



THE REPUBLIC OF UGANDA

INSPECTORATE OF GOVERNMENT

Report to Parliament

JANUARY— JUNE 2009

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THE REPUBLIC OF UGANDA

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Kampala, Uganda**

16th October 2009

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

Honourable Speaker Sir,

**THE INSPECTORATE OF GOVERNMENT'S REPORT TO
PARLIAMENT JANUARY – JUNE 2009**

In accordance with Article 231 of the Constitution of the Republic of Uganda 1995, I have the honour to submit to you the 21st Report of the Inspectorate of Government, covering activities of the Inspectorate for the period January – June 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 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*



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ABBREVIATIONS AND ACRONYMS

A/CDO	-	Assistant Community Development Officer
ACA	-	Administrative Control Authority, Egypt
ACBF	-	African Capacity Building Foundation
ACT	-	Anti-Corruption Threshold Programme
AfDB	-	African Development Bank
Ag	-	Acting
AG	-	Auditor General
BOG	-	Board of Governors
BOU	-	Bank of Uganda
CAA	-	Civil Aviation Authority
CADP	-	Corporate and Development Plan
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
F/Y	-	Financial Year
HCC	-	High Court Case
HM	-	Headteacher
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	-	Local Council
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
NAFIRRI	-	National Fisheries Resources Research Institute
NARO	-	National Agricultural Research Organisation
NFA	-	National Forest Authority
NGO	-	Non Governmental Organization
NHCC	-	National Housing and Construction Company
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
PSFU	-	Private Sector Foundation Uganda
PTA	-	Parent Teachers' Association
S.S	-	Secondary School
S/C	-	Sub-county Chief
UNDP	-	United Nations Development Programme
UNEB	-	Uganda National Examination Board
UNRA	-	Uganda National Roads Authority
UPDF	-	Uganda Peoples Defence Forces
URA	-	Uganda Revenue Authority
UTL	-	Uganda Telecommunications Limited
UWEC	-	Uganda Wildlife Education Centre
WAN	-	Wide Area Network



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 21st report of the Inspectorate of Government to Parliament. It is a summary of the performance of the Inspectorate of Government during the period January – June 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 organizational structure of the IG.

Chapter Two covers the Enforcement measures which are used by the Inspectorate of Government to curb corruption. These include Investigations of complaints or suspicions 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 employed/implemented 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 2008

The Inspectorate of Government has continued to use a two pronged approach in the fight against corruption utilizing enforcement and preventive measures.



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 2,933 complaints. Out of these 1,834 were brought forward from the previous reporting period, while 739 were received or initiated by the Inspectorate of Government within the reporting period. A total of 361 complaints were concluded including 73 complaints which were processed and later referred to other Institutions.

The nature of complaints handled by percentage of the total were as follows:

Abuse of office 25.8%; Mismanagement and Misappropriation of public resources 21.6%; Non-payment of Salaries and other benefits 12%; Victimisation/Oppression 5.8%; Property disputes 5.8%; Delay of service delivery 5.8%; Tenders and Contracts 4.9%; Forgery and uttering of false documents 4.6%; Conflict of interest 3.8%; Embezzlement 2.6%; Bribery and Extortion 2.0%; False claims 0.9% and others 3.4%.

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.

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



During the period under review, the Inspectorate of Government carried out inspections and investigations into specific suspected misuse and poor management of Poverty Action Fund monies in the following districts; Budaka, Bukwo, Kamuli, Rukungiri and Lira.

The inspections and investigations carried out in the different districts revealed the following;

- Most of the projects were implemented and completed well and funds were allocated and spent in accordance with the work plans, budgets, and PAF guidelines.
- Routine road maintenance was observed.
- Some districts paid contractors full contract sum, before work completion. This led to complacency in timely service delivery.
- Some districts diverted or borrowed funds from planned activities to unplanned ones. Where funds were borrowed there was no evidence of refund.
- Poor or lack of accountability of PAF monies in some districts.

Consequently the following recommendations were made;

- The CAOs and CFOs were once again reminded to ensure that PAF guidelines and other financial regulations are adhered to and that no funds, especially conditional grants are diverted to other programmes other than for which it was intended.
- The CAOs and CFOs should also ensure that proper tender procedures are followed in awarding contracts to service providers and this should be done in accordance with PPDA laws and regulations.
- The CAOs and CFOs should ensure timely and proper accountability for funds expended.
- The CAOs should in accordance with Regulation 9(2)(a) and (m) of the Local Government Finance and Accounting Regulation 2007 ensure that all the district employees, especially those in charge of funds at various Health Centres be equipped with basic accounting skills to ensure proper records keeping and maintenance of books of accounts.
- Diversion of PAF monies and advances of lump sums of money for PAF monitoring activities to officers should be avoided.

1.1.4 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 complaints against public officers concerning employment disputes; Non-payment or delayed payment of salary and other benefits; inheritance disputes and administration of estates; property disputes; improper tendering procedures and victimization.

In the reporting period, complaints under this category accounted for 28% of all complaints handled by the office and the majority of these were complaints against Administrator General's office.

1.3.5 Arrests and Prosecutions

The powers of the Inspectorate 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 2000.

During the period under review, eighteen (18) public officers were arrested for various corruption offences and are now being prosecuted in courts of law. The Inspectorate of Government had sixty seven (67) ongoing prosecution cases out of which fifty seven (57) were carried forward from the previous period and ten (10) were cases lodged in courts during the reporting period.

Only one case was concluded during the period and it resulted in acquittal.

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 continued carrying 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 three (3) leaders were found not to be commensurate with their incomes and liabilities. The process of forfeiture was to commence.



- Receiving, data entry and examination of leaders' declarations for March 2009 was done, and sensitization of the public about the Leadership Code Act, 2002 continued.
- In accordance with the leadership Code of Conduct some leaders declared gifts that were given to them in the course of their duties and they were 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, nineteen (19) civil applications, five (5) constitutional petitions and two (2) constitutional applications. One civil suit (Miscellaneous Application No. 248 of 2007 , Arising out of Civil Suit No.735 of 2006 i.e Inspectorate of Government versus American Procurement Company Ltd & Attorney General) was successfully argued by the IG in which a total of Ug.Shs.4.1 billion was saved and the IG has filed a bill of costs totaling Ug.Shs.48,496,936/=. The rest of the cases are at different stages of hearing.

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 were carried out and the 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 and more shows are scheduled to be screened in selected schools all over the country.

The IG is not only involved in sensitizing the youth about issues of corruption through seminars, workshops and films, but 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 Uganda Technical College Kicwamba, Nyabyeya Forestry College, Masindi and the Uganda Pentecostal University, Fort Portal. 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 and IG is very appreciative of this support.

1.4.2 Policy and System Studies

The 1995 Constitution of the Republic of Uganda and the Inspectorate of Government Act, 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 in form of public complaints, media reports and periodic surveys.

During the period under review, the Inspectorate of Government carried out two system studies into the Management of the office of the Administrator General and the management of examination by the Uganda National Examinations Board. The findings and recommendations of the two studies will be disseminated to stakeholders in the next reporting period. Both studies were funded by UNDP and IG is very grateful for this support.



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 interventions.

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 Masaka, Tororo and Lira. 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 and skills to enhance their performance.

During the reporting period, therefore, some Inspectorate of Government staff attended various training programmes including among others, Forensic Auditing and Accounting and Improved Prosecution Skills.

1.5.2 National and International Cooperation - Visitors, Visits and Conferences

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 other local, regional and international anti-corruption agencies.

During the period under review the former Inspector General of Government, the Ag. Inspector General of Government and the Director of Leadership Code attended workshops and conferences where they exchanged information and ideas with other stakeholders on fighting corruption. The Director of Education and Prevention of Corruption and two other senior officers also went to Egypt on the annual exchange programme following an existing Memorandum of Understanding between the IG and the Administrative Control Authority of Egypt to exchange ideas on fighting corruption through improved methods of investigations.



1.6 Acknowledgement of support from Development Partners

The Inspectorate of Government acknowledges with gratitude all the financial and technical support from several Development Partners to strengthen its capacity and enhance its performance. These include DANIDA, African Development Bank (AfDB), DFID, African Capacity Building Foundation (ACBF) and UNDP.

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 improved in many areas, including the area of making topical presentations during workshops and training programs.

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

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, high staff turnover, 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) Parliament should in accordance with Article 231 (5) of the Constitution, expeditiously discuss the reports of the Inspectorate of Government so that the concerns raised for the attention of Parliament are timely addressed.
- (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.
- (iv) **General Recommendations for Institutions most complained against:**

Based on the complaints investigated by the Inspectorate of Government, during the period under review, it has once again been revealed that the most complained against institutions are District Administrators, Police and school authorities, in both primary and secondary schools. IG, therefore, reiterates the following recommendations:

- With regard to the high number of complaints against District Local Governments, it is once again recommended that more resources be devoted to building capacity at Local Government levels in addition to organizing more public awareness campaigns on the roles and responsibilities of District leaders. The Ministry of Local Governments should ensure that such resources are effectively used.
- The problems associated with school authorities for both Primary and Secondary Schools continue to emanate from poor supervision and monitoring of schools by Inspectors of schools. Most Headteachers also lack book-keeping or basic accounting skills. In this connection, it is recommended that the Inspectors of schools step up their supervision and Headteachers be trained in basic accounting procedures.
- As for complaints against the Police it is recommended that there should be further education of the public to be able to promptly report incidences of corruption to the Police Administration or to the Inspectorate of Government for appropriate action, and the Police authorities should take immediate appropriate action whenever cases of corruption have been proved against Police officers.



1.9 Future Plans

The Inspectorate of Government plans to:

- Complete the development of a Computer Based Case Management System (CMS) and installation of the Local Area Network (LAN) and Wide Area Network (WAN) in all the regional offices to ease communication with the Headquarters in Kampala and among the Regional Offices themselves. This is being funded by the AfDB under the Institutional Support for Good Governance (ISPGG).
- Finalise a new IG Corporate and Development Plan (2010-2015) taking into account the successes, challenges and constraints the Inspectorate has registered since its inception.
- Improve staff remuneration.
- Widen up the scope of operations by opening up the 14th Regional Office in Moyo.
- Recruit thirty new staff in the year 2009/10.
- Construct or procure IG's own office premises to solve the continuous problems of insufficient office space and renting.
- Restructure the IG office in order to improve efficiency and effectiveness by allocating jobs to suit skills and experience as well as taking account of the new changes that have taken place since the inception of the office.
- Continue and increase public awareness campaigns to enhance the participation of the public in the fight against corruption.
- Strengthen and consolidate the current regional offices. More staff, office equipment, vehicles will be provided and staff training will be done to enhance their capacity.
- Improve on prosecutions and investigations for better output and impact.
- Continue to train IG staff in Investigation and Prosecution skills and all other relevant skills, through formal training, on-job training and sharing information and experiences with other anti-corruption Institutions.
- Continue to learn from international best practices through exchange programmes, study tours, workshops/or seminars and participation in relevant conferences and symposia.
- Continue pursuit of cooperation and coordination with good governance and anti-corruption institutions within the East African Association of Anti-corruption Authorities.



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 fight corruption. 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 21st report of the Inspectorate of Government to Parliament. It is a summary of the performance of the Inspectorate of Government during the period January-June 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 is headed by the Inspector General of Government (IGG) who is deputised by two Deputy Inspectors General of Government (DIGGs). Both 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, ensures budget and budgetary control, 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:

- Corruption and abuse of office or authority
- 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 January - June 2009, the workload in terms of complaints handled was as follows:

Complaints brought forward (from the previous period)	-	1,834
New complaints received/initiated	-	739
Audit Reports	-	<u>360</u>
Total workload	-	<u>2,933</u>
		=====

Out of 2,933 complaints that were available for investigations, a total of 288 (11%) were investigated and completed while preliminary inquiries were carried out for 73 (3%) complaints which were later referred to other institutions for appropriate handling.

During the previous period, a total of 603 complaints were investigated and completed compared to 288 complaints that were investigated during the current period. The new complaints received reduced from 854 (in the previous period) to 739 in the current period. A total of 2,572 complaints were carried forward to the next period.

Out of 739 new complaints received during the period January - June 2009, only 92 (12%) were received from women compared to 591 (81%) complaints which originated from men while the rest 56 (7%) were received from groups of individuals.

Table I: Workload for the periods July - Dec. 2008 & January - June 2009

	<i>July - December 2008</i>	<i>January - June 2009</i>
Complaints B/F (a)	1,639	1,834
Audit Reports	174	360
New complaints received (b)	854	739
Total workload (c) = a + b	2,667	2,933
Investigated & completed (d)	603	288
Referred to other Institutions (e)	230	73
Total complaints concluded (f) = d + e	833	361
Carried forward (g) = c - f	1,834	2,572



Of the total number of complaints received by the Inspectorate of Government, 363 (49.1%) were received at the Headquarters in Kampala while 376 (50.9%) were registered at the Regional Offices.

Table II: Complaints registered by the IG offices (January - June 2009)

<i>S/NO.</i>	<i>Office</i>	<i>No. of Complaints</i>	<i>Percentage</i>
1.	Kampala	363	49.1%
2.	Jinja	40	5.4%
3.	Fort Portal	54	7.3%
4.	Mbarara	36	4.9%
5.	Masaka	40	5.4%
6.	Arua	36	4.9%
7.	Hoima	18	2.4%
8.	Mbale	24	3.2%
9.	Gulu	26	3.5%
10.	Soroti	27	3.7%
11.	Kabale	26	3.5%
12.	Lira	20	2.7%
13.	Tororo	18	2.4%
14.	Moroto	11	1.5%
	TOTAL	739	100%

2.2.1 INSTITUTIONS/DEPARTMENTS MOST COMPLAINED AGAINST - JANUARY - JUNE 2009

During the period January - June 2009, most complaints received by the Inspectorate of Government were those against District Administrations which were 150 of the total complaints received accounting for 20.3%. 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 second highest category complained against constituting 12.7% 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.



Complaints against police were the third highest category complained against accounting for 7.8% (58) complaints of the total complaints received. There was a decrease of 19% on the cases registered against police from the previous period. Most complaints against Police included mainly 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 4th accounting for 7.7% of the total complaints received. The nature of complaints in this category remain mismanagement and misappropriation, abuse of office, forgery and uttering of false documents. Majority of these complaints were registered at Regional Offices.

The 5th ranked category was that of Municipal Councils/Town Councils accounting for 5.8% (43 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.

District Service Commissioners were the 6th ranked category mostly complained against accounting for 4.9% (36 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 also registered at Kampala Headquarters.

The details of departments/institutions complained against during the period January - June 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 the following districts: Budaka, Bukwo, Kamuli, Rukungiri, Lira and Kamwenge.

The following were IG's general observations and recommendations:

- Most of the projects were implemented and completed well and funds were allocated and spent in accordance with the work plans, budgets, and PAF guidelines.
- Routine road maintenance was observed.
- Some districts paid contractors full contract sum, before work completion. This led to complacency in timely service delivery.
- Some districts diverted or borrowed funds from planned activities to unplanned ones. Where funds were borrowed there was no evidence of refund.
- Poor or lack of accountability of PAF monies in some districts.

Consequently the following recommendations were made;

- The CAOs and CFOs were once again reminded to ensure that PAF guidelines and other financial regulations are adhered to and that no funds, especially conditional grants should be diverted to other programmes other than those it was intended for.
- The CAOs and CFOs should also ensure that proper tender procedures are followed in awarding contracts to service providers and this should be done in accordance with PPDA laws and regulations.
- The CAOs and CFOs should ensure timely and proper accountability for funds expended.
- The CAOs should in accordance with Regulation 9(2)(a) and (m) of the Local Government Finance and Accounting Regulations 2007 ensure that all the district employees, especially those in charge of funds at various Health Centres are equipped with basic accounting skills to ensure proper records keeping and maintenance of books of accounts.
- Diversion of PAF monies and advancing lump sums of money for PAF monitoring activities to officers should be avoided.



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 JANUARY - JUNE 2009

S/N	REFERENCE	TITLE OF ACCUSED	OFFENCE(S)
1.	TS.165.2007	Mohammed Baswale Kezzala - Mayor Jinja Municipal Council.	Abuse of office and causing financial loss.
2.	TS.70.2006	Gashenyi John Wycliffe - Town Clerk Kiboga Town Council.	Abuse of office.
3.	TS.70.2006	Musazi Moses - Speaker Kiboga District Council	Abuse of office.
4.	TS.70.2006	Katamba Fred - Senior Assistant Secretary, Mukono District Local Government.	Abuse of office, causing financial loss.
5.	HMA/CF/01/2008	Rev. Ssentongo of Kinyara S.S.	Abuse of office.
6.	HMA/CF/01/2008	Mr. Kateba Richard of Kinyara S.S.	Causing financial loss, Abuse of office.
7.	TS.47.2008	Mulambuzi David - Ag. Senior Principal Assistant Town Clerk, Central Division.	Abuse of office and causing financial loss.
8.	TS.47.2008	Kwemara Anaclet - Accountant In-charge Revenue, Rubaga Division.	Abuse of office and causing financial loss.
9.	TS.47.2008	Magezi Richard - Community Development Officer, Rubaga Division.	Causing financial loss, embezzlement and false Accounting.
10.	TS.47.2008	Ssebanenga Kyobe Ronald - Division Engineer, Nakawa Division.	Causing financial loss and embezzlement.
11.	TS.47.2008	Bazirake Mollie - Principal Assistant Town Clerk, Kampala City Council.	Abuse of office and causing financial loss.
12.	MBR/CF/09/09	Ndifuna Moses - Magistrate Grade II.	Receiving a bribe.
13.	ARU/CF/32/07	Mr. Achiga John - former District Engineer Moyo.	Abuse of office and causing financial loss.



14.	JNJ/CF/08/2005	Kanakulya Ibrahim - Ag. DEO Kamuli.	Abuse of office.
15.	TS.03.2009	(1) Sammy Nelson - Town Treasurer Kapchorwa Town Council. (2) Chelimo Nathan - Graduate Teacher (3) Sabila Herbert - Hon MP Tingeyi County - Kapchorwa.	Soliciting for a bribe. Receiving a bribe. Receiving a bribe
16.	TS.99.2005	Michael Kanaku - Secretary for Works, Kamui District Local Government.	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 sixty seven (67) ongoing cases, out of which fifty seven (57) were carried forward from the previous period and ten (10) were new cases registered in courts during the reporting period. Only one case was concluded during the reporting period and it resulted into an acquittal which the IG appealed.

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 JANUARY - JUNE 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 yet to commence.
3.	Kabareeba LC III Chairman Rukungiri.	Embezzlement.	Accused pleaded guilty and was sentenced to pay a fine. The Inspectorate of Government appealed against the sentence.
4.	Hashafa William and 2 others.	Causing financial loss and abuse of office.	Hearing continues.
5.	Bakera Stephen, Officer in charge of salaries, Jinja Referral Hospital.	Abuse of office and causing financial loss.	Hearing continues.
6.	Akuta Olupot, former Chief Financial Officer, Kiboga district, Kateregga Mustapha, former Acting District Accountant and Kyeyune Mohammed, former Acting District Accountant.	Abuse of office, causing financial loss and Embezzlement.	Hearing of prosecution case continues.
7.	Masaba Richard, Mayor of Mbale Municipal Council.	Abuse of office, causing financial loss and forgery.	Hearing of prosecution case continues.
8.	Wonyema James Masaba, Assistant Town Clerk, Mbale.	Abuse of office and causing financial loss.	Hearing of prosecution case continues.
9.	Engineer Wanjusi Fabiano, District Engineer, Iganga.	Abuse of office and causing financial loss.	Accused was acquitted and IG filed a notice of appeal.
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.



S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS
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 prosecution case continues.
13.	Chemisto Alfred, former Town Clerk, Kapchorwa, Swarmi Nelson a former Accounts Assistant, Jimmy Yeshe, former Internal Auditor, Kapchorwa District and Andrew Kulani, a businessman Kapchorwa.	Abuse of office, causing financial loss and theft.	Mention.
14.	Kansiime Francis, Town Engineer, Kyenjojo Town Council.	Abuse of office, causing financial loss and Embezzlement.	Hearing of prosecution case continues.
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.	Mention.
17.	Mudiope 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.
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.



S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS
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.	Prosecution filed a revision application in High Court.
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 case continues.
29.	Gamusi Ronald, Teacher Bishop Primary School.	Causing financial loss.	Hearing of 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 the matter continues.
31.	Mungoma John, a former Senior Assistant Health Educator.	Embezzlement, forgery and false accounting by a public officer.	The accused was acquitted and IG appealed against the acquittal.



