENT ACT, 2002.

An Act to make provision for the Inspectorate of Government in line with Chapter Thirteen of the Constitution and in particular to give effect to the provisions of that Chapter as required by articles 225, 226 and 232 of the Constitution, to repeal the Inspectorate of Government Statute, 1988 and to provide for other related matters.

DATE OF ASSENT: 5th March, 2002.

Date of commencement: 5th April, 2002.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY.

1. Interpretation

In this Act, unless the context otherwise requires—

“Appointments Board” means the Appointments Board established under section 7 of this Act;

“Authority” means an Authority by whatever name called, established by the Constitution or any other law;

“Board” means the Appointments Board;

“corruption” means the abuse of public office for private gain and includes but is not limited to embezzlement, bribery, nepotism, influence peddling, theft of public funds or assets, fraud, forgery, causing financial or property loss and false accounting in public affairs;

“currency point” has the value given to it in the First Schedule to this Act;

“Deputy Inspector-General” means a Deputy Inspector-General of Government referred to in section 3 of this Act;

“Inspectorate” means the Inspectorate of Government established under article 223 of the Constitution;

“Inspector-General” means the Inspector-General of Government appointed under section 3 of this Act and includes a Deputy Inspector-General;

“Minister” means the Minister to whom the functions of a Minister under this Act have been assigned by the President;

“Secretary” means the Secretary to the Inspectorate appointed under section 15 of this Act.

PART II —THE INSPECTORATE OF GOVERNMENT.

2. The Inspectorate

(1) There shall be an Inspectorate of Government.

(2) The Inspectorate shall consist of—

(a) the Inspector-General of Government; and

(b) two Deputy Inspectors-General.

(3) At least one of the persons referred to in subsection (2) of this section shall be a person qualified to be appointed a Judge of the High Court.

(4) A person shall not be eligible for appointment as Inspector-General or Deputy Inspector-General unless that person—

- (a) is a citizen of Uganda;
- (b) is a person of high moral character and proven integrity; and
- (c) possesses considerable experience and demonstrated competence and is of high calibre in the conduct of public affairs.

(5) A person shall resign his or her office on appointment as an Inspector-General or a Deputy Inspector-General if that person is—

- (a) a member of Parliament;
- (b) a member of a local government council; or
- (c) a member of the executive of a political party or organisation.

3. Appointment of members of Inspectorate

(1) The Inspector-General and a Deputy Inspector-General shall be appointed by the President with the approval of Parliament and shall not, while holding office, hold any other office of emolument in the public service.

(2) For the avoidance of doubt, the Inspectorate shall, subject to the Constitution be a public office.

(3) The Inspector-General and a Deputy Inspector-General shall hold office for a term of four years but shall be eligible for re-appointment only once.

(4) The remuneration and other conditions of service of members of the Inspectorate shall be determined by Parliament and the salaries and allowances of members of the Inspectorate shall be charged on the Consolidated Fund.

4. Removal of Inspector-General and Deputy Inspector-General

(1) The Inspector-General or a Deputy Inspector-General may be removed from office by the President on the recommendation of a special tribunal constituted by Parliament only for—

- (a) inability to perform the functions of his or her office arising from infirmity of body or mind; or
- (b) misconduct, misbehaviour or conduct unbecoming of the holder of the office; or
- (c) incompetence.

(2) The special tribunal referred to under sub-section (1) shall consist of a Justice of the Supreme Court, who shall be the Chairperson and two other persons, all of whom shall be appointed by Parliament.

(3) On receiving complaints about the Inspector General or the Deputy Inspector General, the President shall refer the matter to Parliament to constitute the special tribunal to investigate the matter.

(4) The President shall remove the Inspector General or Deputy Inspector General if the special tribunal recommends that the Inspector General or Deputy Inspector General ought to be removed from office on any of the grounds under sub-section (1).

(5) If the question of removing the Inspector General or Deputy Inspector General is referred to the special tribunal, the President shall suspend the Inspector General or Deputy Inspector General from performing the functions of his or her office pending the investigations.

(6) A suspension under sub-section (5) shall cease to have effect if the special tribunal advises the President that the officer should not be removed from office.

5. Oath of members of Inspectorate

(1) A person appointed Inspector-General or Deputy Inspector-General shall, before assuming the duties of his or her office, take and subscribe the oath specified in Part A of the Second Schedule to this Act.

(2) The oath shall be administered by the President.

6. Appointments Board

(1) There is established an Appointments Board consisting of the following—

- (a) the Inspector-General who shall be the Chairperson of the Board;
- (b) every Deputy Inspector-General;
- (c) the Secretary;
- (d) the Chairperson of the Public Service Commission or a member of that Commission authorised by the Chairperson in writing;
- (e) the Permanent Secretary of the Ministry responsible for the public service; and
- (f) two other members appointed by the President one of whom shall be a woman;

- (2) The functions of the Appointments Board shall include—
- (a) the establishment of posts within the Inspectorate;
 - (b) the appointment of officers and other employees of the Inspectorate in accordance with section 16 of this Act;
 - (c) the making of regulations for the discipline of officers and other employees of the Inspectorate; and
 - (d) the performance of any other functions that Parliament may by resolution assign to the Board.
- (3) The staff shall be appointed on the basis of their integrity and competence.

PART III—FUNCTIONS OF INSPECTORATE.

7. Functions of Inspectorate

(1) Pursuant to the provisions of the Constitution and to this Act, the functions of Inspectorate are—

- (a) to promote and foster strict adherence to the rule of law and principles of natural justice in administration;
- (b) to eliminate and foster the elimination of corruption, abuse of authority and of public office;
- (c) to promote fair, efficient and good governance in public offices;
- (d) to enforce the Leadership Code of Conduct;
- (e) to investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this section applies, taken, made, given or done in exercise of administrative functions;
- (f) to stimulate public awareness about the values of constitutionalism in general and the activities of its office, in particular, through any media and other means it considers appropriate;
- (g) to inquire into the methods by which law enforcing agents and the state security agencies execute their functions, and the extent to which the practices and procedures employed in the execution of such functions uphold, encourage or interfere with the rule of law in Uganda;

(h) to investigate the conduct of any public officer which may be connected with or conducive to—

(i) the abuse of his or her office or authority;

(ii) the neglect of his or her official duties;

(iii) economic malpractices by the officer;

(i) to take necessary measures for the detection and prevention of corruption in public offices and in particular—

(i) to examine the practices and procedures of those offices in order to facilitate the discovery of corrupt practices and to secure the revision of methods of work or procedure which, in the opinion of the Inspectorate may be conducive to corrupt practices;

(ii) to advise those offices on ways and means of preventing corrupt practices and on methods of work or procedure conducive to the effective performance of their duties and which, in the opinion of the Inspector-General, would reduce the incidence of corruption;

(iii) to disseminate information on the evil and dangerous effects of corruption on society;

(iv) to enlist and foster public complaints of alleged or suspected corrupt practices and injustices and make recommendations for appropriate action on them; and

(j) to perform any other functions that Parliament may prescribe.

(2) The Inspectorate may investigate any matter referred to in subsection (1) of this section, on its own initiative or upon complaint made to it by any individual or body of persons whether corporate or not and whether or not that individual or body has suffered any injustice by reason of that matter.

(3) The Inspectorate may, in the performance of its duties under this section, investigate into the actions of any person that may have been done while that person was serving in a public office, notwithstanding that at the time of the investigation, that person has ceased to serve in that office.

(4) The Inspectorate may in the performance of its functions under this Act delegate any of its functions to other authorities or persons at district or lower levels including any local government.

8. Jurisdiction of Inspectorate

The jurisdiction of the Inspectorate shall cover officers and leaders serving in the following offices—

- (a) a government department; undertaking or service;
- (b) a statutory corporation or authority;
- (c) the Cabinet;
- (d) Parliament;
- (e) a court of law;
- (f) the Uganda Police Force;
- (g) the Uganda Prison Services;
- (h) a government aided school, college or other institution of learning that accesses public funds;
- (i) the Uganda Peoples' Defence Forces;
- (j) the Local Defence Force;
- (k) a local government council or local government unit or a committee of such council or unit;
- (l) a council, boards, society or committee established by law for the control and regulation of any profession;
- (m) a public commission, association or similar body whether corporate or not, established by or under any law;
- (n) national security organisations including Internal Security Organisation ISO;
- (o) any other person, office or body that administers public funds on behalf of the public.

9. Independence of Inspectorate

The Inspectorate shall be independent in the performance of its functions and shall not be subject to the direction or control of any person or authority and shall only be responsible to Parliament.

10. Branches of Inspectorate

The Inspectorate may establish branches at district and other administrative levels as it considers fit for the better performance of its functions.

11. General powers of Inspectorate

For the purposes of performing its functions under this Act, the Inspectorate shall have the following powers—

- (a) to authorise in writing any officer under its charge to conduct an inquiry or investigation into an allegation of corruption, abuse of office and neglect of duty, and any other aspect that the Inspectorate is empowered to investigate into;
- (b) to require a public officer or any other person to answer questions concerning his or her duties or those of another person;
- (c) to require any person in charge of a public office to produce or furnish within a specified time, any document or certified true copy of such document which is in his or her possession or under his or her charge; and
- (d) to do any other thing necessary for the performance of the functions of the Inspectorate under this Act.