S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS
32.	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.
33.	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.
34.	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.
35.	Tumwesigye Joseph, Land Officer, Ministry of Lands and Urban Development.	Abuse of office and causing financial loss.	Hearing of case continues.
36.	Musinguzi Balaam, Assistant Agricultural Officer, Ntungamo and Faith Najjuko, Cashier Mbarara National Agricultural Research centre.	Causing financial loss, abuse of office and false accounting.	Hearing of prosecution case continues.
37.	Bufumbo Moses, Headteacher Namulonge Primary School, Mpigi district.	Causing financial loss, abuse of office and making false claims.	Ruling is awaited.
38.	Byarugaba Godfrey, District Water Officer, Ntungamo.	Causing financial loss and abuse of office.	Hearing prosecution case continues.



S/N	NAME OF ACCUSED	OFFENCE COMMITTED	STATUS
39.	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.	There is a pending revision application filed by prosecution.
40.	Mulondo Thomas, LC V Kayunga and Muwanga Edirisa, Secretary Finance, Kayunga district.	Causing financial loss and abuse of office.	Appeal in court of appeal fixed for hearing.
41.	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 yet to commence.
42.	Kezaala Baswale Mohammed, Mayor Jinja Municipal Council.	Causing financial loss and abuse of office.	Hearing expected to commence soon.
43.	Sebanenya Kyobe Ronald, Division Engineer, Nakawa Division.	Causing financial loss and embezzlement.	Mention.
44.	Bizirake Mollie, Principal Assistant Town Clerk, Kampala City Council.	Abuse of office and causing financial loss.	Mention.
45.	Magezi Richard, Community Development Officer, Rubaga Division.	Causing financial loss, embezzlement and false Accounting.	Mention.
46.	Mulambuzi David, Ag. Senior Principal Assistant Town Clerk Central Division.	Abuse of office and causing financial loss.	Mention.
47.	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.
48.	Kanaku	Abuse of office and causing financial loss.	Mention.
49.	Mbabazi Proscovia	Abuse of office, embezzlement and causing financial loss.	Mention.
50.	Kanakulya Ibrahim	Abuse of office and causing financial loss.	Mention.
51.	Ndifuna Moses, Grade II Magistrate, Mbarara.	Corruptly soliciting and receiving a gratification, abuse of office.	Mention.

* The sixteen (16) cases which are on appeal are not included in the summary above.



Three cases have been referred to the Anti-corruption Division of the High Court for quick disposal.

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 fuel, subsistence and witness allowance are still limited and late in coming, witnesses are normally served late making it difficult to carryout prompt and successful prosecutions especially in upcountry courts.
- (c) It is very difficult to attract and retain experienced lawyers. Lawyers continue to leave the Inspectorate for better paying jobs. This impacts negatively on successful prosecutions.

- ***Limited Legal reference materials***

The Inspectorate of Government Library has limited reference materials and 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. Many cases in court take long to be disposed of and this adversely affects the prosecution process. It is hoped that the establishment of the special anti-corruption court will help in cutting on delays.

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.



For the period under review, the Inspectorate of Government has so far handled a total of thirty one (31) civil cases which include:-

- Five (5) civil suits
- Nineteen (19) civil applications
- Five (5) Constitutional petitions
- Two (2) Constitutional applications

2.5.1 Status report on the civil cases:

Civil suits

- Three (3) civil suits are pending hearing.
- One (1) civil suit (Miscellaneous application No. 243 of 2008 - Kyamanywa Andrew Tumusiime Vs Inspectorate of Government) was decided against the IG by the trial court and it is now on appeal.
- One (1) civil suit (Miscellaneous Application No. 40 of 2008 - Richard Nuwagira Vs Attorney General and Inspectorate of Government) was successfully decided in favour of the IG, however the other party has filed an appeal.

Civil applications

- Eleven (11) civil applications are pending hearing.
- One (1) civil application is awaiting delivery of a ruling.
- Three (3) civil applications were withdrawn by the applicant (s).
- Two (2) civil applications were decided against the IG one on a preliminary objection and the IG has decided to appeal both rulings.
- One (1) civil application which was filed against the IG was dismissed for want of prosecution.
- One (1) civil application (Miscellaneous Application No. 248 of 2007, Arising out of Civil Suit No.735 of 2006 i.e. Inspectorate of Government versus American Procurement Company Ltd & Attorney General) was successfully argued by the IG in which a total of Ug.Shs.4.1billions was saved and the IG has filed a bill of costs totaling Ug.Shs.48,496,936/=.

Constitutional petitions and applications

- Five (5) Constitutional petitions are pending hearing.
- Two (2) Constitutional applications are pending hearing.



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.

2.6.1 Activities carried out during the period January to June 2009:

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

(a) **Verification of leaders' declaration of incomes, assets and liabilities and investigations of allegations of the breach of the Leadership Code**

Investigations of cases of allegations of breach of the Leadership Code and abuse of office by the leaders continued.

Systematic verification of the remaining declarations of Permanent Secretaries, District Chairpersons, Chief Administrative Officers and Accountants in ministries continued and are at different stages of completion. During the period under review, bank inspections were carried out on the leaders' various bank accounts, information was gathered from the Motor Vehicle Central Registry, Ministry of Lands, District Land offices, Registration Services Bureau and physical verifications were carried out both in Kampala and upcountry districts. The leaders were asked to explain their sources of funds for their acquisitions and how they incurred their liabilities. Cost and market valuation of the properties of some of the leaders was carried out.

During the period under review, fifteen investigations of alleged breach of the Leadership Code, and verification of leaders' declarations were completed. Also investigations on allegations of non-payment of salary and privileges of a judge was carried out and it was established that there was no administrative injustice occasioned. The Judge was advised to appeal against the High Court ruling if he so wished.



In one verification of declarations of a leader, there were some assets found not to be commensurate with his income, the decision to pay compensation in lieu of forfeiture of the assets was enforced and the money recovered. The total money recovered was Shs.300,000,000/= which was paid on the Inspectorate of Government Asset Recovery Account.

Investigations into alleged corruption, abuse of office, conflict of interest and mismanagement by Uganda Property Holdings Ltd with respect to properties in Kenya were also carried out and it was established that Uganda Property Holdings Ltd was managing the properties well and they had even registered good profits which were used to construct the custom bonded motor vehicles depot in Mombasa among others.

Some properties of three (3) leaders were found not to be commensurate to their income and liabilities. The process of forfeiture is to be commenced. In the remaining eight (8) investigations and verifications, it was found that the acquisition of properties by the leaders was commensurate with their incomes and liabilities.

(b) Data entry of the leader's declarations of 2006/2007/2008

During the period under review 8,589 (50.2%) declarations of leaders' income, assets and liabilities of leaders were entered into the IG-LCC data base system. The exercise was put on hold at the end of February 2009, when receiving of the March 2009 declarations commenced. It is scheduled to resume.

(c) Issue/Distribution of declarations of income, assets and liabilities forms to leaders to declare in March 2009

Declarations of income, assets and liabilities forms were distributed to all the 19,192 leaders within and outside the country for the March 2009 submission of declarations to IGG.

(d) Receiving and examination of leaders' declarations for March 2009

During the period under review, leaders submitted their declarations of income, assets and liabilities to the IGG. 91% of the declarations were submitted and received. Out of these, 6,551 were examined and processed.

The exercise of identifying Ministers, Members of Parliament and Judges who did not declare was completed and identifying other leaders who did not declare commenced.



(e) **Dissemination of information on Leadership Code Act, 2002**

Distribution of copies of booklets regarding the facts about the Leadership Code and the Training Manual for sensitization of the public on the Leadership Code Act, 2002 continued. Copies of Facilitator's Guide and the Participant's Handbook were distributed to all Ministries, District Chairpersons, Chief Administrative Officers and some Sub-county Chairpersons. The distribution of the remaining Sub-county Chairpersons is on-going.

2.6.2 Gifts declared by leaders:

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

During the period under review, the following leaders declared gifts:

- The Commander Land Forces declared a Pistol (Beretta) from Defense Export Promotion on organization - Karachi Pakistan, Karachi Expo Centre (IDEAS 2008). The IGG advised him to surrender it to the Permanent Secretary, Ministry of Defence who would liaise with the Chief of Defence Forces to decide whether, in accordance with the security regulations he can retain it for personal use.
- The Commissioner General Uganda Revenue Authority declared a digital photo frame from the Chinese Ambassador to Uganda and HUAWEI U5700 UMTS handset and a card from the Managing Director UTL.

The IGG advised her to put the gift to her personal use.

- The former IGG received Honorarium of Ug. Shs.120,000/= from the Annual Judges Conference and Honorarium of US\$ 100 as facilitation at the 1st Annual East African Association of Anti-Corruption Agencies (EAAACA) conference in Dar-Es-salaam Tanzania which she declared to the Speaker of Parliament and he advised her to use the money because she was entitled to the honorarium.

2.6.3 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 data entry of declarations.
- Examine and process all declarations of income, assets and liabilities forms submitted for the year 2009.
- Distribute declaration of income, assets and liabilities forms for March 2010 declarations.



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 as hereunder;

- (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 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.

The Inspectorate of Government fulfils these 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 28% (206) of all complaints handled by the office. Majority of these were against Administrator General's office and the least complained against Institution was National Water and Sewerage Corporation.



Below is a summary of some of the Ombudsman complaints that were investigated and completed.

- **Comp 22/7/08. Alleged Non-payment of salary arrears.**
The complainant's late wife's NSSF benefits were not being paid by Kyambogo University where she worked before her death. IG intervened and the benefits were cleared in full.
- **Comp 24/11/07. Alleged abuse of office.**
The complainant alleged that the Registrar of Masaka was abusing his office by refusing to enforce a court order. IG intervened and the matter was settled.
- **Comp 7/10/07. Alleged abuse of office by the Administrator General**
The complainant alleged that the Administrator General had refused to equally divide up his deceased's father's estate. IG intervened and the estate was equally divided.
- **Comp 68/9/07. Alleged loss of documents by Mukono Land office Comp**
The complainant reported to the Inspectorate of Government that the Mukono Land Office had lost his documents. IG intervened and the documents were recovered.
- **Comp 271/244/01. Alleged non-payment of death gratuity.**
The complainant reported that the death gratuity of her late daughter was not being paid despite several requests. IG intervened and the death gratuity was paid.
- **Comp 22/7/06. Alleged underpayment of retirement benefits**
The complainant formerly worked with the then Ministry of Marketing and Co-operatives and alleged that his retirement benefits were underpaid. The retirement benefits were paid after intervention by the IG.
- **Comp 15/6/07 Alleged failure to pay pension benefits**
The complainant, a retired Police Officer complained that his pension arrears had not been cleared by the Ministry of Public Service (MOPS). IG intervened and the arrears were cleared.
- **Comp 81/4/08 Unfair deletion of teachers from payroll**
Eight (8) teachers of St. John Nandere S.S. complained to this office that their



names had been unfairly deleted from the payroll. IG intervened and the names were reinstated.

- **Comp 84/6/08 Failure to pay terminal benefits**

The complainant's terminal benefits had not been paid by Uganda Railways Corporation where he formerly worked. IG intervened and the benefits were paid.

- **Comp 47/1/08 Non-payment of salary arrears**

Teachers of St. Thereza, Kabalega and Pakanyi Kinyara Seed Secondary Schools complained that their salary arrears had not been paid. IG intervened and the salary arrears were paid.

- **Comp 63/11/08 Deletion from payroll**

Employees of Mukono District Administration complained that their names had been deleted from the payroll and they had not been paid salary arrears. IG intervened and they were reinstated and the salary arrears paid.

- **Comp 9/1/09 Unpaid salary arrears**

The complainant is employed with Mityana District Administration and he reported that he had not been paid salary arrears. IG intervened and he was paid.

- **Comp 56/10/08 Refusal to issue certificate of No Objection by the Administrator General**

The Administrator General had refused to issue a Certificate of No Objection for the complainant to enable him pursue letters of administration. IG intervened and the certificate was issued.

- **Comp 13/5/06 Unlawful removal of caveat**

The complainant reported that the caveat he had placed on Plot 398 Block 12 had been unlawfully removed by the Acting Commissioner, Land Registration. IG intervened and the caveat was reinstated.

- **Comp 18/12/03 Non-payment of salary arrears**

The complainant was a teacher attached to Mubende district whose salary arrears had not been paid. IG intervened and they were paid.

- **Comp 3/11/06 Non-payment of death benefits**

The complainant's late husband's death benefits had not been paid by MOPS but when IG intervened they were paid.



- **Comp 34/8/07 Non-payment of terminal benefits**
The complainant a retired Police Officer reported that his terminal benefits had not been cleared by MOPS. IG intervened and they were paid.
- **Comp 70/10/08 Non-payment of gratuity by Ministry of Public Service**
Ministry of Public Service had delayed to pay gratuity for some retired employees of Kamuli district. They approached IG for assistance and the gratuity was paid by Ministry of Public Service as a result.
- **Comp 76/2/08 Non-payment of death benefits by Ministry of Public Service**
The complainant reported to IG that death benefits for his late father were not being paid by Ministry of Public Service. IG intervened and the death benefits were paid.
- **Comp 10/10/07 Non-payment of terminal benefits**
The complainant who was formerly employed with SCOUL reported to the IG that his terminal benefits had not been paid. IG intervened and they were paid.
- **Comp 11/6/07 Non-payment of terminal benefits**
The complainant reported that Ministry of Works and Transport had terminated him without paying his benefits. IG intervened and payment in lieu of leave and termination notice was made.
- **Comp 9/9/08 Alleged unfair interdiction from duty**
The complainant reported to IG that he had been unfairly interdicted from duty as an Accountant of Arua Municipal Council. IG intervened and he was reinstated.



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, using preventive measures, the IG uses a two-pronged approach that includes public awareness programmes and research into public policies and systems of public institutions.

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 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.

1.1.1 National Integrity Survey III (NIS III)

Integrity surveys are very important tools used by the IG in 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; the central and local government leaders, religious leaders, the business community, IG staff, cultural leaders, student leaders and the media.



- **Masaka Local Leaders Workshop**

This was held at Hotel Zebra on 23rd March 2009. 272 participants from the districts of Masaka, Rakai, Lyantonde, Kalangala and Sembabule attended the workshop.

- **Tororo Local Leaders Workshop**

This was held at Rock Classic Hotel on 18th May, 2009. 347 participants from the districts of Tororo, Busia, Bududa, Butaleja and Manafwa attended the workshop.

- **Lira Local Leaders Workshop**

This was held at Lira Hotel on 22nd June 2009. 226 participants from the districts of Lira, Apac, Oyam, Dokolo and Amolatar attended the workshop.

The three workshops were funded by the African Development Bank (AfDB) under the Institutional Support Project for Good Governance (ISPGG) and the Inspectorate is very grateful for this financial support.

1.1.2 Workshops for Students in Tertiary Institutions

IG has put emphasis on sensitizing the youth in the fight against corruption as these are opinion leaders among the people and are a “reservoir” from where Government will recruit civil servants who will control public resources and assets. The IG supported different groups in tertiary institutions to organize activities such as debates, drama, and to write articles for publication on themes that will broaden their understanding of the problems of corruption in the country. These activities also serve as a follow-up of the program of the “*Youth for Good Governance*”, which was conducted by the IG sometime back and facilitated by the World Bank. This program involved students in secondary schools and therefore it was important to make a follow-up in Tertiary Institutions.

During the period under review, the following activities were held in the various institutions and were all funded by IG under the ISPGG funding.

- On 7th March 2009, a student leaders’ workshop was held at Mbarara University, Mbarara.
- On 27th March 2009, a student leaders’ workshop was held at Uganda Christian University, Mukono.
- On 3rd April 2009, the Integrity Ambassadors’ Club was launched in the Uganda Technical College, Kichwamba.
- On 18th April 2009, a student leaders’ workshop was held at Bishop Stuart University, Mbarara.



- On 25th April 2009, a student leaders' workshop was held at Uganda College of Commerce, Tororo.
- On 8th May 2009, a students leaders' workshop was held at Gulu University.
- On 16th May 2009, the Integrity Ambassadors' Club was launched in Nyabyeya Forestry College, Masindi.
- On 26th June 2009, the Integrity Ambassadors Club was launched in the Uganda Pentecostal University, Fort Portal.

Film shows

The youth are also educated about the evils of corruption through film shows. During the period under review the IG screened a film entitled "roots of corruption" in the following schools in Western Uganda; Bweranyangi Girls' S.S.S., Sacred Heart S.S.S., Mbarara High School, Mary Hill High School and Isingiro S.S.S. Film shows will continue in selected schools all over the country.

3.2.3 Media and Communications 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 had a number of radio and TV talk shows. For instance IG staff participated in the popular Radio One programme "**the spectrum**", Simba FM's programme - "**Olutindo**" on Mega FM, Kyoga Veritas, Life FM, Voice of Kabale, Radio West and Radio Pacis. These radio programmes were funded by ACT.

In May 2009, the Ag. Deputy Inspector General of Government appeared on UBC Television together with the Minister of State for Ethics and Integrity to launch the media campaign of the Inter Agency Forum against corruption.

3.3 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 that, 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.

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.

During the period under review, the Inspectorate of Government carried out system studies into the management of the Administrator General's office and the management of examination by the Uganda National Examinations Board (UNEB). The Inspectorate intends to disseminate the findings and recommendations of both studies to stakeholders during the next reporting period.

The system studies were funded by UNDP among other activities and IG is grateful for this support.

1.1.2 Constraints encountered in the study of Systems and Policies

- Logistical support is still inadequate.
- Few staff available to handle both the systems studies and investigation leads to delays in completion of tasks.

1.1.3 Future Plans

The IG plans to issue and disseminate reports of studies into the management of the Administrator General's office and the study 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.



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
1.1 Staff training and International co-operation for the period January - June 2009

Staff	Destination	Duration	Purpose	Funded under	Benefits
<ul style="list-style-type: none"> The Ag. IGG, Mr. Baku Raphael and the Ag. Director of Legal Affairs, Mr. Makumbi David. 	Dar es Salaam	17 th - 19 th June 2009	African Regional Anti-Corruption Workshop	ACT	Established useful networks and contacts for tackling issues such as corruption across borders and shared information on assets recovery and tracking; and plea bargaining among other things.
<ul style="list-style-type: none"> Fifty (50) staff of the IG 	Colline Hotel, Mukono	19 th - 29 th May 2009	Training in Forensic Auditing and Accounting	African Capacity Building Foundation (ACBF), with National Planning Authority as the implementing Authority	Improved financial crimes investigations.
<ul style="list-style-type: none"> Forty (40) staff of the IG 	Hotel Africana	2 nd - 13 th February 2009	Training in Forensic Auditing and Accounting	African Development Bank (ADB)	Improved financial crimes investigations.
<ul style="list-style-type: none"> Forty (40) Newly recruited staff of the IG 	Grand Imperial	16 th - 20 th March 2009	Induction course	Danish International Development Agency (DANIDA)	Induction course to prepare newly recruited staff for their various jobs.
<ul style="list-style-type: none"> The then IGG, Justice Faith Mwendha 	Kigali, Rwanda	16 th - 17 th February 2009	Ad-Hoc expert group on "assessing the efficiency and impact of Anti-Corruption Institutions in Africa"	Danish International Development Agency (DANIDA)	



Staff	Destination	Duration	Purpose	Funded under	Benefits
<ul style="list-style-type: none"> Prosecutors 	Law Society		Improve prosecution skills	IG	Improved skills in handling appeals.
<ul style="list-style-type: none"> Three (3) officials of the IG, led by the Director, Education and Prevention of Corruption. 	ACA Cairo, Egypt	18 th - 24 th January 2009	Educational Exchange visit was planned for this period in line with the Protocol signed between ACA and the IG.	African Development Bank (AfDB)	Exchange of ideas on fighting corruption and improved methods of investigations.
<ul style="list-style-type: none"> The then IGG and the Director of Leadership Code. 	Dar es Salaam, Tanzania	19 th - 21 st January 2009	1 st East African Community annual conference on good governance in the East African Integration.	Danish International Development Agency (DANIDA)	Exchange of ideas on fighting corruption.



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 ignored doing so despite various follow-ups and reminders.

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

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

Ministry of Education and Sports & Ministry of Local Government

The Permanent Secretary, Ministry of Education and Sports and the Permanent Secretary, Ministry of Local Government have been compliant in implementing the IG's recommendations. For example, in a report KBL/CF/07/2008, concerning alleged maintenance of ghost employees on the payroll of Kisoro district local government, it was recommended that the PS Ministry of Education and Sports should take appropriate disciplinary action against the Headteacher of Kabindi S.S. for not informing the CAO about the teachers who were absent from their duty station without having been granted formal leave. The Headteacher was reprimanded in a letter dated 9th February 2009 by the PS Ministry of Education and Sports.

In another report FP/CF/11/2008 which was about the alleged violation of the USE Policy by the Headteacher Rusekere S.S. in Kabarole district, it was recommended that the



payment be stopped forthwith until approval is sought from and granted by the Director of Education, MOES as per the policy. Further, the headteacher of the said school should be subjected to appropriate disciplinary action for failure to strictly adhere to Government policy and procedures on implementation of USE. In a letter dated 24th February 2009, the PS Ministry of Education and Sports instructed the headteacher of Rusekere S.S. to discontinue the illegal fees collection with immediate effect and asked him to show cause as to why disciplinary action should not be taken against him.

Rukungiri District Local Government

The CAO Rukungiri District implemented IG recommendations in the report KBL/CF/30/2006 about PAF investigations in Rukungiri Town Council FY 2005/2006. The report was issued to the CAO Rukungiri in May 2008 to implement the following recommendations: (i) submit the Town Clerk, Rukungiri Town Council to the District Service Commission for dismissal for flouting Government's Public Procurement and Disposal of Public Assets Act 2003 and contravening the provisions of the Income Tax Act, Cap 340 Laws of Uganda. (ii) Submit the Town Engineer to the District Service Commission for appropriate disciplinary action for issuing completion certificate of measured works to M/S Bamu Property Services for the repair of Kagogo Bridge in contravention of the provisions of the Local Governments Financial and Accounting Regulations 1998. (iii) Seven officers of the Town Council to refund the monies that was paid to them fraudulently for which they never accounted. The officers included the Senior Internal Auditor, the Town Treasurer and the Town Engineer. Below are the actions that were taken on implementation of the recommendations.

The Town Clerk was submitted to the DSC and he was reduced in rank to the post of Senior Town Clerk. The Town Engineer was submitted to DSC and reprimanded. The officers were each asked to refund the money and the Senior Treasurer was instructed to recover the money from their salaries/allowances.

Mukono District Local Government

The Inspectorate of Government issued a report HMA/CF/57/2004 concerning alleged holding of two offices by a Veterinary Officer at both Mukono District Local Government and under IFAD in Hoima. In this report, it was recommended that Shs.6,010,014/= which was paid to the Veterinary Doctor for no services rendered should be recovered from her. In a letter dated 16th April 2009, CAO Mukono informed IG that the first installment of Shs.2,000,000/= had been deposited by the Veterinary Doctor on Mukono District General Fund account. In a letter dated 24th June 2009, CAO Mukono confirmed full recovery of Shs.6,010,014/=.



Kabale District Local Government

The Chief Administrative Officer implemented the recommendations in the report KBL/CF/04/08 about alleged mismanagement of the tendering process by the Procurement and Disposal Unit - Kabale district. The CAO Kabale wrote to the Acting Secretary Contract Committee and asked him to refund Shs.3,264,000/= as recommended. By the copy of the letter, the CFO was requested to start the monthly deductions from his salaries effective November 2008. In another letter of reference, the CAO wrote to the other five members of the Contract Committee including the Chairman asking them to refund Shs.686,276/= each.

The CAO Kabale recovered Shs.60,500/= from the headteacher of Kicumbi Primary School as recommended in the report KHL/CF/01/2007 about alleged mismanagement of UPE funds. The CAO submitted him to the Secretary Kabale DSC to be warned for falsifying accountability.

Kisoro District Local Government

The Chief Administrative Officer, Kisoro has been supportive in implementing the IG recommendations. For instance, he terminated the appointment of an Enrolled Nurse as recommended in the report KBL/CF/13/2006 about alleged forgery of academic documents by staff at Kisoro Hospital and Health Centres in Kisoro District. He also submitted two Enrolled Midwives and another Enrolled Nurse to DSC for dismissal from service for using forged documents.

Pallisa District Local Government

The District authorities in Pallisa have been helpful in implementing IG recommendations. For instance, the Chief Administrative Officer implemented the recommendations in the report MBL/CF/08/2008 about alleged abuse of office by the district Chairperson, Speaker and Executive Committee of Pallisa district. In this report it was recommended that the CAO Pallisa should ensure that the District Speaker meets the cost of repairs for a vehicle which was in his custody, and got involved in an accident while being driven by an unauthorized person. CAO Pallisa wrote to the Speaker, indicating that he will recover the said money from the Speaker's emoluments and allowances. The Speaker, Pallisa paid Shs.800,000/= and the rest is to be recovered from his emoluments.

The CAO and DSC implemented the recommendations in the report HQT/08/12/2005 about alleged mismanagement of the restructuring exercise by the Pallisa DSC. In this report, it was recommended that the CAO Pallisa should submit the four Senior Accounts Assistants to DSC for dismissal. The District Service Commission Pallisa has dismissed all the affected officers.



In a report MBL/CF/06/2007 concerning alleged forgery and uttering of false documents by the Parish Chief of Najeniti Parish, Kasodo Sub-County Pallisa District, it was recommended that CAO Pallisa should submit the Parish Chief to the District Service Commission Pallisa for dismissal, for securing employment by uttering false academic documents. The Parish Chief was dismissed.

Kabarole District Local Government

The Chief Administrative Officer, Kabarole District implemented IG recommendations in a report DOP/13/80/01 in which it was recommended that Shs.3,413,956/= be refunded and deposited on the Rwagimba Health Centre II project.

Masindi District Local Government

The Chief Administrative Officer, Masindi district implemented the recommendation in the report TS/140/2005 concerning abuse of office by Masindi District Administrative officials. In this report it was recommended that CAO Masindi should recover money which was unjustifiably paid to the staff. The money was refunded.

The Chief Administrative Officer, Masindi implemented the recommendation in another report HMA/03/04/2007 about victimization and abuse of office by Masindi district officials and non accountability at Masindi Army Boarding Primary School. The report was issued to the CAO in January 2009 to liaise with the Director Link Community Development and ensure that the Headmaster Masindi Army Boarding Primary School satisfactorily accounts for the money failure of which the amount should be recovered from him. The CAO Masindi asked the Headteacher of Masindi Army Boarding Primary School to present his accountability of the money which was done to the satisfaction of the donor.

Hoima Town Council

The Town Clerk, Hoima Town Council implemented the recommendations in the report HMA/CF/45/2004 which was issued to him in May 2008 about alleged irregular rezoning and sale of graveyard. It was recommended in this report that:

- (i) All developments on the cemetery land be demolished, as they were illegal.
- (ii) The Town Clerk should advise the Town Physical Planner to always ensure that developments in the Town Council are carried out in accordance with proper plans.
- (iii) The Town Clerk should submit the Land Supervisor to Hoima DSC for dismissal for corruption and abuse of office he committed by receiving Shs.1,500,000/= from grabbers of the Mortuary land.



The Town Clerk communicated to the developers to remove their household property from the buildings which were to be demolished. He also asked the supervisor to defend himself and after receiving his reply, the Town Clerk submitted the Land Supervisor to DSC for further action. In a letter dated 4th July 2008, the Town Clerk advised the Physical Planner as recommended.

Hoima District Local Government

The Chief Administrative Officer, Hoima District implemented the recommendations in the report HMA/CF/01/2007 about alleged illegal recruitment of forestry staff by Hoima District Forest Officer. The CAO terminated all illegal recruitments which included the Patrol Man, Office Attendant and Forestry Ranger. He also warned the Senior Forestry Officer as recommended.

Mbarara District Local Government

The Speaker, Mbarara Municipal Council implemented the recommendation to warn Mayor, Mbarara Municipal Council as directed in the report MBRR/CF/42/2007 about alleged conflict of interest.

The District Service Commission, Mbarara District also implemented the recommendations to discipline the former Assistant Town Clerk in charge of Kakoba Division.

Kaliro District Local Government

The Inspectorate of Government issued a report JNJ/CF/17/2007 about alleged existence of unqualified teachers in Kaliro District. In this report, it was recommended that the CAO, Kaliro should forward the teachers to the Kaliro DSC for dismissal from the teaching service since they were not qualified and were using academic documents that do not belong to them. The teachers to be dismissed were from Kirama, Nabigwali, Madibira and Kaliro Demonstration Primary Schools. The four unqualified teachers were dismissed.

Jinja District Local Government

The Inspectorate of Government issued a report TS/165/2007 about mismanagement of Jinja Municipal Council affairs, abuse of office and breach of the Leadership Code Act.



It was recommended in this report among others that the DSC should warn the Senior Accounts Assistant and reprimand the Deputy Town Clerk and the Municipal Engineer for violation of Section 78 of the PPDA. The officers were warned by the District Service Commission.

Sironko District Local Government

The Chief Administrative Officer, Sironko implemented the recommendations in the report MBL/05/11/2005, concerning alleged diversion of salary arrears. In this report, it was recommended that the CAO Sironko should: (i) remit to Central Government Treasury the retained part of the funds which had been erroneously released by Ministry of Public Service. (ii) Submit the Acting O/C Salaries, Sironko District to the DSC for dismissal from the service of Sironko District for uttering forged academic documents to the DSC in order to secure the employment. The CAO Sironko remitted back to the Central Government Treasury the money and reported that the Ag. O/C Salaries was dismissed.

5.2 MINISTRIES, DEPARTMENTS, INSTITUTIONS AND ACTION OFFICERS WHO HAVE IGNORED IMPLEMENTING IG RECOMMENDATIONS

Implementation of IG recommendations, directions and orders has improved. However, some implementing authorities have still remained problematic, as illustrated by the following examples:

Solicitor General

The office of the Solicitor General has not been supportive in implementing IG recommendations. For example, the Inspectorate of Government issued a report HMA/CF/45/2004 about alleged irregular rezoning and sale of graveyard by Hoima Town Clerk and Town Planner. The report which was issued in May 2008 recommended that the Town Clerk, Hoima Town Council should ensure that all developments on the cemetery land are demolished, as they are illegal. In one letter dated 9th July 2008, the Town Clerk wrote to Solicitor General to seek for technical guidance on how to implement the recommendations. The Solicitor General wrote back asking for further clarification on the matter. The Town Clerk provided the clarification to the Solicitor General in a letter dated 29th August 2008. The Solicitor General up to 30th June 2009 had not provided the technical guidance.

Mbale Municipal Council

The Town Clerk, Mbale Municipal Council has not implemented the recommendations in the report MBL/CF/95/2004 about alleged abuse of office by the Accounting Officer, Mbale Municipal Local Government. It was recommended that the Town Clerk: (i) Forwards



the Assistant Town Clerk, Industrial Division to the Mbale District Service Commission for appropriate disciplinary action for flouting the Local Government's Financial and Accounting Regulations. (ii) Recover Shs.3,523,200/= from the Assistant Town Clerk, Industrial Division and the Internal Auditor in Mbale District Local Government. This amount of money was lost through an overpayment and rejected furniture for which the two officials were held responsible.

All persons or bodies authorized to implement recommendations, directions or orders of IG should note that under section 35 (c) of the Inspectorate of Government Act it is an offence not to implement directions or orders of IG without justifiable cause. Accordingly, the IG will not hesitate to prosecute or cause prosecution of persons who commit the offence, in order to curtail impunity.



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 combating corruption and abuse of office/authority in order to promote good governance. 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 Constraints

(i) **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. This is compounded by the high rent cost which cuts into operational funds of the IG.

(ii) **Under staffing:**

Additional staff are required to fill existing gaps; especially in the Regional Offices, where as few as two technical people are handling complaints from as many as six districts.

(iii) **Staff turnover:**

There is still a high turnover of staff at the IG especially lawyers, mainly due to poor remuneration. The loss of experienced prosecutors adversely affects prosecution, especially of complex corruption cases. Insufficient remuneration of staff has also led to inability by IG to attract and retain experienced staff, which negatively affects the efficiency and effectiveness of the office.



(iv) **Operating in rented premises:**

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

6.2.2 Challenges

- The corrupt are using advanced means to engage in fraud and there is a lot of collusion with civil servants to embezzle/misappropriate public funds. The public officials for example, the Internal Auditors and Accounting Officers who would otherwise detect fraudulent transactions are themselves involved. This makes investigations difficult since all attempts are made to conceal all information from investigations officers; yet training of IG staff in advanced fraud detection is hampered by inadequate funding.
- The unwillingness of witnesses to come forward and testify against public officials on behalf of IG when cases are under prosecution has led to the Inspectorate of Government losing cases.
- Limited funding in Government departments negatively affects resolution of cases involving payment of salary arrears, pensions, terminal benefits etc. It also causes delays in data retrieval due to lack of facilities like computers which are necessary for fast retrieval of data required by investigating officers from the IG.
- Inadequate support and lack of good will from other Government institutions in the fight against corruption slows down and sometimes frustrates the investigation process.
- High expectations from the public, yet financial and human capacity is limited to meet the challenge.
- Loss of well trained and experienced staff to better paying organizations has led to a high officer/complaint ratio which has resulted in case backlog.
- Insecurity caused by armed Karamojong warriors by way of road ambushes and sometimes indiscriminate shootings and robbing has necessitated armed military escorts paid by the office which makes operations in this area costly.
- Reluctance of the local population to report alleged case of corruption due to apathy and intimidation by the District officials.
- Poor record keeping in Government Departments slows the investigation process.



6.3 FUTURE PLANS

- Complete the development of a Computer Based Case Management System (CMS) and installation of the Local Area Network (LAN) and Wide Area Network (WAN) in all the regional offices to ease communication with the Headquarters in Kampala and among the Regional Offices themselves. This is being funded by the AfDB under the Institutional Support for Good Governance (ISPGG).
- Finalise a new IG Corporate and Development Plan (2010-2015) taking into account the successes, challenges and constraints the Inspectorate has registered since its inception.
- Improve staff remuneration.
- Widen up the scope of operations by opening up the 14th Regional Office in Moyo.
- Recruit thirty new staff in the year 2009/10.
- Construct or procure IG's own office premises to solve the continuous problems of insufficient office space.
- Restructure the IG office in order to improve efficiency and effectiveness by allocating jobs to suit skills and experience as well as taking account of the new changes that have taken place since establishment of the current structures.
- Continue and increase public awareness campaigns to enhance the participation of the public in the fight against corruption.
- Strengthen and consolidate the current regional offices. More staff, office equipment, vehicles will be provided and staff training will be done to enhance their capacity.
- Continue to train IG staff in Investigation and Prosecution skills and all other relevant skills, through formal training, on-job training and sharing information and experiences with other anti-corruption Institutions.

6.4 RECOMMENDATIONS

In order to overcome the constraints and challenges mentioned above and to effectively and efficiently perform its functions, the IG submits the following recommendations to Government.



- 1.1.1 Parliament should in accordance with Article 231 (5) of the Constitution, expeditiously discuss the reports of the Inspectorate of Government so that the concerns raised for the attention of Parliament are timely addressed, as envisaged by the Constitution.
- 1.1.2 Government should adequately fund its departments to enable speedy resolution of payment related complaints and avail adequate facilities like computers to ease data management.
- 1.1.3 Government departments should prioritise response to IG complaints to avoid being inconvenienced by issuance of summons/warrants of arrests to compel them to produce required information.
- 1.1.4 There is a need for increased awareness in Government Departments about the role, powers and mandate of the Inspectorate of Government so as to improve on the cooperation and compliance with recommendations, directions or orders of the IG.

6.4.5 General Recommendations for Institutions most complained against:

Based on the complaints investigated by the Inspectorate of Government, during the period under review, it has once again emerged that the most complained against institutions are District Administrators, Police and school authorities for both primary and secondary schools.

- With regard to the high number of complaints against District Local Governments, it is once again recommended that more resources be devoted to building capacity at Local Government levels in addition to organizing more public awareness campaigns on the roles and responsibilities of District leaders.
- The problems associated with school authorities for both Primary and Secondary Schools continue to emanate from poor supervision and monitoring of schools by Inspectors of schools. Most Headteachers also lack book-keeping or basic accounting skills. In this connection, it is recommended that the Inspectors of schools step up their supervision and Headteachers be trained in basic accounting procedures.
- As for complaints against the Police it is recommended that there should be further education of the public to be able to promptly report incidences of corruption to the Police Administration or to the Inspectorate of Government for appropriate action, and the Police authorities should take immediate appropriate action whenever cases of corruption have been proved against Police officers.