12. Powers of access and search

(1) Subject to the provisions of any law, the Inspectorate shall have power to enter and inspect the premises or property of any department of Government, person or of any authority; to call for, examine and where necessary, retain any document or item in connection with the case being investigated, found on the premises; and may, in those premises, carry out any investigation for the purpose of its functions.

(2) Without prejudice to the powers of the Inspectorate specified in section 12 of this Act, the Inspector-General, the Deputy Inspector-General or any other officer or person authorised by the Inspector-General or Deputy Inspector-General for the purpose, shall, in the performance of their functions under this Act—

- (a) search any person and retain any document or item in connection with the matter being investigated found with or on him or her;
- (b) have access to all books, returns, reports and other documents relating to the work in any public office;
- (c) at any time have access to and be able to search the premises of any public office, or of any vessel, aircraft or other vehicle, if there is reason to suspect that property corruptly or otherwise unlawfully acquired has been placed, deposited or concealed in it.

(3) An officer or person conducting a search under subsection (1) of this section shall only do so on the express instruction of the Inspector-General or a Deputy Inspector-General who shall issue a search warrant to that effect, in Form 1 specified in the Third Schedule to this Act.

(4) For the purpose of exercising his or her powers of access and search under subsection (1) of this section, the Inspector-General, Deputy Inspector General or any other officer or person authorised for the purpose may use such reasonable force as may be necessary in the circumstances and may be accompanied or assisted by such other law enforcement officers as he or she considers necessary to assist him or her to enter into or upon the premises, vessel, aircraft or vehicle, as the case may be.

(5) Notwithstanding any other provision of this section, where the President certifies that the entry upon or inspection of any premises, vessel, aircraft or vehicle—

- (a) might prejudice the security, defence or international relations of Uganda or the investigation or detection of any offence; or
- (b) might involve the disclosure of the deliberations of the Cabinet or committee of the Cabinet relating to matters of a secret or confidential nature and would be injurious to the public interest,

the Inspectorate shall not exercise its powers of access and search with respect to the premises, vessel, aircraft or vehicle.

13. Special powers of Inspectorate

(1) The Inspector-General or a Deputy Inspector-General may, by order signed by him or her authorise an officer of the Inspectorate or any other competent person under the control of the Inspectorate to investigate any bank account, purchase account, share account, expense account or any other account, or any safe or deposit box in a bank, or any transaction for the purposes of this Act.

(2) An order made under subsection (1) of this section shall be sufficient authority for the disclosure or production by any person of information, accounts, documents or articles as may be required by the officer and the collection and taking of any oral and documentary evidence by the authorised officer or person.

(3) An order made under this section may direct the suspension of all operations in respect of the account against the holder of the account or any other person or the stopping of any transaction subject to such conditions as the Inspector-General or Deputy Inspector-General may specify.

(4) Any person who wilfully and unlawfully refuses to comply with an order issued under this section, commits an offence and is liable on conviction, to a fine

not exceeding one hundred fifty currency points or imprisonment not exceeding three years or both.

(5) The Inspectorate shall have power to investigate, cause investigation, arrest, cause arrest, prosecute or cause prosecution in respect of cases involving corruption, abuse of authority or of public office.

(6) The Inspector-General may, during the course of his or her duties or as a consequence of his or her findings, make such orders and give such directions as are necessary and appropriate in the circumstances.

(7) The Inspectorate shall, when enforcing the Leadership Code of Conduct, have all the powers conferred on it by this Act in addition to any other powers conferred by law.

(8) Notwithstanding any law, the Inspectorate shall not require the consent or approval of any person or authority to prosecute, or discontinue proceedings instituted by the Inspectorate.

(9) In all cases prosecuted by the Inspector General of Government, he or she shall exercise the same powers of appeal as exercised by the Director of Public Prosecutions.

PART IV—SECRETARY AND OTHER STAFF OF INSPECTORATE.

14. Secretary to Inspectorate

(1) The Inspectorate shall have a Secretary who shall be appointed by the President acting on the advice of the Public Service Commission and shall hold office upon such terms and conditions as are applicable to a Permanent Secretary.

(2) The Secretary shall be a person qualified to be appointed to the office of Permanent Secretary.

(3) The Secretary shall, subject to subsection (4) of section 31 of this Act and to the general control of the Inspectorate—

- (a) be responsible for giving effect to the policy decisions of the Inspectorate and the day to-day administration and management of the affairs of the Inspectorate and the control of the other staff of the Inspectorate;
- (b) be responsible for arranging the business for and the recording and keeping of the minutes of all decisions and proceedings of the Inspectorate at its meetings; and
- (c) perform any other function assigned to him or her by the Inspector General.

15. Other staff

(1) The Inspectorate shall have such other officers and employees as may be necessary for the efficient and effective performance of its functions under this Act.

(2) All officers and employees of the Inspectorate other than the Secretary shall be appointed by the Board upon such terms and conditions as the Board may determine.

(3) The Inspectorate may in the performance of its functions under this Act and on such terms and conditions as the Inspectorate may determine, engage the services of or work in consultation with professional or technical experts or consultants whether in the public service or not, to enhance the performance of the Inspectorate.

16. Oath of Secretary and other staff

(1) The Secretary and any other officer or employee of the Inspectorate shall, before assuming the duties of his or her office, take and subscribe the oath set out in Part B of the Second Schedule to this Act.

(2) The oath shall, in the case of the Secretary, be administered by a judge of the High Court and in the case of any other member of staff, by the Inspector-General or such other person as the Inspector-General may authorise in writing.

17. Rules of procedure

(1) The Inspectorate may, by statutory instrument signed by the Inspector-General prescribe rules of procedure generally for the conduct of investigations and for any matter that is necessary for the efficient performance of the functions of the Inspectorate under this Act.

(2) In particular but without prejudice to the general effect of subsection (1), rules made under this section may prescribe fees in respect of any thing to-be done under this Act and also forms to be used in connection with the functions of the Inspectorate under this Act or under Chapter Thirteen of the Constitution.

18. Limitation on investigations by Inspectorate

(1) The Inspectorate shall not have power to question or review any of the following matters—

- (a) the decision of any court of law or of any judicial officer in the exercise of his or her judicial functions;
- (b) the decision of any tribunal established by law in the exercise of its functions;
- (c) any civil matter which is before court at the commencement of the Inspectorate's investigations;
- (d) any matter relating to the exercise of the prerogative of mercy; or

(e) any matter the review or investigation of which has been certified by the President as likely to—

(i) be prejudicial to the security, defence or international relations of Uganda; or

(ii) involve the disclosure of proceedings and deliberations of the Cabinet or a Committee of Cabinet relating to matters of a secret or confidential nature and would be injurious to the public interest.

(2) Where the Inspectorate is satisfied that—

(a) the complainant has at any material time had the right or opportunity of obtaining relief or redress by means of—

(i) an application or representation to any executive authority; or

(ii) an application, appeal, reference or review to or, before a tribunal established by law; or

(iii) proceedings in a court of law;

(b) the complaint is trivial, frivolous, vexatious or not made in good faith; or

(c) the investigation would be unnecessary, improper or futile,

the Inspectorate may decline to conduct an investigation and accordingly inform the complainant in writing, but the Inspectorate shall not be bound to give any reasons for the decision.

19. Conduct of investigations

(1) The procedure for conducting an investigation shall be such as the Inspectorate considers appropriate in the circumstances of each case, and without prejudice to the generality of the foregoing, the Inspectorate may obtain information from such person and in such manner, and make such inquiries as it considers necessary.

(2) An official or other agent of the Inspectorate shall not communicate or divulge to any person any information which has come to his or her knowledge in the course of his or her duties, otherwise than in the performance of his or her duties under this Act.

(3) No person who is not an official or other agent of the Inspectorate shall, communicate or divulge to any person any information referred to in subsection (2) of this section except with the approval of the Inspectorate or when ordered by a court or when otherwise required or authorised by law.

(4) A person who contravenes subsection (2) or (3) of this section commits an offence and is liable on conviction, to a fine not exceeding fifty currency points or imprisonment not exceeding twelve months or both.

20. Effect of findings and recommendations of Inspectorate

Proceedings, findings, recommendations, investigations or inquiries by the Office of the Inspector-General shall not be held null and void by reason only of informality or irregularity in the procedure and shall not be liable to be challenged, reviewed, quashed or called in question in any court of law.

21. Immunity of officers

(1) No proceedings, whether civil or criminal, shall lie against the Inspector-General, Deputy Inspector-General, an officer or any other person employed or authorised to execute the orders or warrants of the Inspectorate for anything done in good faith and in the course of the performance of his or her duties under this Act.

(2) Subject to the provisions of this Act, no officer or person serving in the Inspectorate shall be compelled to give evidence before any court or tribunal in respect of anything coming to his or her knowledge by virtue of his or her service.

22. Privilege of information

Subject to any other law which enjoins the disclosure of classified information, anything said, information supplied, document, paper or thing produced in the course of an inquiry under this Act shall be privileged in the same manner as if the inquiry were a proceeding in a court of law, and a report of the Inspectorate shall be privileged in the same manner as if it were a record and judgement of a proceeding in court.

PART VI—INVESTIGATIONS.