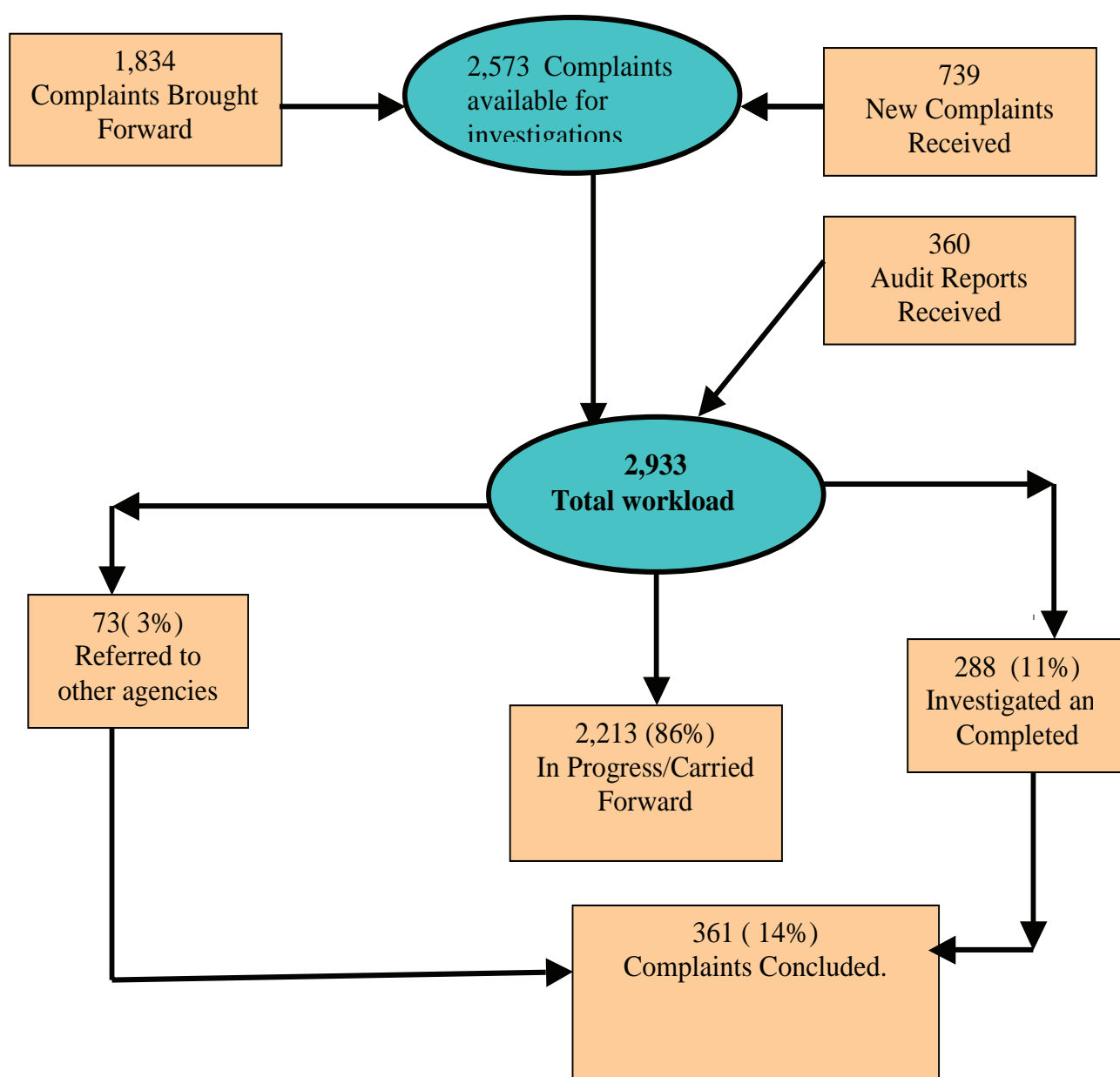
APPENDIX A

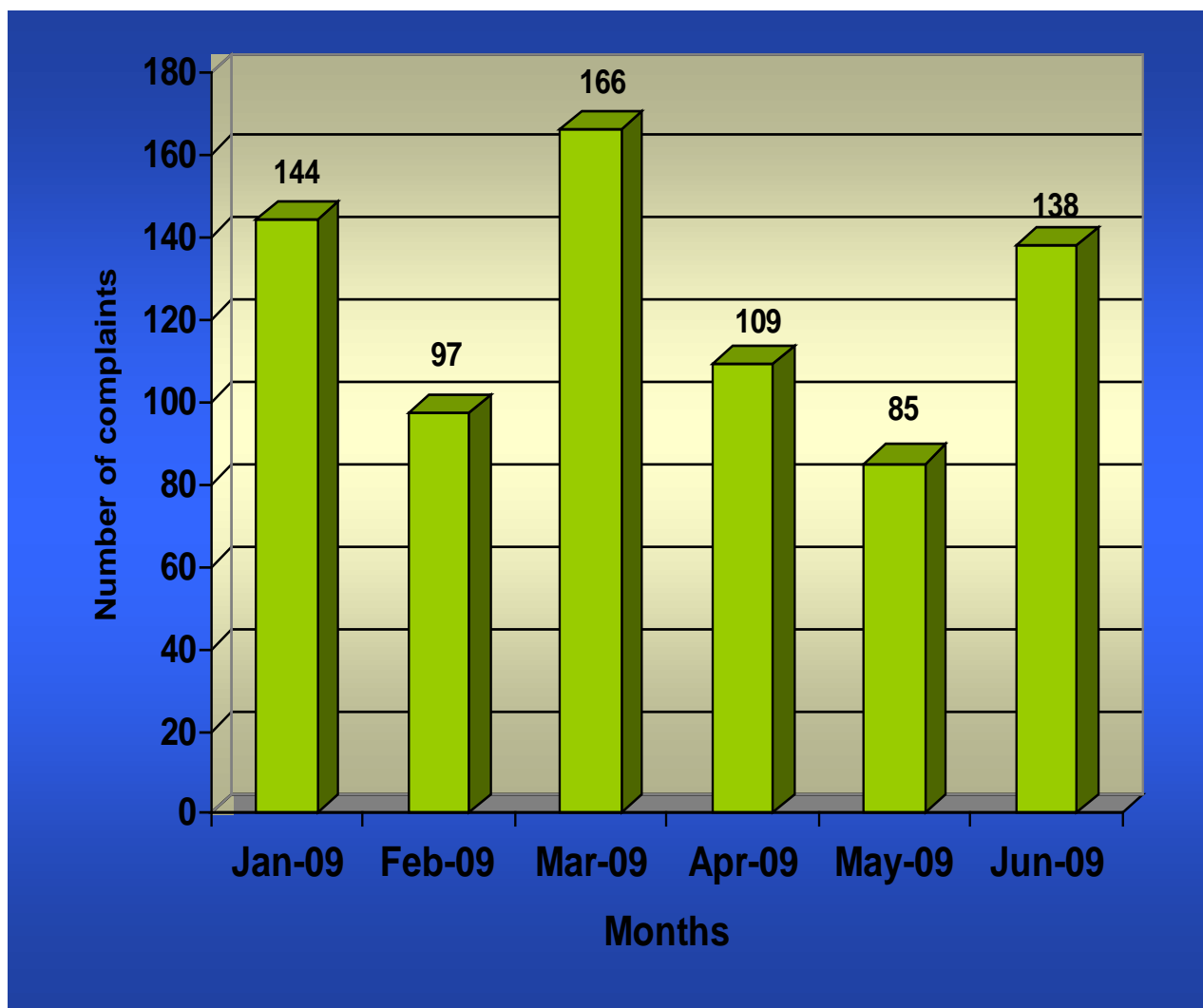
**STATISTICAL ANALYSIS AND GRAPHICAL
PRESENTATION OF THE IG ACTIVITIES FOR
THE PERIOD JANUARY – JUNE 2009**



During the period January – June 2009, the Inspectorate of Government handled a workload of 2,933 complaints including 360 Audit reports. A total of 1,834 complaints were brought forward from the previous period and the new complaints were 739. The figure below illustrates how the complaints were handled during the reporting period.

Figure 1: Work load January – June 2009



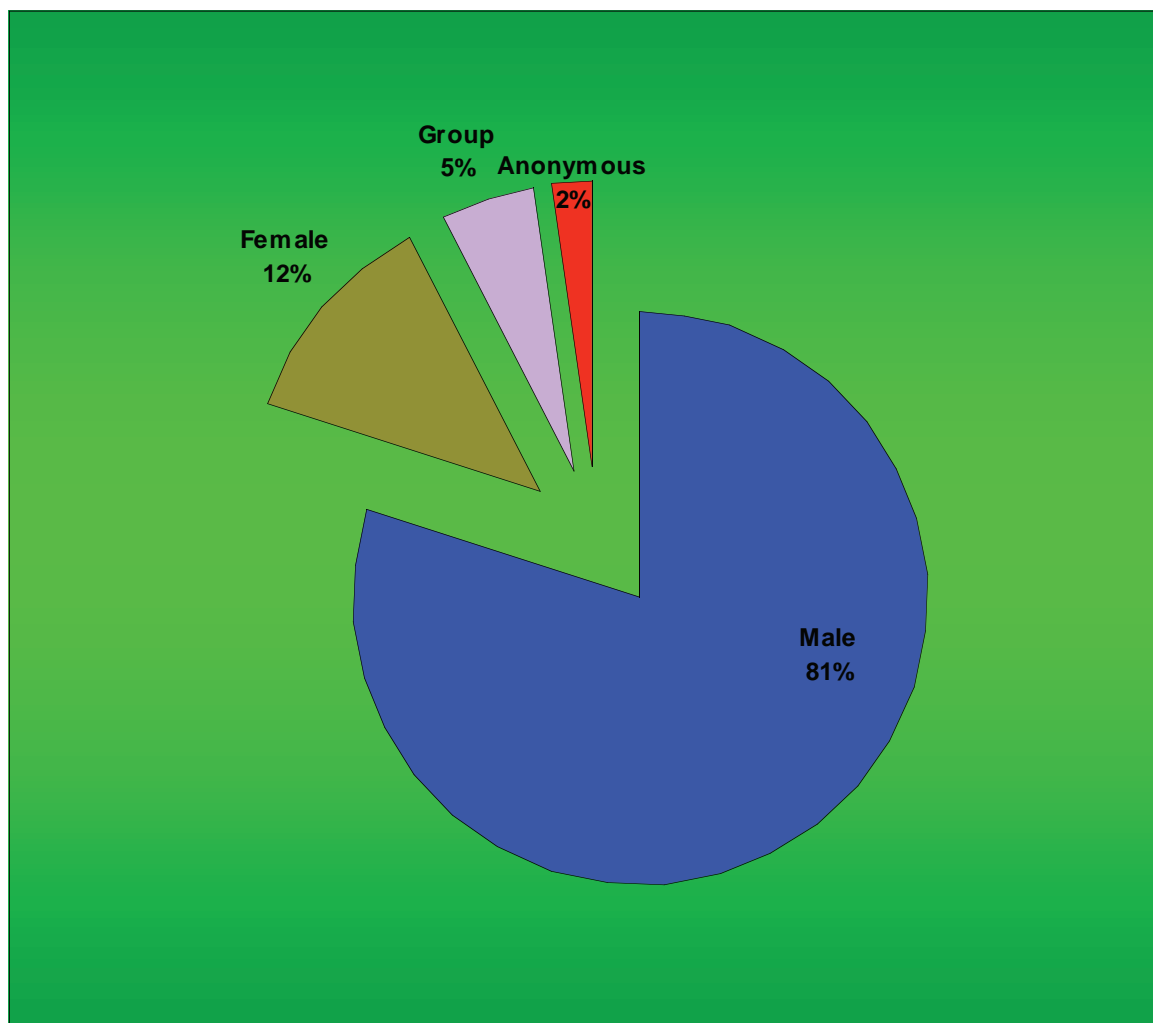
**Figure 2****New complaints Received during the Period January – June 2009**

As illustrated in the above diagram, the complaints received did not follow any particular trend but the highest number of complaints (166) were registered in the month of March and the lowest (85) were registered in the month of May 2009.

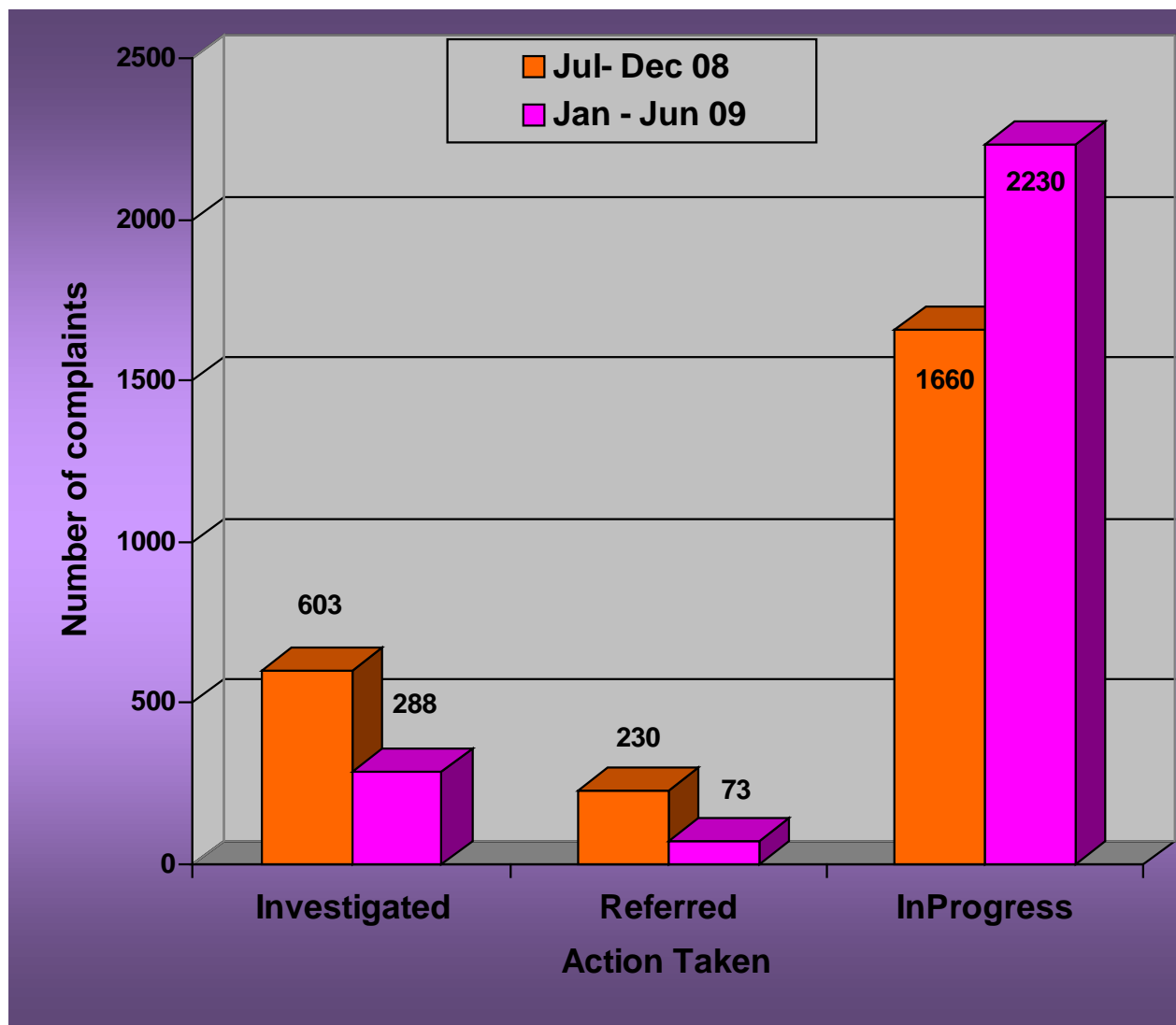


Figure 3

Categorization of Complaints Registered by Gender for the period January - June 2009



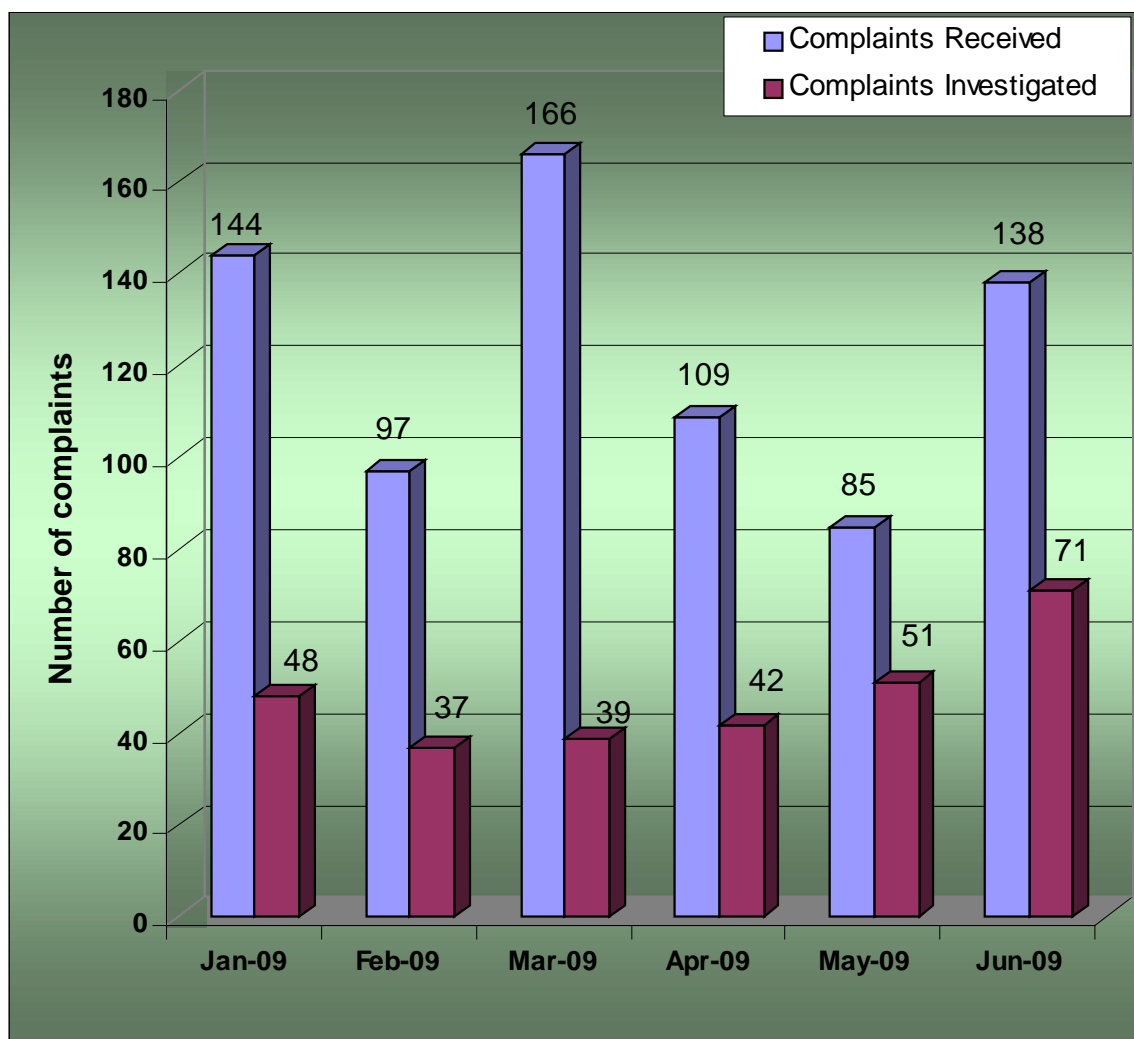
The chart above illustrates that only a small fraction of the complaints (12%) were received from women. The majority of the complaints (81%), were lodged by men and those that came from groups of individuals were 5%. Only 2% of the complainants did not disclose their identities.

**Figure 4****Comparison of Investigations for the Periods July – December 2008 and January- June 2009**

The diagram above shows that the total number of complaints which were investigated & completed reduced from 603 complaints during the period July – December 2008 to 288 during the period January – June 2009. The complaints that were processed and referred to other institutions also reduced from 230 to 73. The low number of investigated cases during the period is partly attributed to the controversy and uncertainty that surrounded the re-appointment of the Inspector General of Government which directly impacted on the performance of the office.

**Figure 5**

Comparison of the new complaints received and those that were investigated during the period January – June 2009



The figure above shows that the highest number of complaints was received in the month of March 2009 (166 complaints) while the highest number of complaints investigated & completed (71 complaints) was in the month of June 2009 and this was attributed to the fact that the issues of re-appointment of the Inspector General of Government were sorted out.

**Table VI****Comparison of the Complaints Received by the Inspectorate offices for the last two Reporting periods****a) July – December 2008**

Month	Kampala General	Regional Offices	Total
Jul-08	122	96	218
Aug-08	82	64	146
Sep-08	66	68	134
Oct-08	93	77	170
Nov-08	67	30	97
Dec-08	36	53	89
Total	466	388	854
	54.6%	45.4%	100.0%

b) January – June 2009

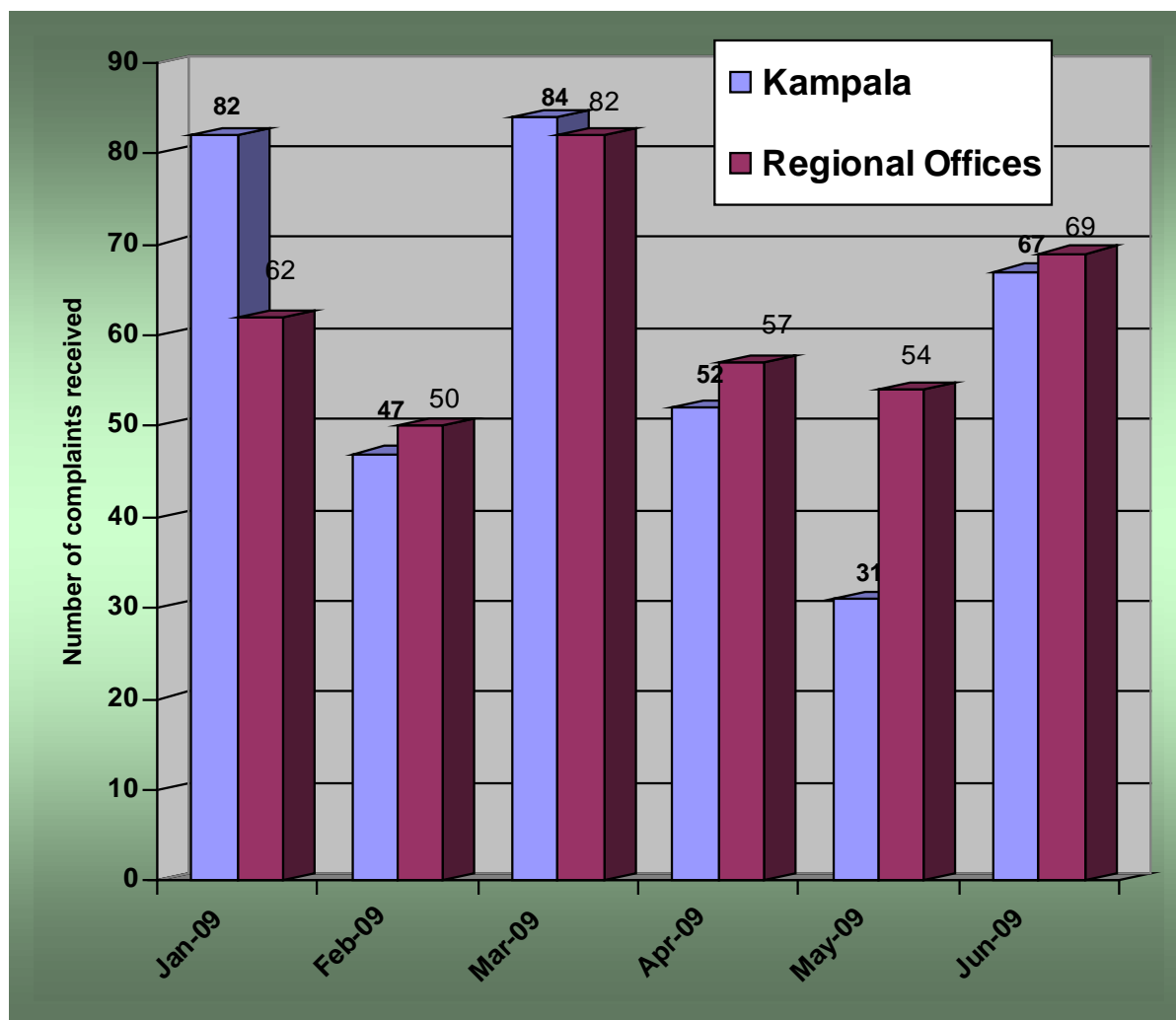
Month	Kampala Offices	Regional offices	Total
Jan-09	82	62	144
Feb-09	47	50	97
Mar-09	84	82	166
Apr-09	52	57	109
May-09	31	54	85
Jun-09	67	69	136
Total	363	376	739
	49.1%	50.9%	100%

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 2008, whereas more complaints were registered at the regional offices during the current 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	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09	Total	%age
Kampala	82	47	84	52	31	67	363	49.1%
F/Portal	11	3	10	13	7	10	54	7.3%
Masaka	7	5	13	6	6	3	40	5.4%
Jinja	9	7	7	2	4	11	40	5.4%
Mbarara	5	6	8	5	5	7	36	4.9%
Arua	7	0	10	8	7	4	36	4.9%
Soroti	3	6	5	5	5	3	27	3.7%
Gulu	6	5	3	1	1	10	26	3.5%
Kabale	3	4	6	5	4	4	26	3.5%
Mbale	5	4	4	3	4	4	24	3.2%
Lira	1	2	2	5	6	4	20	2.7%
Hoima	1	5	6	1	3	2	18	2.4%
Tororo	2	2	5	2	1	6	18	2.4%
Moroto	2	1	3	1	1	3	11	1.5%
Total	144	97	166	109	85	138	739	100.0%

Note: Tororo, Lira and Moroto are relatively new offices which were opened in June 2008.

**Figure 6****Comparison of complaints received by the Kampala Headquarters and Regional Inspectorate Offices for the period July – December 2009**

The chart above shows that more complaints were received at Kampala Headquarters in the months of January and March 2009 compared to Regional Offices. The regional offices received more complaints during the months of February, April, May and June 2009 compared to Kampala headquarters.

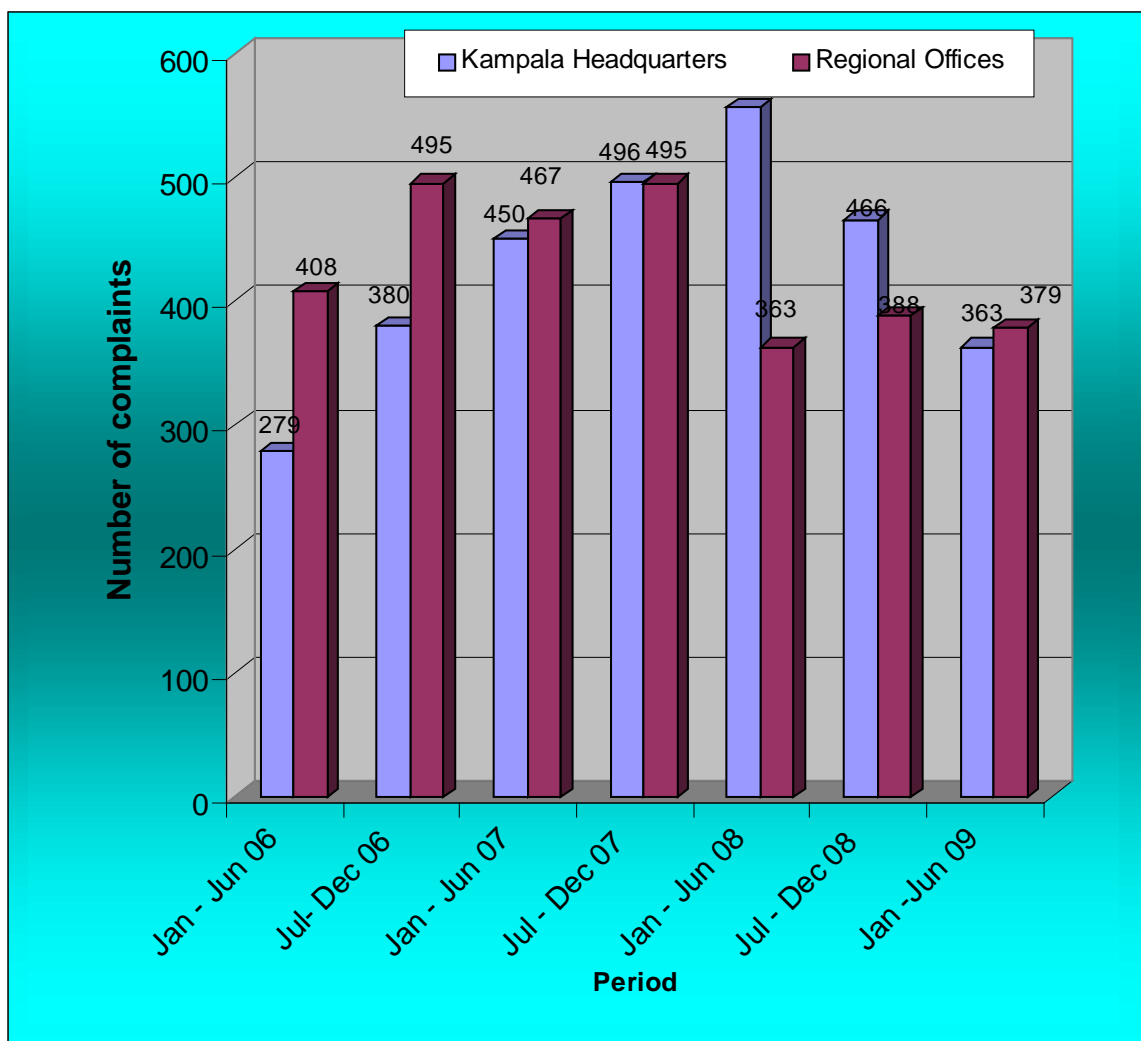
**Table VII****Trend of the complaints Registered at the Kampala Headquarters and Regional Offices for the Periods Jan 2000 – June 2009**

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

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 during the year but the complaints registered have been reducing since then.

**Figure 7**

Comparison of the complaints handled at the Kampala Headquarters and Regional Offices for the periods January 2006 – June 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 VIII**

**Complaints received according to the districts of origin for the period
January – June 2009**

S/No.	District	Number of Complaints	Percentage
1.	Kampala	149	20.2%
2.	Masaka	40	5.4%
3.	Kabarole	32	4.3%
4.	Jinja	24	3.2%
5.	Kabale	24	3.2%
6.	Mbarara	22	3.0%
7.	Iganga	21	2.8%
8.	Arua	18	2.4%
9.	Kasese	18	2.4%
10.	Wakiso	18	2.4%
11.	Mbale	17	2.3%
12.	Mukono	16	2.2%
13.	Nebbi	15	2.0%
14.	Soroti	15	2.0%
15.	Gulu	14	1.9%
16.	Hoima	12	1.6%
17.	Lira	11	1.5%
18.	Mayuge	11	1.5%
19.	Kamwenge	10	1.4%
20.	Pader	9	1.2%
21.	Pallisa	9	1.2%
22.	Bundibugyo	8	1.1%
23.	Bushenyi	8	1.1%
24.	Kumi	8	1.1%
25.	Manafwa	8	1.1%
26.	Rakai	8	1.1%



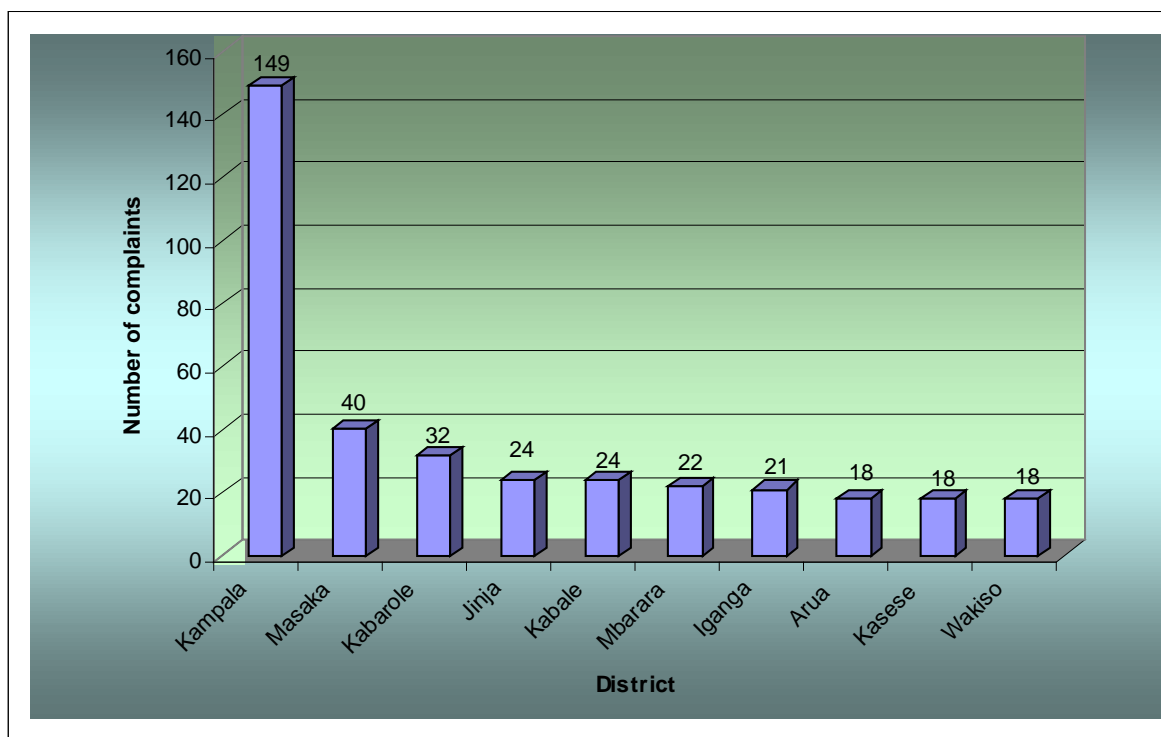
S/No.	District	Number of Complaints	Percentage
27.	Rukungiri	8	1.1%
28.	Kapchorwa	7	0.9%
29.	Masindi	7	0.9%
30.	Ntungamo	7	0.9%
31.	Dokolo	7	0.9%
32.	Isingiro	6	0.8%
33.	Tororo	6	0.8%
34.	Bududa	6	0.8%
35.	Bugiri	5	0.7%
36.	Kamuli	5	0.7%
37.	Moroto	5	0.7%
38.	Mubende	5	0.7%
39.	Sironko	5	0.7%
40.	Abim	5	0.7%
41.	Kaabong	5	0.7%
42.	Amuru	5	0.7%
43.	Kaliro	4	0.5%
44.	Kanungu	4	0.5%
45.	Kayunga	4	0.5%
46.	Kisoro	4	0.5%
47.	Kitgum	4	0.5%
48.	Kyenjojo	4	0.5%
49.	Moyo	4	0.5%
50.	Mpigi	4	0.5%
51.	Maracha/Terego	4	0.4%
52.	Adjumani	3	0.4%
53.	Apac	3	0.4%
54.	Kiboga	3	0.4%
55.	Kiruhura	3	0.4%
56.	Luwero	3	0.4%
57.	Mityana	3	0.4%
58.	Bukwo	3	0.4%
59.	Ibanda	3	0.4%



S/No.	District	Number of Complaints	Percentage
60.	Amuria	2	0.3%
61.	Butaleja	2	0.3%
62.	Kaberamaido	2	0.3%
63.	Kalangala	2	0.3%
64.	Katakwi	2	0.3%
65.	Nakasongola	2	0.3%
66.	Nakapiripirit	2	0.3%
67.	Sembabule	2	0.3%
68.	Amolatar	2	0.3%
69.	Buliisa	2	0.3%
70.	Namutamba	2	0.3%
71.	UK	2	0.3%
72.	Busia	1	0.1%
73.	Koboko	1	0.1%
74.	Yumbe	1	0.1%
75.	Bukedea	1	0.1%
76.	Nakaseke	1	0.1%
77.	Oyam	1	0.1%
78.	Lyantonde	1	0.1%
79.	Pakwach	1	0.1%
80.	Busembatya	1	0.1%
81.	Kibaale	0	0.0%
82.	Kotido	0	0.0%
83.	Budaka	0	0.0%
84.	Not given	8	1.1%
	Total	739	100.0%

**Figure 8**

The top ten districts where most of the complaints originated from During the period January – June 2009



The chart above shows that most complaints originated from Kampala District followed by Masaka 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 IX****The Nature of Complaints Received during the period January – June 2009**

	Nature of complaint	Number of Complaints	Percentage
1	Abuse of office	189	25.8%
2	Mismanagement and misappropriation of public resources	158	21.6%
3	Non payment of salaries and other benefits	88	12.0%
4	Victimization/ Oppression	43	5.8%
5	Property Disputes	43	5.8%
6	Delay of service delivery	43	5.8%
7	Tenders & Contracts	36	4.9%
8	Forgery and uttering false documents	34	4.6%
9	Conflict of Interest	28	3.8%
10	Embezzlement	19	2.6%
11	Bribery & Extortion	15	2.0%
12	False Claims	7	0.9%
13	Others	25	3.4%
	Total	739	100%

The table above, shows that most of the complaints received during the period January – June 2009 were those involving abuse of office and public resources which totaled 189 complaints accounting for 25.8% of the total complaints received. This was followed by complaints of Mismanagement and misappropriation of public resources which numbered 158 accounting for 21.67% of the total complaints received. The least complaints were in the category of false claims (0.9%).

**Table X:**

**Nature of complaints investigated and completed during the period
January – June 2009**

S/No	Nature of Complaint	Number of complaints	Percentage
1	Non payment of salaries & other benefits	49	17.0%
2	Mismanagement & Misappropriation of resources	49	17.0%
3	Abuse of office	46	16.0%
4	Property Disputes	21	7.3%
5	Embezzlement	19	6.6%
6	Bribery & Extortion	19	6.6%
7	Tenders & Contracts	15	5.2%
8	Victimization / Oppression	13	4.5%
9	Delay of service delivery	11	3.8%
10	Conflict of Interest	6	2.1%
11	Corruption	6	2.1%
12	Forgery & uttering of false documents	5	1.7%
13	False Claims	0	0.0%
14	Others	29	10.1%
	Total	288	100.0%

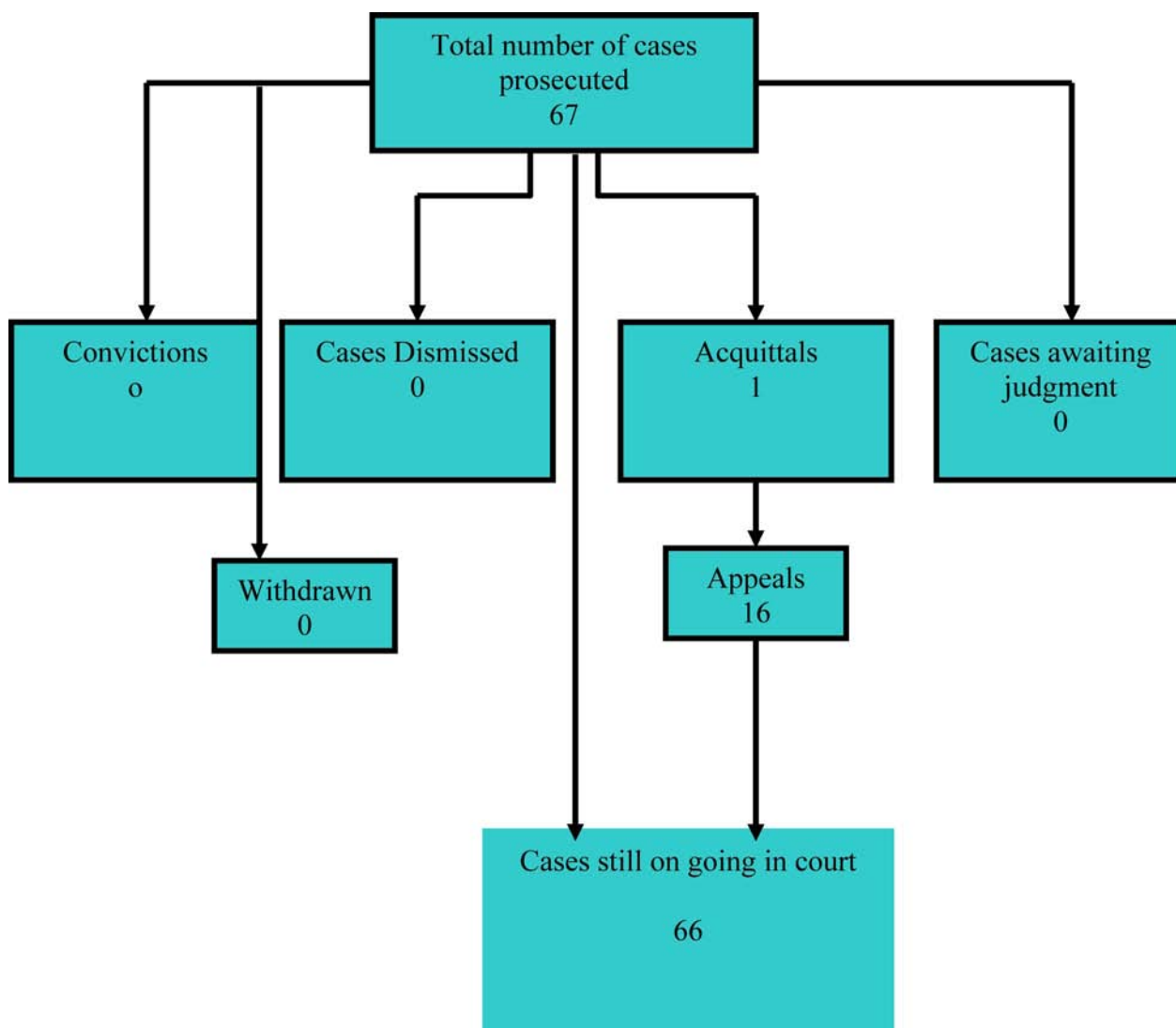
**Table XI****Nature of complaints referred to other institutions during the period
January – June 2009**

S/No	Nature of complaint	Number of complaints	Percentage
1	Mismanagement & Misappropriation	19	26.0%
2	Forgery & uttering false documents	17	23.3%
3	Abuse of office	10	13.7%
4	Non payment of salaries & other benefits	6	8.2%
5	Property Disputes	5	6.8%
6	Victimization/ Oppression	3	4.1%
7	Tenders & Contracts	2	2.7%
8	Delay of service delivery	2	2.7%
9	Embezzlement	1	1.4%
10	Bribery & Extortion	1	1.4%
11	Tax evasion	1	1.4%
12	False Claims	0	0.0%
13	Conflict of Interest	0	0.0%
14	Others	6	8.2%
	Total	73	100.0%