23. Provisions relating to complaints

(1) A complaint or allegation under this Act may be made by an individual or by anybody of persons whether corporate or not, and shall be strictly confidential and addressed to the Inspector-General.

(2) Notwithstanding the provisions of any written law, where a prisoner, or an employee in a public office, makes an allegation or complaint to the Inspectorate under this Act, the allegation or complaint shall not be made through, or subject to the scrutiny of, the prison officials or the immediate supervisor or employer as the case may be.

(3) A complaint or allegation made under this Act shall be—

(a) made by the complainant or by his or her legal representative;

(b) in writing and addressed to the Inspector-General except where the complainant cannot write, in which case the Inspectorate shall cause the oral complaint to be translated into a written one; and

(c) signed or thumb printed by the complainant.

(4) No complaint or allegation shall be received by the Inspectorate unless it is made within a period of two years from the date on which the facts giving rise to the complaint or allegation arose; except that in exceptional circumstances and in his or her discretion, the Inspector General or Deputy Inspector General may direct that a complaint or allegation lodged after the specified period shall be received.

(5) Subsections (3) and (4) of this section shall not apply to a complaint or allegation relating to a criminal offence.

24. Right to be heard

(1) Except as provided in subsections (2) and (3) of this section, no person shall, as of right, be entitled to be heard before the Inspectorate.

(2) Where the Inspectorate conducts an investigation as a result of a complaint or allegation under this Act, the Inspectorate shall give the head of the public office concerned and any other person who is the subject of the complaint or allegation, an opportunity to reply to the complaint or allegation made against him or her.

(3) No matter that is adverse to any person, or public office shall be included in a report of the Inspectorate unless the person or head of that office has been given a prior hearing.

25. Procuring information and attendance of witnesses

(1) Subject to this Act, the Inspectorate may —

(a) summon any person who in the opinion of the Inspectorate is able to give information relating to any matter relevant to the inquiry being conducted by it, to appear before the Inspectorate and to furnish such information and produce any documents, papers or things that may be in the possession or under the control of that person; and

(b) by order in writing, summon that person to attend before the Inspectorate at a specified time and place and to be examined on oath.

(2) The oath referred to in subsection (1) shall be in Form 4 specified in the Third Schedule to this Act.

(3) The summons issued under subsection (1) of this section shall be in Form 5 specified in the Third Schedule to this Act.

(4) Where a person is to be examined on oath under this section, any officer duly authorised by the Inspectorate may administer that oath.

(5) A summons issued under this section shall be served on the person to whom it is directed, by an officer from the Inspectorate or by a police officer, in the manner prescribed for the service of a witness summons in civil proceedings before a court of law.

26. Failure of witnesses to attend

(1) Where a person on whom a summons under section 26 of this Act has been duly served does not attend at the specified time and place, and the Inspectorate is satisfied that—

(a) the summons was properly and duly served; and

(b) the person to whom the summons was directed, wilfully and without lawful justification avoided service;

the Inspectorate may issue a warrant of arrest in Form 6 specified in the Third Schedule to this Act, to be executed by an officer of the Inspectorate or a police officer, to apprehend that person and bring him or her before the Inspectorate at a specified time and place.

(2) A person apprehended under subsection (1) shall, within twenty-four hours of his or her arrest or soon thereafter as is practicable, be brought before the Inspectorate.

27. Witness allowances

The Inspectorate may pay to any person summoned before it under this Act, such allowances or sums in respect of expenses properly incurred by that person as the Inspectorate may consider appropriate.

PART VII—REPORTS.

28. Reports of Inspectorate

(1) The Inspectorate shall submit to Parliament at least once in every six months, a report on the performance of its functions, making such recommendations as it considers necessary and containing such information as Parliament may require.

(2) A copy of the report referred to in subsection (1) of this section shall be forwarded by the Inspectorate to the President; and where any matter contained in the report relates to the administration of any local authority, an extract of the portion of the report on the matter shall be forwarded to that local authority.

(3) The Speaker shall lay before Parliament any report submitted under subsection (1) of this section within thirty days after it has been submitted, if

Parliament is then in session, or if Parliament is not in session, within thirty days after the commencement of its next following session.

29. Action on report

(1) Upon receipt of a report under section 29 of this Act, Parliament may take or cause to be taken such action on it as it may consider appropriate.

(2) Upon receipt of a copy of a report of the Inspectorate under section 29 the President may take or cause to be taken against the public officer or other person in respect of whom the report is made such action as may be taken under or in accordance with any written law.

PART VIII—GENERAL.

30. Resources of Inspectorate

(1) Parliament shall ensure that adequate resources and facilities are provided to the Inspectorate to enable it to perform its functions effectively.

(2) Subject to clause (8) of article 223 of the Constitution, the Inspectorate shall have an independent budget appropriated by Parliament, and controlled by the Inspectorate.

(3) The budget of the Inspectorate shall cover the salaries and allowances of the Secretary and other staff of the Inspectorate, the expenses of running the headquarters and branches of the Inspectorate and such other expenses of or connected with the operations of the Inspectorate as Parliament may approve.

(4) The budget shall be prepared annually by the Secretary and upon approval by the Inspectorate, it shall be submitted to Parliament for its approval under article 229 of the Constitution.

(5) Upon approval of the budget by Parliament, the moneys approved in the budget shall be charged on the Consolidated Fund.

(6) The funds of the Inspectorate may with the approval of the Minister responsible for finance, include grants and donations to enable the Inspectorate to discharge its functions effectively.

(7) Subject to article 229 of the Constitution, all funds provided to the Inspectorate under this Act shall be administered and controlled by the Secretary who shall be the accounting officer in accordance with the Public Finance Act.

31. Signification of acts of Inspectorate

Subject to this Act, where any instrument or document is required or authorised to be issued by the Inspectorate or any act is required or authorized to be done by the Inspectorate in the performance of its functions under this Act, the instrument or

document or act may be signed, executed or done by the Inspector-General or a Deputy Inspector-General or by any person authorised in writing by the Inspector-General or by a Deputy Inspector-General.

32. Seal of the Inspectorate

The Inspectorate shall have a seal which shall be in such form as the Inspectorate may determine and shall, subject to the provisions of any law, be applied in such circumstances as the Inspectorate may determine.

33. Protection of informers and witnesses

(1) A person who provides information to the Inspectorate shall be protected and his or her identity shall not be disclosed and may be rewarded for his or her information and paid an amount of five percent of the money recovered consequent upon his or her information to the Inspectorate.

(2) A person who in good faith gives any information to the Inspectorate or assists it in the exercise of its functions shall not be punished in any way for doing so.

(3) A person who unlawfully discloses the identity of an informer or victimises a person for giving information to or assisting the Inspectorate commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred currency points or both.

34. Offences

A person who—

- (a) wilfully and without lawful justification or excuse disobeys an order of the Inspectorate for his or her attendance or for the production of a document, paper or thing; or
- (b) without lawful justification or excuse refuses to be examined before or to answer questions relating to an inquiry put to him or her by the Inspectorate; or
- (c) without reasonable excuse refuses or fails to comply with any order or direction of the Inspectorate; or
- (d) knowingly presents to the inspectorate a false or fabricated document or makes a false statement with intent to deceive or mislead the investigating officers; or
- (e) publishes any false or scandalous libel on the Inspectorate; or
- (f) creates or joins in any disturbance which interrupts or is likely to interrupt the proceedings of the Inspectorate; or

(g) without lawful justification or excuse, wilfully obstructs or hinders a person acting in the exercise of powers conferred by this Act,

commits an offence and is liable on conviction to a fine not exceeding one hundred fifty currency points or imprisonment not exceeding three years or both.

35 Personation of member or official of Inspectorate

Any person who with intent to defraud or deceive, falsely represents himself or herself as a member or official or agent of the Inspectorate, commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding twelve months or both.

36. General penalty

Any person who does any act with intent to frustrate or obstruct the discharge of the functions of the Inspectorate, commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding twelve months or both.

37. Minister's power to amend First Schedule

The Minister may, by statutory instrument, amend the First Schedule to this Act.

38. Regulations

(1) The Inspectorate may, by statutory instrument made by the Inspector-General, make regulations in respect of anything required or authorised to be done by the Inspectorate under this Act, and generally for the better carrying out of the functions of the Inspectorate.

(2) Any regulations made under this section may prescribe as a penalty for an infringement of the regulations, any fine not exceeding one hundred currency points or imprisonment not exceeding two years or both; and such regulations may also prescribe in relation to a continuing offence, an additional penalty of a fine not exceeding ten currency points in respect of each day on which the offence continues.

(3) Any regulations made under this section shall be laid before Parliament within twenty one days after publication in the Gazette and shall cease to have effect if Parliament annuls them within twenty one days after they are laid, without prejudice to the operation of the regulations before the annulment.

(4) Any period specified in subsection (3) shall not run during any time when Parliament is not sitting

.39. Repeal and transitional provisions

(1) The Inspector-General of Government Statute, 1988 is repealed.

(2) Subject to the Constitution, and without prejudice to the general effect of section 13 of the Interpretation Decree, 1976 any person appointed under the Inspector General of Government Statute, 1988 and serving with the Inspectorate of Government immediately before the commencement of this Act shall continue in office as if appointed under this Act and shall be taken to have taken and subscribed any oath required to be taken and subscribed by him or her under this Act.

(3) Any person whose service is continued under subsection (2) shall enjoy terms and conditions of service not less favourable than before.

FIRST SCHEDULE.

SECTION 2

CURRENCY POINT

A currency point is equivalent to twenty thousand shillings.

SECOND SCHEDULE.

SECTION 6

PART A.

OATH OF INSPECTOR-GENERAL/DEPUTY INSPECTOR-GENERAL OF GOVERNMENT.

I, having been appointed Inspector-General of Government/Deputy Inspector-General of Government, swear in the name of Almighty God/solemnly affirm that I will at all times well and truly exercise the functions of Inspector-General/Deputy Inspector-General of Government in accordance with the Constitution and the laws of the Republic of Uganda and will do right to all manner of people in accordance with the Constitution and the laws of the Republic of Uganda without

fear or favour, affection or ill-will, and that I will not directly or indirectly reveal to any unauthorised person, any matter that comes to my knowledge in the discharge of my duties, and is committed to my secrecy. (So help me God.)

SECTION 17.

PART B.

OATH OF SECRETARY TO/OFFICER/EMPLOYEE.

I, having been appointed to exercise the functions of Secretary to/Officer of/employee in/the Inspectorate of Government, swear in the name of Almighty God/solemnly affirm that I will at all times well and truly serve the Republic of Uganda, and that I will perform the functions of Secretary to/office of/employee in the Inspectorate in accordance with the Constitution and laws of the Republic of Uganda, and that I will not directly or indirectly reveal to any unauthorised person any matter, document, communication or information that comes to my knowledge in the discharge of my duties and is committed to my secrecy. (So help me God).

THIRD SCHEDULE.

SECTION 13.

FORM 1.

FORMS.

SEARCH WARRANT.

THE REPUBLIC OF UGANDA.

THE INSPECTORATE OF GOVERNMENT ACT, 2000.

Inquiry No. 20.....

To
(Officer designated by the Inspectorate)

WHEREAS a complaint has been lodged with the inspectorate of Government:

AND WHEREAS the Inspectorate has decided to conduct an investigation into the alleged complaint:

Now, THEREFORE, you are by this warrant authorised and ordered to enter the premises of

.....

(Name of person)

at (description of premises) in the
day time, and there diligently, carry out an inspection and collect any oral and documentary
evidence concerning the inquiry from those premises and bring it before the Inspectorate to
be used for the purpose of the investigation.

Issued at..... this day of 20...

.....
Inspector-General of Government/Deputy Inspector-General.

FORM 2

SECTION 14

THE REPUBLIC OF UGANDA

INSPECTORATE OF GOVERNMENT ACT, 2000
ORDER TO INSPECT

INQUIRY No.20...

To:

.....

.....

WHEREAS The Inspectorate of Government has decided to conduct an investigation into
Bank Account No. in the names of of P.O. Box and
.....of P.O. Box.....

You ARE ORDERED to enter the premises of.....

.....at

(Bank)

in the day time, and there diligently to carry out an inspection and collect any oral and
documentary evidence concerning the Bank Account No. from those
premises and bring it before the Inspectorate of Government to be used for the purpose of
the investigation.

ISSUED at..... thisday of..... 20....

.....
Inspector-General of Government/Deputy Inspector-General.

FORM 3

SECTION 14

THE REPUBLIC OF UGANDA
THE INSPECTORATE OF GOVERNMENT ACT, 2000.
ORDER FOR SUSPENSION OF OPERATION OF BANK ACCOUNT

INQUIRY No. 20.....

TO: The General Manager,

OF:

(Bank)

WHEREAS the Inspectorate of Government is investigating
..... *(State nature of investigation)*.

AND

WHEREAS is one of the principal
(State name of person to whom the order relates)
suspects in the above-mentioned investigation;

NOW THEREFORE, you are ordered to suspend all operations, be it withdrawals, credits or otherwise, connected with Bank Account No..... in the name(s) of..... of and of by the Account holder(s) or anybody lawfully claiming under him or her or them or any other third party until inquiries by Inspectorate of Government connected with the Bank Account have been dispensed with and you have been advised accordingly.

ISSUED AT KAMPALA this day of20....

.....
Inspector-General of Government/Deputy Inspector-General.

SECTION 26

FORM 4.

WITNESS OATH.

I, swear by Almighty God/solemnly affirm
that the evidence I shall give shall be the truth, the whole truth and nothing but the truth. (So help me God).

SECTION 26

FORM 5.

WITNESS SUMMONS.

THE REPUBLIC OF UGANDA

THE INSPECTORATE OF GOVERNMENT ACT, 2000

WITNESS SUMMONS.

Inquiry No. 20....

To:
(full name).

of
(full address).

You are ordered to attend before the Inspectorate of Government at
.....on the..... day of2000
at hours, and so from day to day until your attend have
there is dispensed with to give evidence in the said inquiry:

AND ALSO to bring with you and to produce at that time and place the following documents:

.....
.....

DATED at..... this day of 20.....

.....
Inspector-General of Government/Deputy Inspector-General.

THE REPUBLIC OF UGANDA
THE INSPECTORATE OF GOVERNMENT ACT, 2000

WARRANT OF ARREST:

Inquiry No. 20....

To:
.....

.....
(Police Officer and other authorised Officers)

Officer of Inspectorate or Police Officer.

WHEREAS of
(full name)

was ordered to appear before the Inspectorate of Government at on the
..... day of..... 20....,
and subsequent days to testify what he/she knew and/or to produce specified documents in
relation to the above-stated inquiry, and the
.....
(name)

has not appeared according to the summons issued in that regard and has not excused his her
failure to:

NOW, THEREFORE, you are by this Warrant ordered to apprehend, bring and have the
..... before
(name)

the Inspectorate of Government at.....
(place)

on the day of20.....

ISSUED at.....this.....dayof.....20.....

.....
Inspector-General of Government/Deputy Inspector-General.



Appendix E

THE LEADERSHIP CODE ACT, 2002





THE LEADERSHIP CODE ACT, 2002.

ARRANGEMENT OF SECTIONS.

Section.

PART I—PRELIMINARY.

1. Interpretation.

PART II—FUNCTIONS OF INSPECTORATE AND DECLARATION OF INCOME,
ASSETS AND LIABILITIES.

2. Enforcement and functions of Inspectorate.
3. Declaration of income, assets and liabilities.
4. Power of the Inspector-General to require clarification etc.
5. Failure to submit correct information.
6. Declaration to be public.

PART III—CONFLICT OF INTEREST.

7. Conflict of interest.
8. Disclosure of interest.
9. Gifts or benefits in kind.
10. Prohibited conduct.
11. Prohibited contracts.
12. Abuse of public property.
13. Misuse of official information.
14. General prohibited conduct.

PART IV—POST EMPLOYMENT.

15. Future employment.
16. Upon vacation of office.

PART V—PROCEEDINGS OF INSPECTORATE.

17. Lodging of complaints.
18. Report of Inspectorate.
19. Action on report of Inspectorate.
20. Forfeiture and compensation.
21. Special powers of Inspector General.
22. Powers of Inspectorate to hear evidence *etc.*
23. Protection of informers and witnesses.
24. Procedure of Inspectorate.
25. Inspectorate to observe rule, of natural justice.
26. Witnesses allowances.
27. Inspectorate to award costs.

28. Application of other powers of Inspectorate.

PART VI—GENERAL.

- 29. Inspection of bank accounts.
- 30. Action against certain leaders.
- 31. Action against Chief Administrative Officer and Town Clerk.
- 32. Appeals.
- 33. Protection of officers of Inspectorate.
- 34. Penalties for breach of Code.
- 35. Offences
- 36. Annual report.
- 37. Regulations.
- 38. Amendment of Schedules.
- 39. Repeal.

SCHEDULES.

FIRST SCHEDULE.

Currency point

SECOND SCHEDULE.

Leaders.

THIRD SCHEDULE.

Leaders not allowed to conduct certain businesses.

THE LEADERSHIP CODE ACT, 2002.

An Act to provide for a minimum standard of behaviour and conduct for leaders; to require leaders to declare their incomes, assets and liabilities; to put in place an effective enforcement mechanism and to provide for other related matters.

DATE OF ASSENT: 25th June, 2002.

Date of commencement: 12th July, 2002.

BE IT ENACTED by Parliament as follows—

PART I—PRELIMINARY.

1. Interpretation

(1) In this Code unless the context otherwise requires—

“agent” in relation to the business or affairs of a leader, means a person whose decisions or acts are such that they are, in essence made or done by the leader himself or herself; or the person who manages and controls the business or affairs of which the leader is the principal beneficiary;

“asset” means a thing owned by a person such as property, which has value and can be sold or used to pay a debt;

“authorised person” means a person or body authorised by law to discipline the leader in relation to whom the expression is used;

“benefit” includes a gift, payment, subscription, advance, loan, commission, forbearing, gratuity or favour whether monetary or in kind, rendering services, or deposit of money or anything of value including food, lodging, transportation or entertainment or reimbursement;

“child” means a person under eighteen years of age;

“conflict of interest” refers to a situation where a leader has got to make a decision between his or her personal interest and public interest;

“currency point” means the value of a currency point specified in the First Schedule;

“declaration” means a declaration of income, assets and liabilities required to be submitted by every leader under section 4 of this Code;

“dependant” means a person whose means of support is partially or wholly from a leader;

“foreign” when used in relation to any body of persons or organisation, means any such body or organisation the controlling interest of which is held by persons who are not citizens of Uganda or are not Government or public bodies and also includes a body of persons or organisation not incorporated or registered in Uganda although the controlling authority in it is held by persons who are citizens of Uganda;

“Government” includes a local government;

“Inspector-General” means the Inspector-General of Government, established by article 223 of the Constitution;

“leader” means a person holding or acting in any of the offices specified in the Second Schedule;

“liability” means a debt or financial obligation;

“Minister” means the Minister responsible for ethics and integrity;

“public body” means Parliament, a statutory, corporation, commission, board, council, authority, or other body in which the Government has an interest, a co-operative union registered under the Co-operative Societies Act, 1970, any body in which a public body has an interest and such other body as the Minister may, by regulations made under section 38 of this Code prescribe;

“spouse” means a wife or husband.