Figure 9

Prosecution Cases Handled during the period January – June 2009



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

**Table XII**

**Departments/Institutions complained against during the period
January – June 2009**

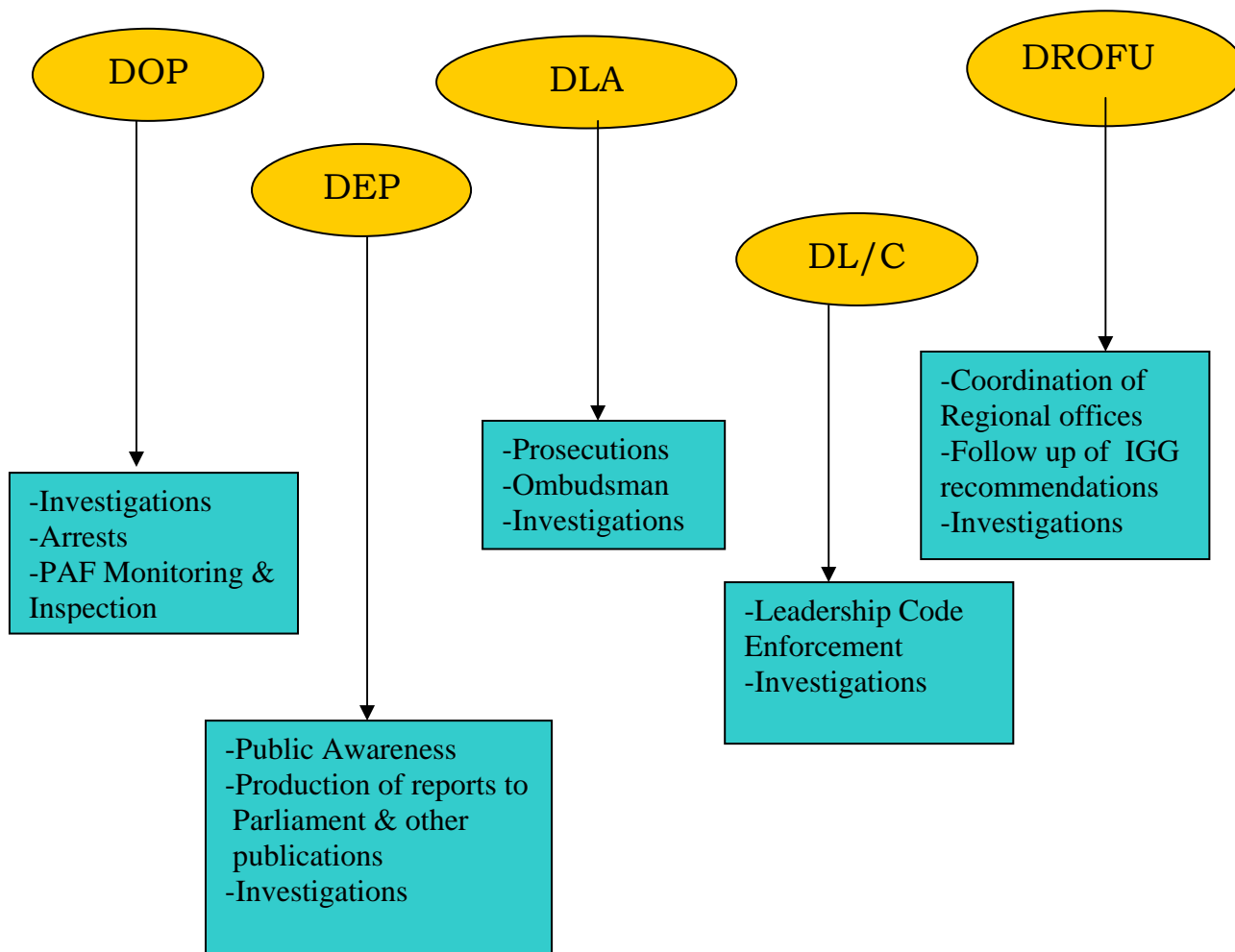
DEPARTMENT/ INSTITUTION	Number of Complaints received		Total Complaints	% age
	Kampala Hqts	Regional Offices		
District Administration	47	103	150	20.3%
Individuals (Public officials)	55	39	94	12.7%
Police	27	31	58	7.8%
Head Teachers (Primary & Secondary schs)	9	48	57	7.7%
Municipal & Town Councils	23	20	43	5.8%
District Service Commissions	16	20	36	4.9%
LCs	10	22	32	4.3%
Magistrate Courts	12	13	25	3.4%
Sub county Chiefs	3	21	24	3.2%
Lands Office	17	2	19	2.6%
Ministry of Public Service	16	1	17	2.3%
Private companies / Organizations	4	12	16	2.2%
Tertiary Institutions	8	7	15	2.0%
Administrator General	15	0	15	2.0%
KCC	12	0	12	1.6%
Tender Boards/contract committees	3	8	11	1.5%
DEOs	6	2	8	1.1%
Resident State Attorneys	4	2	6	0.8%
Hospitals	4	1	5	0.7%
NGOs	4	1	5	0.7%



DEPARTMENT/ INSTITUTION	Number of Complaints received		Total Complaints	% age
	Kampala Hqts	Regional Offices		
Land Board	3	2	5	0.7%
UNRA	3	2	5	0.7%
Prisons	4	0	4	0.5%
Colleges/institutes	2	2	4	0.5%
District Engineers	3	1	4	0.5%
Ministry of Agriculture	1	3	4	0.5%
Judiciary	1	2	3	0.4%
Ministry of Education	3	0	3	0.4%
ISO & UPDF	3	0	3	0.4%
DPP	2	1	3	0.4%
Education Service Commission	3	0	3	0.4%
MPs	1	2	3	0.4%
URA	2	0	2	0.3%
IG	2	0	2	0.3%
Ministry of Works	1	1	2	0.3%
PMO	2	0	2	0.3%
Posta (U) Ltd	2	0	2	0.3%
CAA	2	0	2	0.3%
NFA	1	1	2	0.3%
Public Service Commission	2	0	2	0.3%
Health Service Commission	2	0	2	0.3%
Company Registry	2	0	2	0.3%
National Curriculum Dev't Center	2	0	2	0.3%
NAFIRRI	2	0	2	0.3%



DEPARTMENT/ INSTITUTION	Number of Complaints received		Total Complaints	% age
	Kampala Hqts	Regional Offices		
UEB Liquidator	1	0	1	0.1%
NHCC	1	0	1	0.1%
Ministry of Health	1	0	1	0.1%
Electoral Commision	1	0	1	0.1%
UWEC	1	0	1	0.1%
Uganda Government	1	0	1	0.1%
Uganda Railways Corp	1	0	1	0.1%
UBC	1	0	1	0.1%
Ministry of Local Govt	1	0	1	0.1%
NPART	1	0	1	0.1%
NARO	1	0	1	0.1%
NSSF	1	0	1	0.1%
Uganda AIDS Commission	1	0	1	0.1%
Co-operatives	1	0	1	0.1%
Ministry of Tourism	1	0	1	0.1%
President's office	0	1	1	0.1%
Ministry of Disaster Preparedness	1	0	1	0.1%
PPDA	1	0	1	0.1%
NUSAF	0	1	1	0.1%
Others	0	4	4	0.5%
Total	363	376	739	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.

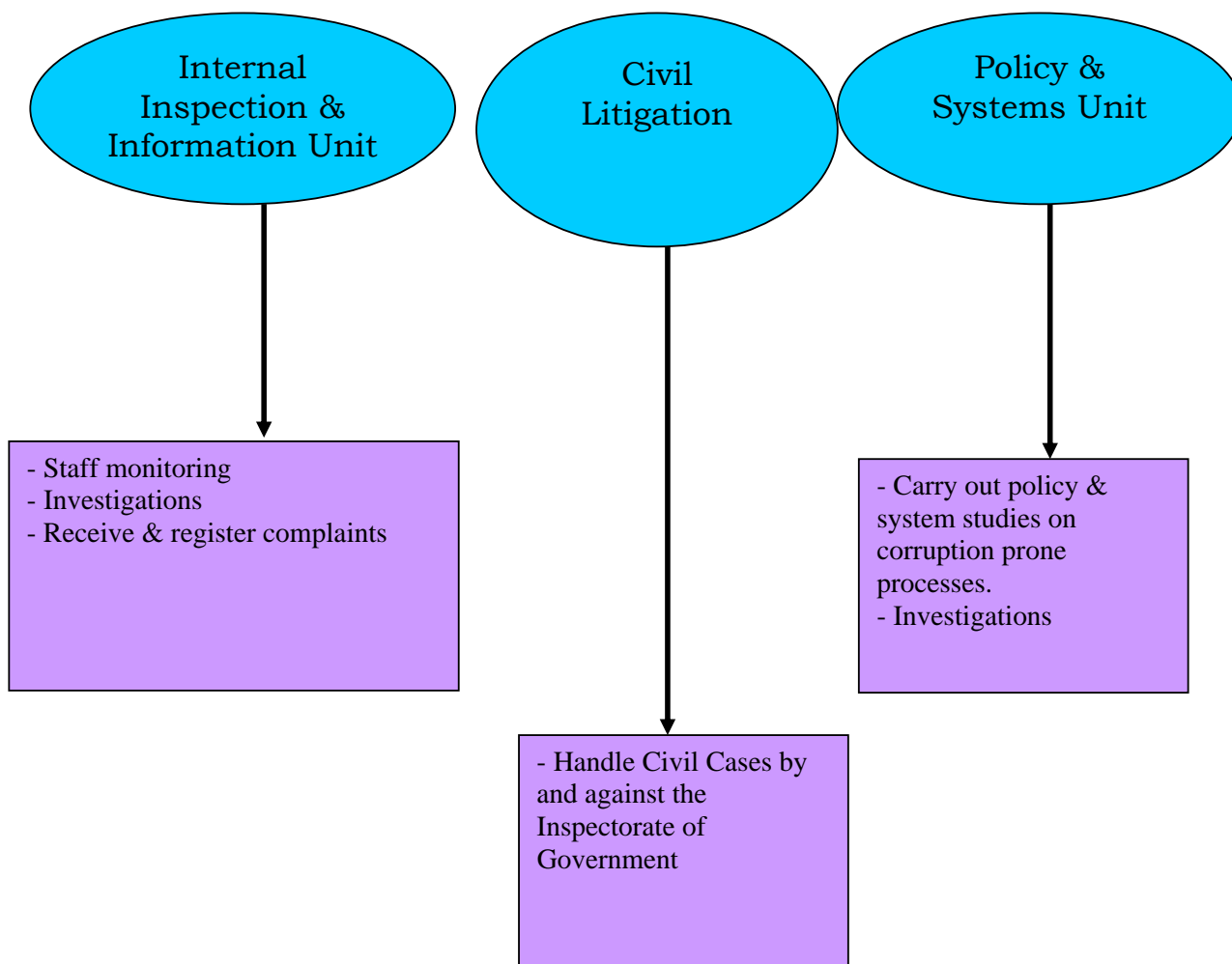
DL/C – Directorate of Leadership Code

Note: *All Directorates carry out investigations in addition to their core functions as illustrated in the above diagram and they report to the IGG and D/IGG.*



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

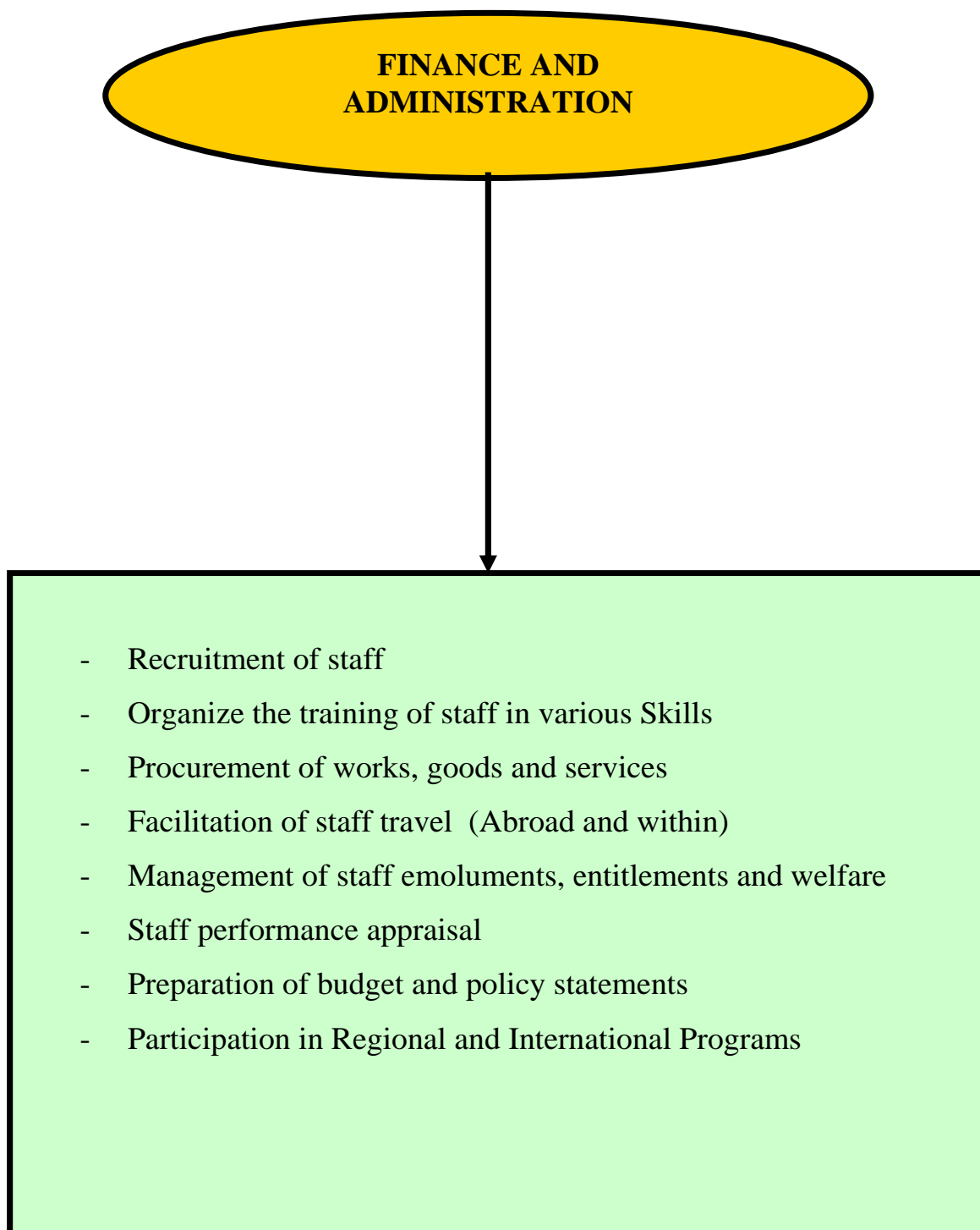
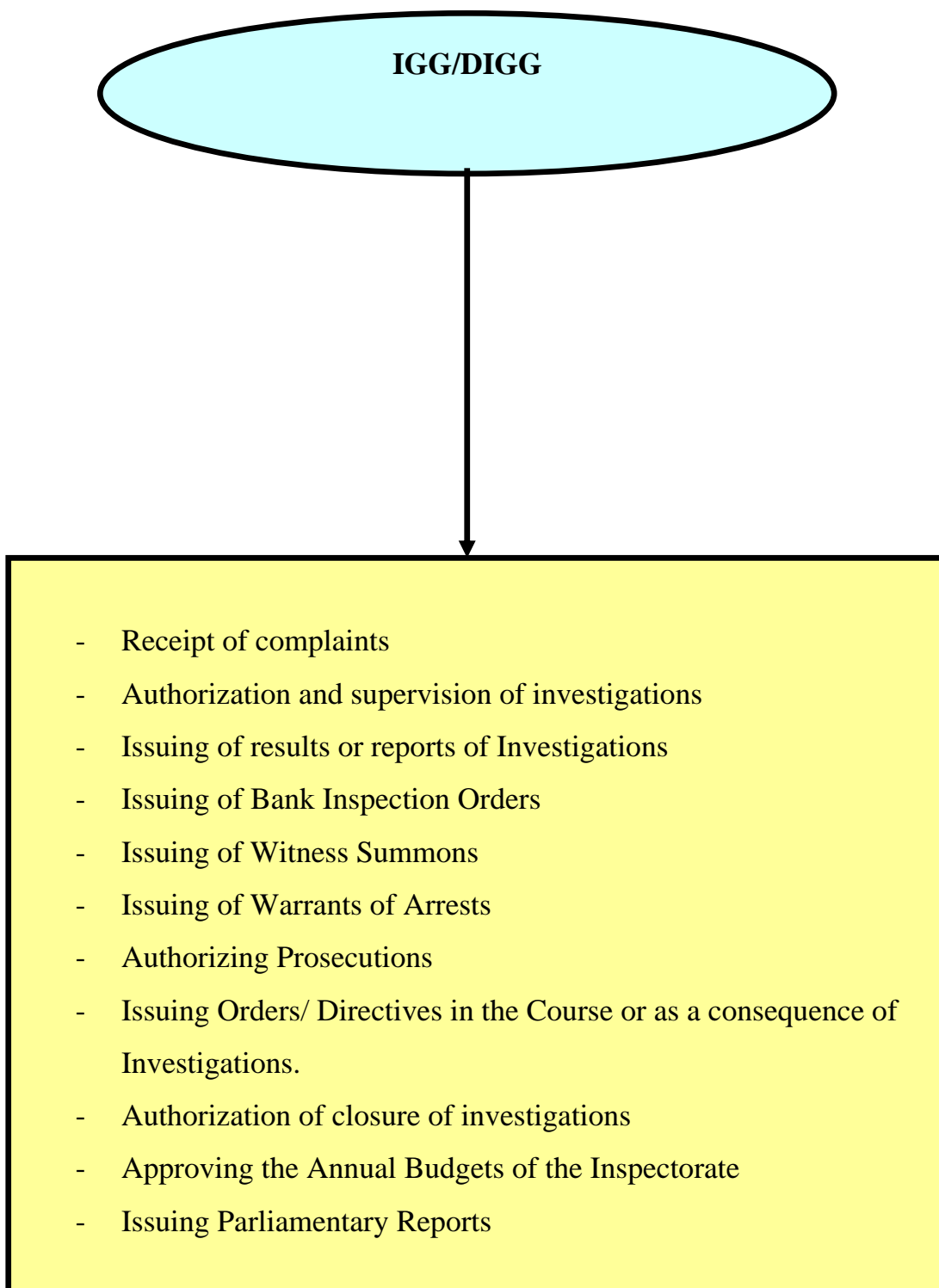




Figure 13

Activities of the IGG/ DIGG



APPENDIX B

LIST OF CASES INVESTIGATED AND COMPLETED DURING THE PERIOD JANUARY – JUNE 2009



Table: LIST OF CASES INVESTIGATED & PAF MONITORING COMPLETED DURING THE PERIOD JAN - JUNE 2009

S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
1.	ARU/CF/15/2007 22/01/2009	Alleged abuse of office by the district chairperson Moyo.	<p>The district chairperson cautioned to adhere to the established procedures regarding the operation and maintenance of district motor vehicles. He was also instructed to desist from exerting pressure on the CAO to effect payments to contractors of the district in disregard of the established procedures.</p> <p>The CAO to ensure that the district vehicles are operated and managed in accordance with the standing orders and other relevant instructions.</p>	The CAO Moyo district	The chairperson and the CAO were cautioned.
2.	ARU/CF/34/2005 11/02/2009	Alleged non-accountability of funds by Moyo district officials.	The CAO to warn the affected officers in writing against the practice of not accounting for public funds and a total sum of Shs.7,434,616/= be recovered from the officers.	The CAO Moyo	The CAO reported that he has not yet recovered the funds. Implicated officers warned against non-accountability.
3.	ARU/CF/14/2008 17/06/2009	Alleged irregularities in the recruitment of the CFO Moyo and diversion of funds in the Moyo District.	<p>Moyo DSC to rescind the recommendation to appoint the CFO and re-advertise the post</p> <p>CAO Moyo to recover and remit back to the Treasury Shs.72,206,028/- received by Moyo DLG as conditional grand for 4th quarter of FY 2005/06</p> <p>The Permanent Secretary, Ministry of Local Government to submit the then CAO Moyo and now CAO Dokolo, to the Public Service Commission for appropriate disciplinary action.</p>	PS MOLG	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			CAO Moyo to submit the then Ag. CFO and now the Principal Internal Auditor Moyo to the DSC for appropriate disciplinary action.		
4.	ARU/CF/02/2008 09/04/2009	Alleged misappropriation of funds for Wadelai S/C by the Ag. S/C Chief.	CAO Nebbi was directed to recover a total of Shs.2,289,500/= from the former Ag. S/C Chief Wadelai, currently the Extension (Veterinary) Officer Nyaravur, being funds he received and diverted, misappropriated or failed to account for. Submit the former Ag. S/C Chief Wadelai currently the Extension Officer Nyaravur to the Nebbi DSC for appropriate disciplinary action.	CAO Nebbi	CAO Nebbi has initiated the recovery of Shs.2,289,500=, thereafter submitted the matter to the DSC. Implemented
5.	ARU/06/03/2007 12/05/2009	Alleged non-payment to M/S Baamaliki Constructors & Engineers for works undertaken at Ariwa Primary School, Odravu S/C Yumbe district.	The claim of M/S Baamaliki Constructors & Engineers of Shs.7,880,000/= should not be paid. The CAO to advise the S/C Chiefs in the district to desist from making payments of variations without forwarding them to the contracts committee for approval as required by law.	CAO Yumbe	
6.	ARU/CF/06/2008 12/06/2009	Alleged non compliance with instructions of the PS MOES by the H/M Muni Girls SS	The PS MOES to submit the school Bursar/Accounts Assistant Muni Girls school to the ESC for dismissal for presenting a forged clearance letter purportedly signed by the head teacher of Aripea, Aria & Muni Girls SS whereas not.	PS MOES	Not yet implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			<p>The O/C CID Arua was directed to consider having the Bursar/ Accounts Assistant Muni Girls SS prosecuted for forgery & uttering false documents contrary to sections 342 & 351 of the Penal Code Act Cap 120.</p> <p>The CAO Arua should caution the district Personnel Officer for accessing the Bursar of Muni Girls SS to the payroll without confirming that he had assumed duty at the school.</p>		
7.	ARU/CF/29/2007 08/01/2009	Alleged embezzlement of district funds through the hiring of Moyo district Plant by the Ag. District Engineer & the CAO.	<p>Moyo District Leaders should ensure that, hiring out of the equipment where necessary should be done in accordance with the guidelines issued by Ministry of Local Government.</p> <p>The CAO to ensure that Interdisciplinary Technical Services Ltd pays the balance of Shs.1,937,500/=.</p>	CAO Moyo	<p>Letter written to the MD</p> <p>Interdisciplinary Technical Services Ltd to pay back Shs.1,937,500/=.</p>
8	ARU/CF/18/2008 30/01/2009	Alleged misappropriation of UPE Funds by the DEO, Nebbi.	The Ag. DEO, Nebbi district was cleared of the allegations.	CAO Nebbi	Nothing to implement
9.	FP/06/05/2007 14/05/2009	Alleged delay of service by Police at Kyenjojo.	The DPC to recover the items from Hima Tea Factory and return them to the rightful leaders of Rwenzori Workers Prevention Group.	The DPC Kyenjojo district	