(2) The provisions of this Code shall constitute the Leadership Code of Conduct under Chapter Fourteen of the Constitution.

PART II—FUNCTIONS OF INSPECTORATE AND DECLARATION OF INCOME, ASSETS AND LIABILITIES.

2. Enforcement and functions of Inspectorate

(1) The Inspectorate shall enforce this Code. Enforcement

(2) In enforcing this Code, the Inspectorate shall carry out the following functions—

- (a) to receive and examine declarations lodged with it under this Code;
- (b) to examine whether or not a leader has corrupt influence or has corruptly entered into a contract with a government or public body or foreign business organisation contrary to this Code;
- (c) to inquire or cause an inquiry to be conducted on its own initiative or on a complaint made by any person, into any alleged breach of this Code by any leader;
- (d) to investigate and report on any allegations of high-handed, outrageous, infamous or disgraceful conduct or any other behaviour or conduct on the part of a leader in accordance with the definition of the words high-handed; outrageous, disgraceful conduct and infamous to be provided for by the regulations to be made by the Minister;
- (e) to recommend awards, disbursements and such payments or rewards as it may consider appropriate in connection with any assistance rendered in the enforcement of this Code; and
- (f) to carry out any other functions prescribed by or under this Code.

(3) The Inspectorate may, for the purpose of ensuring the effective implementation of its functions under this Code, delegate any of its functions to any person or authority subject to such conditions and limitations as the Inspector-General may impose.

3. Declaration of income, assets and liabilities

(1) A leader shall—

(a) within three months after the commencement of this Code; and

(b) thereafter every two years, during the month of March,

submit to the Inspector-General a written declaration of the leader's income, assets and liabilities, the names, income, assets, and liabilities of his or her spouse, child and dependant in the prescribed form, without prejudice to the rights of the leader's spouse, child and dependant to independently own property.

(2) A person shall—

(a) within three months after becoming a leader; and

(b) thereafter every two years, during the month of March,

submit to the Inspector-General a written declaration of the leader's income, assets and liabilities, the names, income, assets and liabilities of his or her spouse, child, and dependant in the prescribed form, without prejudice to the rights of the leader's spouse, child and dependant to independently own property.

(3) A leader shall before the expiration of his or her term of office declare his or her income, assets and liabilities under this Code if his or her term of office expires six months after his or her last declaration.

(4) A leader shall in a declaration under subsections (1) and (2) of this section, state how he or she or his or her spouse, child or dependant acquired or incurred, as the case may be, the income, assets and liabilities.

(5) A leader shall ensure that all the information contained in the declaration submitted to the Inspector-General is true and correct to the best of his or her knowledge.

(6) A leader who without justifiable cause submits a declaration to the Inspector-General thirty days after the period prescribed under subsection (1) and (2) of this section commits a breach of this Code.

(7) Where a declaration is made by a leader in respect of himself or herself under this section, where a leader is found not to have declared certain assets and

liabilities or if the declaration is found to be false, the leader shall be taken to have breached this Code.

(8) A leader who fails without reasonable cause to submit a declaration under this section commits a breach of this Code.

4. Power of the Inspector-General to require clarification etc

(1) The Inspector-General may, by notice in writing, require a leader to account for any matter in connection with a declaration submitted by him or her including—

- (a) the omission of anything which in the opinion of the Inspector-General, should have been included in the declaration;
- (b) any discrepancies appearing in the declaration, or occurring between the declaration and any other statement or information available to the Inspector General,

and the leader shall comply with that requirement.

(2) A leader who, without reasonable cause, fails to comply with the Inspector General's request for clarification within thirty days after receipt of notice, commits a breach of this Code and is liable to—

- (a) a warning or caution; or
- (b) dismissal; or
- (c) vacation of office.

5. Failure to submit correct information

A leader who knowingly or recklessly submits a declaration or gives an account of any matter which is false, misleading or insufficient, in any material particular, commits a breach of this Code.

6. Declaration to be public

The contents of a declaration under this Code shall be treated as public information and shall be accessible to members of the public upon application to the Inspector General in the form prescribed under this Code.

PART III—PROHIBITED CONDUCT.

7. Conflict of interest

(1) A leader shall not put himself or herself in a position in which his or her personal interest conflicts with his or her duties and responsibilities.

(2) Conflict of interest shall be taken to arise where—

- (a) a leader deals with a matter in which he or she has personal interest and where he or she is in a position to influence the matter, directly or indirectly, in the course of his or her official duties;
 - (b) the position the leader holds and the services he or she gives to a person or private body is or are in conflict with his or her official duties.
- (3) A leader who contravenes this section commits a breach of this Code.

8. Disclosure of interest

(1) A leader shall not participate in the deliberations of a public body or board or council or commission or committee, of which he or she is a member at any meeting at which any matter in which he or she has a personal interest is to be discussed.

(2) A leader attending a meeting under subsection (1) of this section shall disclose the nature and extent of his or her personal interest.

(3) A leader who fails to comply with the provisions of this section breaches this Code and shall—

- (a) cease to be a member of that public body, board, council, commission, or committee; and
- (b) where any loss is caused, make good the loss.

(4) Before a leader deals with a matter in the course of his or her duties in which he or she has a personal interest, the leader shall inform the person or public body or institution concerned, of the nature and extent of his or her interest.

(5) “Personal interest” in this section in relation to a leader, includes the personal interest of a spouse, child, dependant, agent, or business associate of which the leader has knowledge or would have had knowledge if he or she had exercised due diligence having regard to all the circumstances.

9. Gifts or benefits in kind

(1) A gift or donation to a leader on any public or ceremonial occasion, or commission to a leader on any transaction shall be treated as a gift or donation or commission to the Government or institution represented by the leader and shall be declared to the Inspector General; but the government or institution shall keep an inventory of any such gifts.

(2) A leader may accept a personal gift or donation from a relative or personal friend to such an extent and on such occasion as is recognised by custom.

(3) Notwithstanding the provisions of this section, a leader may accept a gift if the gift is in the nature of a souvenir or ornament and does not exceed five currency points in value.

(4) Where a leader receives any gifts or other benefits of a value of ten currency points or above from any one source in a twelve consecutive months period, the leader shall disclose that gift, or benefit to the Inspector General.

(5) Where a leader is in doubt as to the need for a declaration or the appropriateness of accepting an offer of a gift, hospitality or other benefit, that leader shall consult the Inspector General for advice.

(6) A leader who fails to comply with the provisions of this section commits a breach of this Code.

10. Prohibited conduct

A leader who directly or indirectly accepts any property or gift which influences or is likely to influence the leader to do a favour to any person commits a breach of this Code.

11. Prohibited contracts

(1) A leader, a leader's spouse, agent, private company or public company or business enterprise in which the leader, leader's spouse or agent has a controlling interest shall not seek, accept or hold any contract with—

- (a) any government or public body which the leader controls or directly participates in the decision making of its affairs; or
- (b) any foreign business organisation where the contract is likely to be in conflict with the public interest.

(2) A leader who contravenes subsection (1) breaches this Code and is liable to—

- (a) vacate office; or
- (b) be dismissed from the office.

12. Abuse of public property

(1) A leader shall protect and preserve public property under his or her personal use and shall not use such property or allow its use for any other purpose other than authorised purposes.

(2) In this section “public property” includes any form of real or personal property in which the Government or public body has ownership; a plant, equipment, leasehold, or other property interest as well as any right or other

intangible interest that is purchased with public funds, including the services of contractor personnel, office supplies, telephones and other telecommunications equipment and services, mails, automated data, public body records, and vehicles.

(3) A leader who knowingly misuses or allows public property entrusted to his or her care to be misused, abused or left unprotected shall make good the loss occasioned to the property; and the value of the property or damage to the property shall constitute a debt from the leader to the Government or public body concerned.

(4) Notwithstanding the provisions of subsection (3) of this section, a leader who knowingly misuses or allows public property entrusted to his or her care to be misused or abused or left unprotected may, in addition to the sanctions under that subsection be—

- (a) warned or cautioned;
- (b) demoted; or
- (c) dismissed from office.

13 Misuse of official information

(1) Without derogating from any other written law, a leader shall not directly or indirectly use or allow any person under his or her control to use for furthering any private interest, whether financial or otherwise, any information obtained through or in connection with the office of the leader and not yet made available to the public.

(2) Subsection (1) of this section does not apply to the use of the information referred to in that subsection for the purpose of educational, research, literary, scientific or other similar purpose not prohibited by law.

(3) A leader who contravenes the provisions of this section commits a breach of this Code and is liable to—

- (a) be warned or cautioned;
- (b) demotion; or
- (b) dismissal; or
- (d) vacate office.

14. General prohibited conduct

(1) Without derogating from any other written law, a leader shall not—

- (a) improperly use his or her official position to obtain any property including land, buildings and business interests for himself or herself or his or her spouse, child, relation, friend or agent;
- (b) act to the detriment of Government by refusing or neglecting to settle his or her lawful financial obligations to Government or any public body;
- (c) be an agent of or allow himself or herself to be used to further the interest of any foreign government, organisation or individual in a manner detrimental to the interests of Uganda;
- (d) practice favouritism or nepotism by giving preferential treatment to any person for personal advantage or gain for himself or herself, that of his or her relation, friend or agent, ethnic grouping or area of origin;
- (e) do or direct to be done in abuse of his or her office any act prejudicial to the rights of any person or obtain an unfair advantage over his or her subordinate including abuse of the rights of a member of the opposite sex, through, among other acts, the use of coercion, threat or harassment.

(2) A leader referred to in the Third Schedule to this Code shall not, except with prior written approval of the Inspector General—

- (a) hold office of director or any other office in a foreign business organisation, firm, company or property in any such foreign organisation which is owned and or managed by foreign citizens;
- (b) operate a business as a commission agent; or
- (c) accept or be involved in the acceptance of any gift, benefit or advantage from a company or in any such company or firm which is owned and or managed by foreign citizens.

(3) A leader whom the Inspector General denies approval under subsection (2) may appeal against such decision to the High Court.

(4) “Commission agent” under this section means a person employed to sell goods or services delivered to him or her for his or her principal for a commission.

(5) A leader shall not hold an office of profit or emolument likely to compromise his or her office.

(6) Any leader who fails without any reasonable cause to comply with the provisions of this section commits a breach of this Code.

(7) Any leader who directs or concurs in the use of public funds contrary to existing instructions commits a breach of this Code and shall be required to make good the loss even if he or she has ceased to hold that office.

PART IV—POST EMPLOYMENT.

15. Future employment

(1) A leader shall not allow himself or herself to be influenced in the pursuit of his or her official duties and responsibilities by plans or expectations for or offers of future employment.

(2) A leader shall disclose in writing to the Inspector General all offers of future employment that could place the leader in a position of conflict of interest.

(3) A leader who accepts an offer of future employment shall immediately disclose in writing to the Inspector General as well as the authorised person the acceptance of the offer, and in such event, where it is determined by the Inspector-General that the leader is engaged in significant official dealings with the future employer, the leader shall be assigned other duties and responsibilities immediately.

(4) A leader who contravenes the provisions of this section commits a breach of this Code.

16. Upon vacation of office

(1) A former leader shall not, by acting for or on behalf of any person, entity, association, offer advice or participate in a negotiation or case to which the Government or public body is a party and where the former leader acted for or advised the Government or public body.

(2) A former leader shall not give advice to his or her client using information that is not available to the public concerning programs or policies of Government, public body or department with which he or she had a direct or substantial relationship, during the period of one year immediately prior to ceasing to be a leader.

Part V—Proceedings of Inspectorate.

17. Lodging of complaints

(1) Any person who alleges that a leader has committed a breach of this Code may lodge a complaint to that effect with the Inspectorate and the Inspectorate shall register the complaint.

(2) Upon receipt of a complaint under subsection (1) of this section, the Inspectorate shall inquire into, or cause the complaint to be inquired into if satisfied that—

(a) the complaint is not trivial or frivolous and is not made in bad faith; and

(b) the subject matter of the complaint is not outside the jurisdiction of the Inspectorate.

(3) The Inspectorate's decision not to inquire into or cause a complaint to be inquired into, shall not limit the Inspectorate's power to make an inquiry generally into a matter on its own initiative.

(4) A complainant shall be entitled to be informed of any action the Inspectorate intends to take or has taken in respect of his or her complaint, and shall be afforded a hearing.

(5) Any person who knowingly gives false information to the Inspector General under this section commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred currency points or both.

18. Report of Inspectorate

(1) Upon the completion of an inquiry under section 18, the Inspector General shall communicate his or her decision in his or her report to the authorised person with a copy to the person in breach of this Code and require the authorised person to implement his or her decision.

(2) The Inspector General's report under subsection (1) of this section shall be made public and shall state whether the leader is or is not in breach of this Code in respect of the specific matters inquired into, and in the case of a breach, shall set out—

(a) the nature of the breach which the leader has been found to have committed;

(b) the circumstances of the breach;

(c) a brief summary of the evidence received during the inquiry into the breach; and

(c) the findings and decisions.

(3) In the case of criminal offences, the report may contain a recommendation that criminal proceedings be commenced against the leader or any other person.

19. Action on report of Inspectorate

(1) Upon receipt of a report under section 19 containing a finding of a breach of this Code, the authorised person shall effect the decision of the Inspector General in writing within sixty days after receipt of the report.

(2) The authorised person shall report to the Inspector General in writing within fourteen days after the expiration of the sixty days referred to in subsection (1) of this section, the action taken by him or her.

(3) A person dismissed, removed from office, or convicted for a breach of this Code shall not hold any other public office whether appointive or elective for five years effective from the date of dismissal or removal.

20. Forfeiture and compensation

(1) Where according to any report submitted by the Inspector General under section 19 a leader is proved to have obtained any property through a breach of this Code, the leader shall, subject to any appeal which the 'leader may make under section 35, forfeit the property by virtue of that report and the property shall be held in trust for the Government or public body by an agent or broker appointed by the Inspector General until it is lawfully disposed of.

(2) The Inspector General may order a leader referred to in subsection (1) to pay by way of compensation to Government or public body such sum as in his or her opinion is just, having regard to the loss suffered by the Government or public body and such order shall be deemed to be a decree under section 25 of the Civil Procedure Act and shall be executed in the manner provided under section 39 of that Act.

21. Special powers of Inspector General

(1) The Inspector General may, during the course of his or her investigations or as a consequence of his or her findings, issue an order placing such restrictions as appear to him or her to be reasonable on the operation of any bank account of a leader or any person being investigated, for the purpose of ensuring payment to Government or public body or prevention of dissipation of any moneys derived from or related to the violation of this Code.

(2) The leader shall be allowed reasonable access to the account frozen under subsection (1) of this section and shall be allowed to withdraw such amount of money, as the Inspector General may deem reasonable in the circumstances.

(3) The Inspector General may, during the course of his or her investigations or as a consequence of his or her findings, issue an order placing such restrictions as appear to him or her to be reasonable, on the disposal of any property of a leader or any person being investigated for the purposes of compensation to the Government or public body or otherwise for the purpose of prevention of dissipation of the properties derived from or related to the violation of this Code.

22 Powers of Inspectorate to hear evidence *etc*

The Inspectorate has powers and rights vested in the High Court of Uganda as regards attendance, swearing and examination of witnesses, the production and inspection of documents, enforcement of its orders and other matters necessary and

proper for due exercise of its powers under this Code and, without limiting the general effect of the foregoing may—

- (a) issue summons to any person requiring him or her to appear at the time and place mentioned in the summons, to testify to any matter before it and produce any document, book or paper relating to the allegation that he or she has in his or her possession or control;
- (b) administer oaths, and examine any person on oath, affirmation or otherwise; and
- (c) during the inquiry receive such additional information as it considers relevant and necessary for dealings with the allegations before it.

23. Protection of informers and witnesses

(1) A person who provides information to the Inspectorate—

- (a) shall be protected and his or her identity shall not be disclosed; and
- (b) may be rewarded for his or her information and paid such amount of money as the Inspector-General may deem fit.

(2) A person who in good faith gives any information to the Inspectorate or assists it in the exercise of its functions shall not be punished in anyway for doing so.

(3) Any person who unlawfully discloses the identity of an informer or victimises any person for giving information to or assisting the Inspectorate commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred currency points or both.

24. Procedure of Inspectorate

Subject to the provisions of this Code, the Inspectorate may, after consultation with the Minister and the Attorney General, make rules regulating the procedure under this Code.

25. Inspectorate to observe rule of natural justice

When inquiring into an allegation under this Code, the Inspectorate shall observe the rules of natural justice.

26. Witnesses allowances

Any witness called by the Inspectorate to give evidence at an inquiry by the Inspectorate shall be entitled to such allowances as may be determined from time to time by the Inspector General.

27. Inspectorate to award costs

The Inspectorate may award costs against a person who makes allegations under this Code if the Inspectorate finds the allegations to be malicious or frivolous or vexatious or made in bad faith.

28. Application of other powers of Inspectorate

The Inspectorate shall when enforcing this Act, have all the powers conferred on it by Chapter Thirteen of the Constitution or any other law.

PART VI—GENERAL.

29. Inspection of bank accounts

(1) The Inspectorate may, for the purpose of performing its functions under this Code, by order made and signed by the Inspector-General or Deputy Inspector General, authorise any person under his or her control to inspect any bank account, share account, purchase account, expense account or any other safe or deposit book in a bank.