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
10.	FP/CF/17/2009 15/06/2009	Alleged mismanagement of Rwenzori High School in Kasese district.	<p>The former Chairperson Bugoye Sub-county's position on the Board of Governors is untenable for being tainted with conflict of interest and should be terminated. The CAO was directed to cause him to vacate his post as a member of the Board of Governors of Rwenzori High School and caution the H/M of the said school to safeguard against conflict of interest in the school.</p> <p>The school Contracts Committee to nullify the tender for supply of food which was awarded to BWAHUS.</p>	The PS MOES	Not yet implemented
11.	FP/CF/26/2005 28/01/2009	Alleged mismanagement of operational affairs by the Town Council authorities of Katwe Kabatoro Town Council.	<p>The 3 million shillings which the former Ag. Town Clerk Katwe Kabatoro paid to M/S Mugisha Edward Construction Company without a certificate of works completed being issued be recovered from him and applied to through completion of the works.</p>	The Town Clerk Katwe Kabatoro Town Council	
12.	FP/CF/06/2009 30/06/2009	Alleged abuse of office and irregular recruitment by the Head teacher and Deputy Head teacher of Saad Memorial S.S Kasese.	<p>The P/S MOES to submit the Deputy Head teacher to the DSC for dismissal for her unethical conduct. She should also be referred to the Police for prosecution for uttering false documents.</p> <p>The P/S MOES to warn the Head teacher of Saad Memorial S.S to desist from implementing capital expenditure programmes without following the PPDA and Regulations.</p>	P/S MOES	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
13.	FP/CF/34/2005 08/01/2009	Alleged embezzlement of funds by the Parish Chief of Busiriba, Kamwengye district.	<p>The CAO to ensure that Shs.1,150,000/= embezzled by the parish chief Kinoni is recovered from him and paid to Kinoni Parish.</p> <p>The outstanding balance due to Busiriba Parish to be recovered from the Parish Chief and remitted to the Parish.</p> <p>Submit the Parish Chief to Kamwengye DSC for appropriate action to be taken against him for misappropriation of public funds and abuse of office.</p>	The CAO Kamwengye district.	The officer was retired in public interest on account of indiscipline by the DSC.
14.	FP/CF/05/2008	Alleged embezzlement of PAF funds by officials of water development in Kamwengye district	<p>The CAO to recover from the Community Development Officer in charge of water department Shs.4,212,000/= she misappropriated and falsely accounted for.</p> <p>The CAO to submit the CDO I/C water department to the DSC for disciplinary action with a view to dismiss her for abuse of office and making false claims.</p>	CAO Kamwengye	Implemented
15.	GUL/CF/12/2008 09/01/2009	Alleged mismanagement of Bobi Community Polytechnic by the Head Instructor & Deputy.	<p>The chairperson BOG Bobi Polytechnic was directed to caution the Head Instructor against appointing staff into service without permission from the appointing authority.</p> <p>The chairperson BOG to caution the Ag. Deputy Instructor and the director of Studies against levying any unofficial fees in future.</p>	The chairperson Bobi Community Polytechnic	



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
16.	GUL/CF/18/2007 23/02/2009	Alleged abuse of office by the Asst. Town Clerk Gulu Municipal Council.	Town Clerk Gulu was directed to forward the case to the DSC for appropriate disciplinary action.	Town Clerk Gulu Municipal Council	
17.	HMA//03/04/2007 08/01/2009	Alleged victimization & abuse of office, ghost teachers by Masindi district officials, forgery & non accountability at Masindi Army Boarding Primary School.	<p>The CAO to liaise with the Director Link Community Development & ensure that the Headmaster Masindi Army Boarding Primary School, UPDF satisfactorily accounts for the money amounting to Shs.1.2m/= failure of which the amount should be recovered from him.</p> <p>The CAO to remit withheld salaries for the teacher of Masindi Army Boarding P/S who absconded from duty from May 2007 to the Treasury.</p>	The CAO Masindi	Implemented
18.	JNJ/CF/13/2007 04/06/2009	Alleged irregular payment of DANDLIF GROUP PARTNERS for alleged extra works of Shs.15,000,000/= by Buwenge Town Council Clerk & the chairperson	<p>CAO Jinja to caution the chairperson and the Executive Committee, Buwenge Town Council to desist from perpetuating illegalities by approving irregular payments.</p> <p>Advise the Town Clerk, Buwenge Town Council to remit withholding tax amounting to Shs.1,461,461/= that was deducted from the contractor, but never remitted to URA.</p>	The CAO Jinja district	Implemented
19.	JNJ/CF/33/2008 26/02/2009	Alleged political interference in revenue collection and failure of Kakira Sugar Works to pay ground rent of Shs.210,820,753/= to Jinja Local Government.	The CAO Jinja to notify IGG of the action taken to ensure that payments to Jinja Local Government are made.	The CAO Jinja	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
20.	JNJ/CF/36/2008 30/01/2009	Alleged embezzlement of Shs.15,660,000/= by the head teacher of St. Paul's College Nakabale, Iganga district.	The matter is being handled by the Police.	Complainant	Nothing to implement
21.	KBL/CF/03/2008 23/03/2009	Alleged mismanagement of Rukungiri Town Council during F/Y 2005/06	The Town Clerk Rukungiri Town Council to be sternly warned for flouting Local Government procurement guidelines stipulated in the Laws of Uganda.	The CAO Rukungiri district	Implemented
22.	KBL/CF/03/2009 26/06/2009	Alleged use of forged academic documents by teachers at Rwemihanga Primary School and Rubaya Primary School in Kabale district.	The CAO to maintain the deletion of a teacher from the payroll and proceed to submit her personal file to the DSC for formal dismissal from service for abscondment and forgery of academic papers.	CAO Kabale	Implemented
23.	KBL/CF/01/2009 31/03/2009	Alleged abuse of office by the management of Kinyasano Girls school Kabale district.	PS, MOES to surcharge the H/M and the teacher a sum of Shs.5,200,000/= being money lost in the irregular purchase. Each of them should be surcharged Shs.2,600,000/=. The chairperson PTA to be warned for signing the cheque that was used in the purchase while the procurement guidelines had not been complied with.	PS, MOES	Implemented
24.	KBL/CF/07/2008 10/06/2009	Alleged maintenance of ghost employees on the payroll of Kisoro District Local Government.	The P/S MOES to consider taking appropriate disciplinary action against the said teachers for having gone for their studies before formal approval of their respective leave applications, which tantamounted to absconding.	P/S MOES	The PS MOES reprimanded the head teacher of Kabindi.



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			The P/S MOES to take appropriate disciplinary action against the Head teacher Kabindi S.S for not informing the CAO, and ensuring that the teachers who were absent from their duty station, without having been granted formal leave were removed from the payroll.		
25.	MBL/CF/17/2008 30/01/2009	Alleged abuse of office by the DEO Budaka District.	The CAO was directed to formally warn the DEO for having approved payments for purchase of a motor vehicle, while the Accounting Officer Namirembe Day & Boarding Mixed Primary School without following the procurement guidelines.	The CAO Budaka	Implemented
26.	MBL/CF/74/2004 21/05/2009	Alleged abuse of office by the Senior Accounts Assistant Pallisa Town Council.	It was directed that the case be forwarded to the DSC for appropriate disciplinary action instead of prosecution as the money in issue has been recovered.	Town Clerk Pallisa Town Council	Implemented
27	MBL/CF/12/2008 23/06/2009	Alleged irregular recruitment of a DEO by Sironko DSC.	The appointment of the DEO was wrongly done and should be rescinded. The candidate who emerge as best should be appointed for the job. The Chairperson, Sironko district to advice and caution the Chairperson and Secretary Sironko DSC for not approving the minutes before making the extract to the CAO to implement the Commission's minutes and working unilaterally in	P/S Ministry of Local Government	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			<p>the preparation and implementation of extracts of the Commission's minutes without involving the entire DSC.</p> <p>The P/S Ministry of Local Government should sternly warn the CAO Sironko for making decisions on assumptions as in the case where he signed and issued appointment letters for newly recruited staff without initially ensuring that the relevant minutes had been corrected and the extracts prepared for his implementation.</p>		
28.	MBRR/CF/08/2008 09/02/2009	Alleged shoddy works on the rehabilitation works on the Bunyaruguru Gravity Flow scheme Bushenyi district.	The complaint was mainly due to non-technical use of the word shoddy and lack of communication and sensitization between the contractors, beneficiaries & project managers. However, some of the issues raised by the residents are being addressed by the second phase of the project.	Minister of state for Economic Monitoring, Ministry of Finance.	The case was cleared by the IGG.
29.	MBRR/CF/15/2008 09/01/2009	Alleged irregular recruitment of the Assistant Community Development Officer by the Isingiro DSC.	The CAO to submit the A/CDO to the Isingiro DSC for removal from the post of A/CDO that he does not qualify for and recommend to the Commission to deploy him to any other vacant position within the approved district structure that he qualifies for. Failure to get a vacant position to deploy him to, he should be retired in accordance with June 2005 MLG guidelines.	CAO Isingiro	



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			The CAO to ensure that the position of A/CDO-Isingiro district is immediately declared vacant to the Isingiro DSC for filling.		
30.	MBRR/CF/01/2009 16/04/2009	Alleged irregularities in the award of Bushenyi- Ishaka Taxi /Bus park tender by the district contract's committee.	The tender for revenue collection at Bushenyi Ishaka Bus/Taxi park should be re-advertised, in line with the resolution of the executive committee of the town council as none of the bidders met the prescribed conditions.	Town Clerk Bushenyi Ishaka Town	Implemented
31.	MBRR/CF/25/2008 26/02/2009	Alleged embezzlement of PMA funds meant for grading of Mahwezi- Buharambo road, Kyeibare Parish by Mutara S/C officials.	This allegation were false, and the Mutara S/C officials were cleared of the accusations that they embezzled the PMA funds meant for opening and grading of Mahwezi- Buharambo road.	CAO Bushenyi	Nothing to implement
32.	MBRR/05/09/2008 12/05/2009	Alleged abuse of office by the H/M Kigarama Primary school Bushenyi district.	The H/M Kigarama Primary School was cleared of the allegations that he abused his office by maintaining a ghost teacher on the payroll.	CAO Bushenyi	Nothing to implement
33.	MBRR/15/07/2008 04/06/2009	Alleged earning of double salary by a Fisheries Officer in Bushenyi district & teacher at Bweranyangi girls school.	The CAO to submit the said Fisheries Officer to Bushenyi DSC for appropriate disciplinary action. To caution the former H/M Bweranyangi Girls SS currently at Kyebambe Girls School against the practice of engaging teachers without the permission or authority of the PS MOES.	CAO Bushenyi	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			The H/M Bweranyangi Girls was directed to relieve the Fisheries Officer of his duties as Biology & Chemistry teacher at the school.		
34.	MBRR/03/05/2008 04/06/2009	Alleged irregular disbandment of Kashumba S/C Court in Isingiro district.	This office upheld the disbandment of the members of the Kashumba S/C Court, as they had not formally accepted their offers; had not taken oath & conducted themselves in a manner not befitting of members of the court, which would make their decisions subject to challenge.	CAO Isingiro	
35.	MBRR/CF/50/2004 29/06/2009	Alleged lack of qualifications by Bursars of Rugando Tech Inst, Karere Tech Inst & Bogongi SS & a Copy Typist of Rugando Tech Inst.	The said staff be re-instated for revalidation so that they get fair hearing in accordance with the principles of natural justice, before any decision is taken against them.	Secretary Education Service Commission	Not yet implemented
36.	MBRR/11/10/2007 30/01/2009	Alleged dismissal of a teacher & abuse of office by Ag. H/M St' Michael High School Bushenyi.	The school authorities to finalise payment of outstanding salary arrears to the former teacher.	CAO Bushenyi	Implemented
37.	MSK/CF/10/2005 16/03/2009	Alleged mismanagement of public funds by the Sub-county chief Kakuto, Rakai district.	The CAO to submit the former Kakuto Sub-County Chief currently Kirumba Sub-county Chief to the DSC for dismissal. The CAO to ensure that Kakuto Sub County Local Government refunds Shs.3,222,180/= being the mandatory shares to beneficiary councils out of the revenue collected during the period January- June 2004.	The CAO Rakai district	



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
38.	MSK/CF/12/2008 29/01/2009	Alleged irregular appointment of the Ag. Town Clerk Rakai Town Council by the CAO.	<p>The Ag. Town Clerk to cease acting as the clerk & revert to Clerk Assistant which is his substantive position since his acting appointment which was even irregular expired.</p> <p>The CAO in consultation with the Town Council Executive Committee to submit a senior officer from within the ranks of Rakai district for appointment to act as Town clerk, & the post of Town clerk be immediately advertised so that a substantive Town Clerk is recruited.</p> <p>The CAO to warn the Secretary DSC for failure to adequately advise the Commissioners during the process of appointing the said Ag. Town Clerk Scale U2.</p>	The CAO Rakai	Implemented
39.	MSK/CF/19/2008 11/6/2009	Alleged	<p>Rakai District Council to remove the Speaker from office for abuse of office and misconduct.</p> <p>Rakai District Clerk to Council to submit a notice to the Minister who shall convene a meeting of the Council within thirty days from the date of receipt of the notice.</p> <p>The CAO to submit the CFO Rakai district to the DSC for disciplinary action with a view of demoting him.</p> <p>The CAO to ensure that movement logbooks for all district vehicles are maintained in which the drivers of the vehicles record all official journeys made.</p>	The Clerk to Council Rakai District	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
40.	SRT/02/01/2008 28/05/2009	Alleged irregular recruitment of Assistant Community Development Officer in Soroti Municipal Council	Soroti DSC was cleared of any wrong doing.	The Town Clerk Soroti Municipal Council	Implemented
41.	SRT/03/07/04 15/06/2009	Alleged financial mismanagement in Kujju Sub-county, Katakwi district.	The CAO Katakwi district was directed to recover Shs.2,642,930/= from the Sub-county chief Ongongoja Sub-county to be remitted to Kujju Sub-county.	The CAO Katakwi district	
42.	SRT/CF/04/09 11/06/2009	Alleged irregular removal of Ag. Health Officer by the CAO.	<p>The P/S Ministry of Local Government to warn the CAO, Bukedea for flouting S.55(i) of the Local Government Act that vests powers to appoint, discipline and remove officers employed at Local Government with the DSC.</p> <p>The P/S Local Government to ensure that the CAO upholds the Ag. appointment of the Director of Health Services until a submission of his case is made to the Bukedea DSC in accordance with the terms of the Acting engagement.</p>	The P/S Ministry of Local Government	Implemented
43.	SRT/CF/08/2008 11/02/2009	Alleged non-payment of salaries to a teacher at Kaapang P/S from March 2007 to date by the Ag. CAO Bukedea district.	<p>The CAO to uphold the decision he took to withhold salaries of the said teacher of Kaapang Primary School.</p> <p>The CAO to ensure that the said teacher is presented to Bukedea DSC for dismissal from service with effect from the time she absconded from duty for forgery & utterance of a false Grade III Teacher's course result slip of 1997.</p>	The CAO Bukedea	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
			The DPP to take up the matter of forgery & utterance of false documents by the said teacher at Kaapang Primary School with a view of enforcing her prosecution.		
44.	SRT/CF/17/2007 13/01/2009	Alleged irregular appointment of the Ag. District Veterinary Officer, Bukedea district.	The Ag. District Veterinary Officer's appointment on permanent & pensionable terms be revoked and be appointed on contract terms.	The CAO Bukedea	Implemented
45.	SRT/CF/29/2006 11/02/2009	Alleged unfair award of tenders by Soroti Municipal Council in the F/Y 2006/07.	To submit the Ag. Senior Assistant Town Clerk, Northern Division to the DSC for reprimand and for a formal warning for his role in the tender to M/S Nen Anyim (U) Ltd while it did not meet the preliminary requirements. To submit the Chairman contracts committee to the DSC for an official warning for the negligence he exhibited when he failed to carry out due diligence on the August 2006, Technical Evaluation Committee report, before considering the submission for award of tender.	The Town Clerk Soroti Municipal Council	Implemented
46.	SRT/CF/29/2007 29/06/2009	Alleged abuse of office by the Town Clerk Katakwi district.	The CAO to submit the Town Clerk Katakwi Town Council to Katakwi DSC for dismissal for abuse of office, conflict of interest & breach of the Leadership Code Act Section 35(d). Meanwhile he should be interdicted pending the decision of the DSC.	CAO Katakwi	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
47.	TS/04/2009 28/01/2009	Non payment of allowances to staff of Uganda Prisons Band.	The P/S Ministry of Internal Affairs told to ensure that the staff of the Uganda Prisons Band are paid allowances where they are due.	The P/S Ministry of Internal Affairs	Implemented
48.	TS/06/2007 0903/2009	PAF monitoring and inspection in Rukungiri district.	The Town Clerk Rukungiri Town Council was warned to desist from flouting of established Public Procurement and Disposal procedures and regulations as that amounts to abuse of office which is criminal.	The Town Clerk Rukungiri Town Council	Implemented
49.	TS/08/2008 04/05/2009	PAF inspection in Budaka district for financial year 2006/07.	The PAF funds released to Budaka district Local Government during the F/Y 2006/07 were properly used and accounted for.	The CAO Budaka District	Nothing for implementation
50.	TS/107/2008 23/04/2009	Alleged irregularities in the tendering process of Zirowwe Taxi Park- Luwero district	JANDA Trade & Transporters Company to be allowed to manage revenue collection at Zirowwe Taxi Park up to the end of its contract period/ financial year ended 2008/09.	The CAO Luwero district	Implemented
51.	TS/124/2008 09/03/2009	Abuse of office & mismanagement of Bishop's S.S.S Mukono	The case was referred to the Chairmen BOG Bishop's S.S.S Mukono to take action as he deems fit, due to the fact that this office could not reach the complainant to substantiate the allegations.	The Chairman BOG Bishop's S.S.S	Nothing to implement
52.	TS/13/2009 16/03/2009	Refusal to hand over Government vehicle by an interdicted officer of KCC.	The case closed as the vehicle in question was recovered and handed over to KCC	KCC	The vehicle was recovered



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
53.	TS/130/2008 23/03/2009	Fraudulent & corrupt dealings between PRADIP & Registrar of Companies, Land office	The issue of irregular issuance of a repossession certificate by DAPCB to PABCO properties Ltd could not be resolved as PABCO properties file kept at the Ministry of Finance was reported to be lost.	Complainant	Nothing to implement
54.	TS/132/2007 17/04/2009	Alleged gross mismanagement of the NAAADS project by the district NAAADS coordinator of Bukwo.	The allegations against the NAAADS coordinator Bukwo were unfounded.	The CAO Bukwo district	
55.	TS/140/2005 06/02/2009	Alleged abuse of office by Masindi District Administration officials.	The CAO should recover a total of Shs.6,540,000/= in equal portions from the District Health Office, District Surveillance Focal Person/Clinical Officer, District Health Inspector & Senior Accounts Assistant who colluded to misappropriate the funds.	The CAO Masindi	Implemented
56.	TS/159/2007 21/01/2009	Alleged misappropriation of public funds by top officials of Kira Town Council- Wakiso district.	As Kimwanyi health unit was constructed with the aim of taking medical services nearer to the people of Nakwero, the CAO to initiate the process of recruiting medical personnel for Kimwanyi health unit to make it operational. The CAO to warn the former Ag. Town Clerk Kira Town Council to desist from implementing projects/ policies not sanctioned by council as she did, when she implemented the revenue collection at road toll/revenue check point on Kira-Kimwanyi road.	The CAO Wakiso District	Not yet implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
57.	TS/161/2007 16/03/2009	PAF inspection & monitoring in Kamuli district Local Government for F/Y 2005	<p>The CAO to ensure that all the officers who did not account for the administrative advances mentioned in the report for various PAF sectors must as a matter of urgency account for the funds in 21 days. Failure to do so, recoveries be made from their personal emoluments without further warnings.</p> <p>The CAO should in accordance with regulation 9(2) (a) and (m) of the Local government Finance & Accounting regulation 2007 ensure that all the district employees, especially those in charge of funds at various Health Centers are equipped with basic accounting skills to ensure proper records keeping and maintenance of books of accounts.</p> <p>The CAO to stop the practice of advancing lump sum amounts of money for PAF Monitoring activities to officers without break downs as per work plans and budgets.</p>	The CAO Kamuli	Implemented
58.	TS/162/2007 10/03/2009	Failure by Private Sector Foundation Uganda to pay for consultancy services.	<p>The Ministry of Agriculture endeavors to publicize project information so that eligible firms can benefit from such subsidy</p> <p>The said people be paid what is due to them by PSFU in accordance with the agreements, if they fail, they have the option of going to the courts of law for redress.</p>	The ED PSFU	Matter before court.