(2) An order made under sub-section (1) of this section shall be sufficient authority for the disclosure or production by any person of any information, account- document or article required by the person so authorised.

(3) Any person who refuses or, who without reasonable cause, fails to comply with an order issued under this section, commits an offence and is liable on conviction to a fine not exceeding one hundred fifty currency points or imprisonment not exceeding three years or both.

30. Action against certain leaders

(1) Where a Member of Parliament is in breach of this Code, the authorised person shall be the Speaker or Deputy Speaker of Parliament and in case of the Speaker, the authorised person shall be the Committee of Parliament on Rules, Privileges and Discipline.

(2) Notwithstanding sections 15, 55(5), 94(3) and 95 of the Local Governments Act, 1997 where the Inspector-General has made findings with respect to a breach of this Code by a Chairperson of a district or sub-county, or municipality, or a member of a tender board or a district service commission, the Inspector General's decision shall be enforced without regard to the procedure laid down in that section.

(3) In the case of the District chairperson, the authorised person shall be the District Council.

(4) In the case of the Sub-county Chairperson, the authorised person shall be the Sub-county Council.

(5) In the case of the district Speaker or Deputy Speaker and a member of the executive committee or councillor, the authorised person shall be the District Council.

(6) In case of a Chairperson or Deputy Chairperson of a municipality, the authorised person shall be the Municipality Council.

(7) Notwithstanding any provision of this Code, the Inspector General and Deputy Inspector General shall declare their incomes, assets and liabilities to the Speaker of Parliament and when the Inspector General or Deputy Inspector General is in breach of this Code the authorised person shall be Parliament.

31. Action against Chief Administrative Officer and Town Clerk

(1) Notwithstanding section 69 of the Local Governments Act, 1997 where the Inspector General has made findings with respect to violation of this Code by a Chief Administrative Office or Town Clerk, the Inspector General's decision shall be enforced without regard to the procedure stipulated in that section.

(2) In case of a Chief Administrative Officer, or Town Clerk or other employee of a District, the authorised person shall be the District Service Commission.

32. Appeals

(1) A person aggrieved by a decision taken against him or her on the basis of findings contained in the report of the Inspector General under this Act, may appeal against the decision to the High Court.

(2) An appeal under this section shall be made within thirty days after the notice of the findings has been brought to the attention of the person against whom it is made.

33. Protection of officers of Inspectorate

(1) Subject to this Code, no civil or criminal liability shall attach to any officer of the Inspectorate acting on the instructions of the Inspector General or Deputy Inspector General, for anything done in good faith by that officer in the performance of his or her duties under this Code.

(2) No inquiry, proceeding, process, or report of the Inspectorate shall—

(a) be invalid only by reason of an error or irregularity of form;

(b) be liable to be questioned, reviewed or quashed in any court except on appeal under section 35 of this Code.

34. Penalties for breach of Code

A leader who commits a breach of this Code shall—

- (a) in the case of a breach under subsection (7) of section 4, have the excess or undeclared property confiscated and forfeited to the Government;
- (b) in the case of a breach under subsections (6) and (8) of section 4. be dismissed from or shall vacate office;
- (b) in the case of a breach under subsection (6) of section 10, be liable to—
 - (i) forfeit the benefit equivalent to the gift, hospitality or benefit, to the Government or institution and shall stand warned;
 - (ii) be warned in writing; or
 - (iii) dismissal;
- (c) in the case of a breach under sections 8(3), 9(4), 11, 15(6) and 16 be liable to dismissal or shall vacate office.

35. Offences

(1) Any person who—

- (a) without justification or lawful excuse, wilfully obstructs or hinders a person acting in the exercise of functions under this Code;
- (b) divulges without lawful justification any information which he or she has obtained in the course of any duty conferred by this Code,

commits an offence and is liable on conviction to imprisonment not exceeding two years or to a fine not exceeding one hundred currency points or both.

(2) A person who is convicted of an offence under this Code for which no penalty is prescribed is liable to a fine not exceeding one hundred fifty currency points or to imprisonment not exceeding three years or to both.

36. Annual report

The Inspectorate shall include in its Statutory Report to Parliament under article 231 of the Constitution a report on its enforcement of this Code.

37. Regulations

(1) The Minister may in consultation with the Inspector General by statutory instrument, make regulations for better carrying out of the provisions of this Code.

(2) Regulations made under this section may prescribe as a penalty for contravention of any of the regulations, imprisonment not exceeding twelve months or a fine not exceeding one hundred currency points.

38. Amendment of Schedules

The Minister may by statutory order made after prior approval of Parliament by resolution, amend the provisions of any schedule to this Code.

39. Repeal

The Leadership Code, 1992 is repealed.

SCHEDULES.

FIRST SCHEDULE.

S.2

CURRENCY POINT.

A currency point is equivalent to twenty thousand shillings.

SECOND SCHEDULE.

S.2

PART A - POLITICAL LEADERS

1. President.
2. Vice-President.
3. Speaker and Deputy Speaker of Parliament.
4. Chairperson and Vice-Chairperson of the National Conference under the Movement Political system.
5. Prime Minister and Deputy Prime Minister.
6. National Political Commissar under the Movement Political System.
7. Attorney-General, Minister, Minister of State and Deputy Minister.
8. Member of Parliament.
9. Director and Deputy Director of Movement Political System.
10. A member of the National Executive of any Political Party or Organisation.
11. Chairperson, Vice Chairperson of a District or Sub-county, a member of a District Executive Committee, a District Councillor and a Municipality Chairperson, and Speaker and Deputy Speaker of a District Council.

PART B - SPECIFIED OFFICERS

12. Judges of the Courts of Judicature.
13. President and Deputy President of the Industrial Court.
14. Magistrate.
15. Registrar of the Courts of Judicature.
16. Inspector of Courts.
17. Permanent Secretary.
18. Head of Government Department by whatever name called; Head of Division or Section in a Government Department.
19. Presidential Advisor, Presidential Assistant.
20. Presidential Aides, Private Secretaries in President's office and State House.
21. Ambassador and High Commissioner.
22. All Officers in the Uganda Peoples Defence Forces.
23. Director-General of the Internal Security Organisation (ISO) and Director General of External Security Organisation (ESO) and their Deputies; Head of Division or section in the Internal Security Organisation (ISO) and the External Security Organisation (ESO).
24. Inspector General of Government, Deputy Inspector-General of Government, Head of Directorate, or Department by whatever name called, Head of Division or section in the Inspectorate of Government.
25. Inspector-General of Police, Deputy Inspector General of Police, and officer of or above the rank of Inspector of Police.
26. Commissioner of Prisons, Deputy Commissioner of Prisons, and Prisons Officer of or above the rank of Assistant Superintendent of Prisons.
27. Resident District Commissioner, Deputy and Assistant Resident District Commissioner.
28. Chief Administrative Officer, Deputy Chief Administrative Officer and Assistant District Administrative Officer, Town Clerk and Assistant Town Clerk, Treasurer, Deputy and Assistant Treasurer.
29. Head of a District Directorate or Department.
30. Head or Deputy Head of Secondary School, and Post Secondary Tertiary Institution.

31. A member and Secretary of any Commission or Board established by the Constitution or any other law.
32. Commissioner-General, Deputy Commissioner General and Commissioner of the Uganda Revenue authority and all URA employees of or above the rank of Assistant Revenue Officer.
33. Governor, Deputy Governor, Secretary, Director and Deputy Director of the Bank of Uganda, Head of Department by whatever name called, Head of Division or Section.
34. Vice Chancellor, Deputy Vice Chancellor and Secretary, Dean, Warden, Head of Department by whatever name called, of a University, and Director, Deputy Director and Principal of a Tertiary Institution.
35. Auditor General and all staff in the Auditor General's office of or above the rank of Auditor.
36. Director and Manager of a Co-operative Union, Departmental head of a Co-operative Union.
37. Member of Urban or Local Government Tender Board or District Service Commission and sub-County Chiefs.
38. Chairperson, Board members, Chief Executive and Deputy Chief Executive of a Public Body, Head of Department by whatever name called, Head of Division or Section of a Public Body, and a Member and Secretary of the Central Tender Board and Contracts Committee.
39. Accountant in a Government Department or in a Parastatal, Constitutional Commissions and all other Statutory Bodies set up by an Act of Parliament.
40. Project Manager, Project Co-ordinator, Project Administrator, Project Financial Controller/Accountant of Government or Public Body Project.
41. A Manager, by whatever name called, and Secretary of a bank in which Government has a controlling interest.

THIRD SCHEDULE

S. 15(2)

PART A - POLITICAL LEADERS

1. President.
2. Vice-President.
3. Speaker and Deputy Speaker of Parliament.
4. Chairperson and Vice-Chairperson of the National Conference under the Movement Political System.

5. Prime Minister and Deputy Prime Minister.
6. National Political Commissar and Directors or Deputy Directors under the Movement Political System.
7. Attorney-General, Minister, Minister of State and Deputy Minister.

PART B - SPECIFIED OFFICERS

8. Judges of the Courts of Judicature.
9. Inspector-General of Government and Deputy Inspector-General of Government.
10. Attorney General.
11. Chancellor or Vice-Chancellor of a University.
12. Inspector General and Deputy Inspector General of Police.
13. Commissioner and Deputy Commissioner of Prisons.
14. Commissioner of Immigration.
15. Auditor-General.
16. Chairman of the Central Tender Board.
17. Governor and Deputy Governor of Bank of Uganda.
18. Managing Director, General Manager or Director-General of a public body.
19. Secretary to the Treasury.
20. Solicitor-General.
21. Commissioner General, and Deputy Commissioner General, Commissioner of Uganda Revenue authority.
22. Executive Director of a public body.
23. Presidential Aide.
24. Director-General of the Internal Security Organisation and Director-General of the External Security Organisation.
25. Army Commander and Deputy Army Commander, and Chief of Staff.
26. Permanent Secretary.
27. Ambassador or High Commissioner.

28. Chairperson, Secretary and full time Commissioner of a Constitutional Commission.
29. Director of Public Prosecutions:
30. Administrator General, Registrar General.



Appendix F

**CHAPTER THIRTEEN
OF THE CONSTITUTION OF
THE REPUBLIC OF UGANDA**





CHAPTER THIRTEEN OF THE CONSTITUTION OF THE REPUBLIC OF UGANDA

223. (1) There shall be an Inspectorate of Government.
- (2) The Inspectorate of Government shall consist of:
- (a) The Inspector General of Government; and
 - (b) such number of Deputy Inspectors-General as Parliament may prescribe
- (3) At least one of the persons referred to in clause (2) of this article shall be a person qualified to be appointed a Judge of the High Court.
- (4) The Inspector General of Government and a Deputy Inspector General shall be appointed by the President with the approval of Parliament and shall not while holding office, hold any other office of emolument in the public service.
- (5) A person shall not be eligible for appointment as Inspector General of Government or Deputy Inspector General of Government unless that person-
- (a) is a citizen of Uganda; and
 - (b) is a person of high moral character and proven integrity; and
 - (c) possesses considerable experience and demonstrated competence and is of high calibre in the conduct of public affairs.
- (6) A person shall resign his or her office on appointment as an Inspector General or a Deputy Inspector General, if that person is-
- (a) a member of Parliament;
 - (b) a member of a local government council; or
 - (c) a member of the executive of a political part or organisation.
- (7) The Inspector General of Government and Deputy Inspector General shall hold office for a term of four years but shall be eligible for re-appointment only once.
- (8) The remuneration and other condition of service of members of the Inspectorate of Government shall be prescribed by Parliament and the salaries and allowances of members of Inspectorate shall be charged on the Consolidated Fund.

*Inspectorate
of Government*

224. The Inspector General or Deputy Inspector General may be removed from office by the President on the recommendation of a special tribunal constituted by Parliament only for-

- (a) inability to perform the functions of his or her office arising from infirmity of body or mind or;
- (b) misconduct, misbehaviour or conduct unbecoming of the holder of the office; or
- (c) incompetence.

225. (1) The functions of the Inspectorate of Government shall be prescribed by Parliament and shall include the following-

- (a) to promote and foster strict adherence to the rule of law and principles of natural justice in administration;
 - (b) to eliminate and foster the elimination of corruption, abuse of authority and of public office;
 - (c) to promote fair, efficient and good governance in public offices;
 - (d) subject to the provisions of this Constitution, to supervise the enforcement of the Leadership Code of Conduct;
 - (e) to investigate any act, omission, advice, decision or recommendation by a public officer or any other authority to which this article applied, taken, made, given or done in exercise of administrative functions; and
 - (f) to stimulate public awareness about the values of constitutionalism in general and the activities of its office, in particular, through any media and other means it considers appropriate.
- (2) The Inspectorate of Government may investigate any matter referred to in paragraph (e) of clause (1) of this article, on its own initiative or upon complaint made to it by any member of the public, whether or not that person has personally suffered any injustice by reason of that matter.

226. The jurisdiction of the Inspectorate of Government shall cover officers or leaders whether employed in the public service or not and also such institutions, organisations or enterprises as Parliament may prescribe by law.

227. The Inspectorate of Government shall be independent in the performance of its functions and shall not be subject to the direction or control of any person or authority and shall only be responsible to Parliament.

*Removal of
Inspector General
and Deputy
Inspector General*

*Functions of
Inspectorate*

*Jurisdiction of
Inspectorate*

*Independence of
Inspectorate.*

228. The Inspectorate of Government may establish branches at district and other administrative levels as it considers fit for the better performance of its functions.

Branches of Inspectorate

229. (1) The Inspectorate of Government shall have an independent budget appropriated by Parliament, and controlled by the Inspectorate.

Resources of Inspectorate

(2) It shall be the duty of the State to facilitate the employment by the Inspectorate of such adequate and qualified staff as are needed to enable the Inspectorate to perform its functions effectively and efficiently.

230. (1) The Inspectorate of Government shall have powers to investigate, cause investigation, arrest, cause arrest, prosecute, or cause prosecution in respect of cases involving corruption, abuse of authority or of public office.

Special Powers of Inspectorate

(2) The Inspector General of Government may, during the course of his or her duties or as a consequence of his or her findings, make such orders and give such directions as are.

(3) Subject to the provisions of any law, the Inspectorate of Government shall have power to enter and inspect the premises or property or any department of Government, person or of any authority, to call to examine and where necessary retain any document or item in connection with the case being investigated, found on the premises, and may; in those premises, carry out any investigations for the purposes of its functions.

(4) The Inspectorate of Government shall, when enforcing the Leadership Code of Conduct, have all the powers conferred on it by this Chapter in addition to any other powers conferred by law.

(5) Subject to this Constitution, Parliament shall enact any law necessary for enabling the Inspectorate of Government to discharge its functions effectively and efficiently and in particular, to ensure that the discharge of those functions is not frustrated by any person or authority.

231. (1) The Inspectorate of Government shall submit to Parliament at least once in every six months, a report on the performance of its functions, making such recommendations as it considers necessary and containing such information as Parliament may require.

Reports of Inspectorate

(2) A copy of the report referred to in clause (1) of this article shall be forwarded by the Inspectorate of Government to the President; and where any matter contained in the report relates to the administration of any local authority; an extract of the portion of the report on the matter shall be forwarded to that local authority.

- (3) The Speaker shall lay before Parliament the report submitted under clause (1) of this article within thirty days after it has been submitted, if Parliament is then in session, or, if Parliament is not in session, within thirty days after the commencement of its next following session.
 - (4) The President or any local authority referred to in clause (2) shall at least once every year cause a report to be submitted to Parliament on actions taken by the President or the local authority on reports submitted to the President or the local authority the Inspectorate of Government, for the information of Parliament.
 - (5) Parliament shall discuss expeditiously any reports submitted to it under clause (1)
232. (1) Parliament shall, subject to the provisions of this constitution make laws to give effect to the provisions of this Chapter.
- (2) Laws made for the purpose of this Chapter may, in particular provide-
- (a) for regulating the procedure for the making of complaints and requests to the Inspectorate of Government and for the exercise of its functions;
 - (b) for conferring such powers on it and imposing such duties on persons concerned as are necessary to facilitate it in the performance of its functions;
 - (c) for ensuring accessibility to the services of the Inspectorate by the general public and decentralising the exercise of those functions and where necessary for enabling the delegation the Inspectorate of any of those function to other authorities or persons at district or lower local government levels; and
 - (d) for regulating the functioning of the Inspectorate of Government in relation to other institutions or bodies established under this constitution or any other law.
 - (e) establishing a special court within the judiciary for combating corruption and prescribing the composition and jurisdiction and procedures of the court and appeal from the court.

*Powers of
Parliament
regarding
inspectorate*



Appendix G

CHAPTER FOURTEEN
OF THE CONSTITUTION OF
THE REPUBLIC OF UGANDA





CHAPTER FOURTEEN OF THE CONSTITUTION

LEADERSHIP CODE OF CONDUCT

233. (1) Parliament shall by law establish a Leadership Code of Conduct for persons holding such offices as may be specified by Parliament.

(2) The Leadership Code of Conduct shall-

- (a) require specified officers to declare their incomes, assets and liabilities from time to time and how they acquired or incurred them, as the case may be;
- (b) prohibit conduct-
 - (i) likely to compromise the honest, impartiality and integrity of specified officers; or
 - (ii) likely to lead to corruption in public affairs; or
 - (iii) which is detrimental to the public good or welfare or good governance;
- (c) prescribe the penalties to be imposed for breach of the Code; without prejudice to the application of criminal penalties prescribed for the breach in question;
- (d) prescribe powers, procedures and practices for ensuring the effective enforcement of the Code; and
- (e) make any other provision as may be necessary for ensuring the promotion and maintenance of honest, probity, impartiality and integrity in public affairs and the protection of public funds and other public property.

234. The Leadership Code of Conduct shall be enforced by the Inspectorate of Government or such other authority as Parliament may by law prescribe.

235. Parliament may, by law, provide that a person who has been dismissed or removed from office by reason of breach of the Code of Conduct shall be disqualified from holding any other public office whether appointive or elective and either generally or for a prescribed period.

235A. There shall be a Leadership Code Tribunal whose composition, jurisdiction and functions shall be prescribed by Parliament by law.

236. In this Chapter, unless the context otherwise requires, “specified officers” means the holder of an office to which the Leadership Code of Conduct applies.

Leadership Code of Conduct 371

Enforcement of Code

Disqualification for breach of Code

Interpretation