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
59.	TS/180/2007 05/03/2009	Illegal lease of the children's park now plot 17, A Bunyonyi drive Kataza zone VII to M/S Kashari Buhweju Farmers Ltd by KCC.	In accordance with the provisions of Article 230 (2) of the Constitution of the Republic of Uganda, section 14 (6) of the IG Act 2002, the Kampala District Land Board is directed to revoke their earlier decision granting the lease. KCC to survey and gazette the land. The Director M/S Kashari be dismissed.	The Town Clerk KCC	Implemented
60.	TS/192/2007 23/02/2009	PAF inspection and monitoring in Bukwo District for F/Y July 2006/7	The CAO & CFO to ensure that PAF guidelines & other financial regulations are adhered to by all staff as they carry out government programmes. No funds, (especially conditional grants) should be diverted to other programmes other than for which it was intended. The CAO & CFO to ensure that proper tender procedures are followed in awarding contracts to service providers in the district. The CAO and CFO to ensure that all staff who have not yet accounted for the administrative advances to them do so within 30 days from the date of IG report, failure of which the monies should be recovered from them.	The CAO Bukwo	
61.	TS/253/2003 04/04/2009	Investigations and verification of breach of the Leadership Code by the MD Civil Aviation Authority.	The leader paid back the money (Shs.300,000,000/=) to the asset recovery account in BOU.	-	Implemented
62.	TS/31/2007 03/04/2009	Irregularities in the AG's report on accounts of Mukono District Local Government for the F/Y ended 30 June 2004.	The case was closed as the issues raised were satisfactorily resolved.	-	Nothing to implement



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
63.	TS/32/2008 26/05/2009	Alleged utterance of forged documents and ghost/non-existent employees in Mukono District Local Government.	<p>The CAO to interdict and submit the said teachers to the DSC for dismissal for forgery and utterance of false academic documents in conformity with section 36 (1) as amended by statutory instrument number 34/1993 of the PSC regulations.</p> <p>The said teachers to be recommended to the DPP for prosecution for forgery and utterance of false documents.</p>	The CAO Mukono district	Implemented
64.	TS/33/2008 09/01/2009	Alleged abuse of office by the Town Clerk Kalongo Town Council	The Town Clerk of Kalongo Town Council was absolved of the allegations of abuse of office.	The CAO Pader district	Implemented
65.	TS/36/2007 02/06/2009	Alleged fraudulent allocation of plot 1-3 & 5 Bugweri Avenue in Busembatya	<p>The complainants were advised to accept the Shs.2,000,000/= each that the current lesser has offered to pay them as compensation, as a gesture of good will.</p> <p>Iganga district authorities to facilitate the current lesser to take possession of the premises in issue and proceed with his re-development plan.</p>	The complainants	Implemented
66.	TS/53/2005 16/04/2009	Alleged mismanagement of construction in Nakawa market.	In line with the said probe committee's recommendations and other deliberations as highlighted in the detailed report, KCC was advised to agree with Nakawa market Cooperatives Savings & Credit Society on the best way forward to have the market completed.	The Town Clerk KCC	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
67.	TS/59/2005 02/03/2009	Alleged amassing of wealth by the Company Secretary to former UEB.	The allegations could not be sustained.	The accused	Nothing to implement
68.	TS/65/2008 20/03/2009	Alleged use of forged academic documents by the LC V Chairperson Bududa.	Allegations were false	The P/S Ministry of Local Government	Nothing to implement
69.	TS/80/2008 05/03/2009	Gross mismanagement & abuse of office by the Principal Personnel Officer in the Accountant General's office	This office found no merit in the allegations and therefore the accused could not be faulted and should continue performing his duties as provided.	The P/S MOFPED	
70.	TS/70/2006 05/03/2009	Mismanagement of Kiboga Town Council affairs by the Town Clerk Kiboga	The then Secretary Tender Board to show cause to DSC as to why he should not be dismissed for exhibiting incompetence and abuse of authority The tender for the management of Kiboga Taxi park be publicly advertised and handled in a transparent manner.	CAO Kiboga	Implemented
71.	TS/35/2008 26/05/2009	Alleged fraudulent sale of a vehicle and abuse of office by the Regional CID Officer Kampala and former CID officer CPS.	The matter is under police investigation so IGG declined to handle.	Complainant	Nothing to implement
72.	TS/112/2008 02/06/2009	Alleged mismanagement of office and foul play in the recruitment exercise by the Education Service Commission.	The decision and action of the ESC in consultation with the PS MOES to adjust the appointments of the Head and Deputy Head teachers should be upheld, as they are consistent with the policy governing such appointments.	Complainant	



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
73.	TS/38/2009 27/05/2009	Alleged abuse of office by the S/C Chief Buyengo Jinja district.	The S/C Chief to ensure that resources are mobilised to pay allowances on time, whenever they meet.	CAO Jinja	
74.	HQT/44/07/2006 11/06/2009	Alleged mismanagement of case file Ref: Buwenge 05/2003	Complainant advised to seek possible remedies through the judicial process or other administrative channels.	Complainant	Nothing to implement
75.	HQT/64/02/2003 06/05/2009	Alleged unlawful interdiction of Serunjogi Musisi	Kampala City Council was directed to pay the complainant's full salary until October 2003 when KCC informed him of the DSC decision to declare him an excess staff to Kampala district	Town Clerk KCC	Not yet implemented
76.	HQT/38/08/2008 04/06/2009	Alleged recruitment of unqualified persons as Grade I and Grade III Head teacher; and irregular filling of three vacancies for Grade I Head teachers, by Ntungamo DSC.	The recruitment of Head teachers by Ntungamo DSC was carried out Lawfully and regularly. Accordingly, Ntungamo DSC was absolved from the allegations.	Chairperson Ntungamo DSC	Nothing to implement
77.	HQT/44/03/2008 25/06/2009	Alleged unfair allocation of lock-up shop number 9 at Abayita Ababiri market by Wakiso District Local Government authorities.	CAO Wakiso is hereby directed to cancel the allocation of lock-up number 9 and re-allocate it an applicant with in the catchment area who has been a sitting tenant since 1985.	CAO Wakiso	Implemented
78.	HQT/54/03/08 11/06/2009	Theft of cheque number 34811, NSSF invalidity benefit by NSSF worker.	NSSF was ordered to pay Kintu Cyprian the sum of Shs.9,089,371/=-, his due benefit, since Stanbic Bank refunded the money wrongly paid to an imposter, with the help of NSSF officials.	MD NSSF	Implemented



S/N	File Ref and Date of issue	Subject matter	Recommendations	Implementer	Action on implementation of recommendations
79.	HQT/20/02/2008 26/06/2009	Alleged mismanagement of the estate of the late Pulito Musoke (Mengo/AC/1313/97)	Complainant advised to petition the courts of law for a revocation of the grant of letters of Administration to the Administrator General and seek damages for any actions you deemed unfair on their part.	Complainant	
80.	HQT/08/02/2006 10/06/2009	Alleged miscalculation of gratuity of the late Goi Obira Okade by Ministry of Public Service.	The late Goi was not entitled to terminal benefits for the period February 2000 to August 2003	Complainant	Nothing to implement
81.	IG/244/428/01 30/06/2009	Investigations into the management of DANIDA Funds to Sironko district under RSPS2 Programme.	Money be released to the district to pay the contractors for the works executed, to avoid legal consequences to the district.	Programme Officer Royal Danish	
82.	LIR/01/07/08 25/05/09	Non payment of gratuity to a retired Senior Radiographer, Lira Referral Hospital.	The retired officer to be paid his gratuity	CAO Lira	The complainant was paid his outstanding gratuity.

APPENDIX C

**SOME OF THE LETTERS OF APPRECIATION
RECEIVED BY THE IG DURING THE PERIOD
JANUARY - JUNE 2009**



THE REPUBLIC OF UGANDA



LIRA P.T. DAY AND BOARDING
P.O. Box 114,
LIRA.
8/04/2009.

THE INSPECTOR GENERAL OF GOVERNMENT,
P.O. BOX 01,
LIRA.

RE: LETTER OF APPRECIATION

I am Buga Zaitun of Lira P.T school,
who was deleted from ELia Olet P.T
School payroll from May to October
2008 due to transfer case.

I would like to appreciate the efforts you
made to reactivate my name on the
Government payroll at Iredu P.T school.

I was able to access my salary pay
from the month of November up to date

I am now conveying my humble and
sincere thanks plus appreciation to your
office for the entire job done and the
Government to set up IGG's organisation
to help the civil servants who can enter
into problems like mine.

May the Almighty God bless you and
your office abundantly.

Thank you

Yours faithfully
BUGA ZAITUN.



Waiswa Paul
Waibuga Lunika
Itakaibolu
0782622345
09/04/09


The JGA Officers
Jinja Region

Re Appreciation

I Waiswa Paul I do appreciate for the ~~sterc~~ services rendered to me by the above officers on getting my money amounting to Seventy thousand Shs only (70,000) from St gonzaga Primary School which ^{they} had refused to pay me.

I am so grate full for the effort ~~up~~ put and I am looking forward for further assistance.

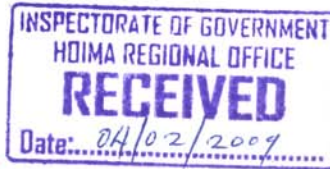
God bless the above office.

Yours Faithful
Waiswa Paul


09/04/09



ICS HOIMA

Mr Kayunga
pleaseKIHURU HOIMA-
TOWN COUNCIL

P.O. Box 2 HOIMA

4TH JAN. 2009

translating put on parliamentary
AIE FNS 4/2/09 DR 10
RE: OKUSIMA HASWA OFFICE EYA ICS KUNYAMB
HA KIZIBU KYA OBU MYA HURE OBU OFFICE YABU

Ninyowe ASoba Alfred Owa ekweka ekigambirwaho
eruguru. Mkatikya ekizibu kyange omu office egyo ekir
kwatana omusanga oyu nyanyegereine Bahagajju Fe-

- deresi; hamuma balengaho okumbubuzza omu office eya
muramuja Grade two anyakwina obukwatane hali
ogwo omunyegerwa.

Hati Office emu obu ya nyambire tugenzereye omu
Office eya Grade one (1) Bangambira amajima.

Mibo omusanga bangamba tugugarukemu 23-3-2009

Mdi ASoba Alfred. Telephone yange 0773685610.



Wairaka Village

P.O. Box 5139,

Jinja.

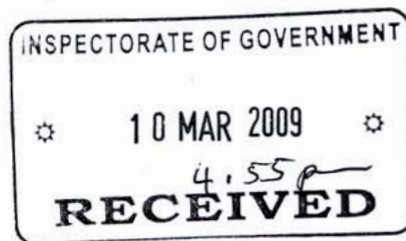
3rd February, 2009

*Drop to DEP
For your advice
the useful for our reports
12/03/09*

The Inspector General of Government,

Of the Republic of Uganda,

Kampala.



Dear Madam

RE: ACKNOWLEDGEMENT OF RECEIPT OF MY TERMINAL BENEFITS FOR RETIREMENT

I write to let you know and to make you be aware that by your persistent reminders to the Commissioner for pensions Ministry of Public Service; having been retired in 2006. I have finally been paid Shs. 86 million being my retirement terminal benefits. Also I have received for the month of February 2009, Shs. 700,000/= pension. I am yet to receive the pension arrears.

I am very grateful and very appreciative for the great effort you took in constantly reminding the Ministry of Public officials to work on my case. I am now a little bit comfortable as I can afford to pay and finance my medical bills and buy various food supplements all of which are very expensive. The medicines and food supplements give the very complex nature of my ailment.

In reality, you actually by your worthy intervention made what at first seemed almost impossible task very possible and easy by your



commendable reminders to those officials concerned in the Ministry of Public Service.

Having put in 37 years of uninterrupted service as a secondary school teacher, I shall die satisfied. I sincerely thank you very much, I also thank the Commissioner of the Ministry of Public Service for coming to my assistance in such a timely manner. May the almighty God keep blessing you for more and more time to come so that you can assist those ones like me who need your services because they are helpless like I was at one time.

Thank you very much, may the Lord bless you.

Yours faithful

Pal Musana Rusana

RETIRED 'A' LEVEL HEADTEACHER

C.C. Commissioner Pensions

Ministry of Public Service.



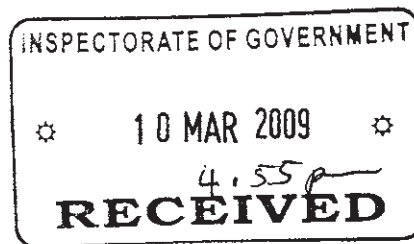
Handwritten signature and date: 12/03/09

Wairaka Village
P.O. Box 5139,
Jinja.

3rd February, 2009

The Inspector General of Government,
Of the Republic of Uganda,
Kampala.

Dear Madam



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RETIRED 'A' LEVEL HEADTEACHER

C.C. Commissioner Pensions

Ministry of Public Service.

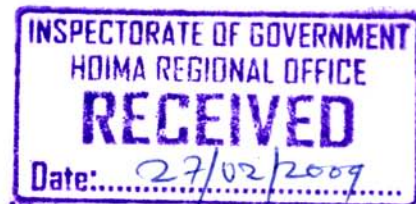


8

MR. BYARUHANGA JOHN
C/O P.O BOX 449
HOIMA

27th February, 2009

The Regional Inspectorate of Government
Mid Western Region
P.O Box 113
Hoima (U)



RE: APPRECIATION FOR SUPPORT


Greetings and best wishes.

Sir, I do hereby bring my votes of thanks and appreciation for your unending support you gave us during the difficult times we faced in the procurement process of Buhuka market which had been mismanaged.

This has further indicated to us that your office is a source of integrity and happiness to the oppressed ones. We can now stand and speak out on all evils through your office.

We further pledge to equip your office with the necessary information about misdeeds of government officials. We once again thank you very much and promise to be thorough in promoting the procurement rules, procedures and the entire act.

Yours sincerely,


.....
BYARUHANGA JOHN
TENDERER



KYEBAANDO P. SCHOOL,
P.O. Box 523,
KAKUMIRO.

3rd April 2009



THE I.G.G.,
HOIMA REGIONAL OFFICE.

Dear Sir,

Re: NON-PAYMENT AND DELAY OF SERVICE BY
THE PERSONNEL KIBAALE (HMA/01/07/2008)

Reference to my letter of Complaint which I forwarded to your office dated 3rd July 2008 (copy attached) I am glad to inform you that my name was re-instated on Government pay-roll (JAN. PAYROLL 2009) with arrears paid from July 2008 to date.

I wish to appreciate your positive and tireless role which you played and the good Co-operation that was exhibited by the C.A.O., and Education Department, Kibaale District towards my Success.

For the next step, I have been provided with TEACHERS' RESIDUAL SALARY ARREARS CLAIM FORMS by the Ag. personnel Mr. Mugerwa Edward to process claims of previous years.

As per attached letter from your office dated 14th November 2008, I will consider my Complaint appropriately handled after payments of previous financial years have been effected. I was paid 1,400,000/= (One million, Four hundred thousand Shillings)

Yours Faithfully,

0777863012 *[Signature]*

BUKENYA J GABRIEL III/80/681.



THE REPUBLIC OF UGANDA

BUMA LIMITED

42, Commercial Street P.O. Box 68, Masindi Uganda

Dealers in Building materials, Agriculture / Veterinary drugs and general merchandise

Telephone: 0465 420070, 0772 506668

Telegrams: "Materials Masindi"

Your Ref.....

Our Ref: BM/MDLG/12/08



Date: 30th Dec, 2008

The Inspectorate of Government,
Hoima Regional Office,
17, Orphanage Road,
P.O. Box 113,
Hoima

(For the attention of Ms. Farida Semyano)

Dear Madam,

RE: COMPLAINT NO. HMA /07/08/08

NON PAYMENT OF CONSTRUCTION WORKS / TENDER CONTR NO. CAP / 1/98

Further to my complaint referred to above dated 26th August 2008 and to my meeting with the Masindi District Local Government Senior Management on 22nd September 2008, I am glad to inform you that we discussed in details and agreed that shs 14,248,075= is what MDLG owes us.

It was also agreed that we would be paid during the next financial year 2009/2010 and that the MDLG would check with URA Masindi with regards the unpaid taxes on our URA account (File No. 68034) totaling to shs 1,049,537=, which was deducted from payments made on 2/2/2001.

We are most grateful for the efforts made by you to have enabled this level of understanding and agreement.

Thank you very much.

Copy of the MDLG letter Ref. CR/112/1 dated 2nd December 2008 is attached for your reference.

Yours faithfully,

BUMA LIMITED


N.M. KYAMANYWA
MANAGING DIRECTOR

Cc: The Chief Administration Officer, Masindi District Local Government,
P.O. Box 67, Masindi.



OKUM VILLAGE

KOHIR S/C

BUKEDEA

21st - 01 - 2009



IGG^s OFFICE
SOROTI

LETTER OF APPRECIATION

I humbly thank the IGG for having handled the matter as regards court bail in grade II magistrates court Bukedea. Hence your officials at Soroti regional office urgently referred the matter to High court of Uganda to my satisfaction.

yours

OCANIO ABAS



THE REPUBLIC OF UGANDA

JOHN ELURU MEMORIAL S.S - KAPELEBYONG



Our Ref:-----

Your Ref:-----

Date: 30-01 -2009

The Inspectorate of Government
Soroti Regional Office

Inspectorate of Government
SOROTI REGIONAL OFFICE

★ 30 JAN 2009 ★

RECEIVED

Dear Sir,

LETTER OF APPRECIATION IN RESPECT OF CASE NO SRT/05/08/07

I wish to express my sincere thanks to you for your intervention in a situation where I was victimized by the Education Service Commission in relation to promotion. I was a long-service Deputy Headteacher 'A' Level Day. I have now been promoted to Headteacher 'O' Level Day and posted to John Eluru Memorial S.S, Amuria District as a substantive Headteacher.

However, two issues remain to be addressed, namely;

- My posting instruction as a Substantive Headteacher was issued before appointment to the post, which could raise problems later.
- My basic salary was significantly decreased as a result of the promotion.

May the Almighty God bless you abundantly as you work for the progress of our country.

Yours Faithfully

HEADTEACHER
DATE: 30/01/09
SIGN:

JOHN
ELURU
MEM. S.S

SIMON A. OYERA



THE I G G OFFICE
SOROTI



AMURIA DISTRICT
ASAMUKU COUNTY
OBUR PARISH
AKEMANGOR
VILLAGE
19-02-09

APPRECIATION ON THE
EXPRESS RESPONSE BY YOUR
OFFICE.

I am writing to formally register my appreciation to your office for responding to my fears on the delayed submission of my file for the payment of the retirement benefits by Public Service.

I am deeply happy for the assistance you have rendered to me.

I wish all officers in Uganda would act faster the way you have done, Uganda would be a good place to live in.

I thank you once again and hope that you will continue with that spirit when need arises.

~~DR~~ MICHAEL
Compliment



TINKASIMIRE CYPRIAN
KITERE/KISERUKA
VILLAGE / CELL
KIBIMBA PARISH
FORT PORTAL MUNICIPALITY
20th/01/2009.

The Regional Inspector's
Office,
Fort Portal Regional Office
P.O. Box 157
FORT PORTAL



Dear Sir,

Re: Appreciation:

I am writing to appreciate the services of your Office towards my case involving the water Officer for Kabankole District which I forwarded to your Office on 7th/04/2008.

In this matter, Mr. Mugabi Pius - the District Water Officer for Kabankole had promised to meet the cost of delivering water services to my place after surrendering my ^{piece of} land.



to the District as compensation and this was recorded in the agreement. However, the water Officer had been reluctant to fulfil his assignment/promise.

However, when I presented this matter to your good Office, and with your intervention, Mr. Mugabi Pius, the District water Officer managed to clear the biggest part of the water bill amounting to Shs. 362,000/= out of a total of ~~54,000~~ 438,000/=. This leaves a balance of Shs. 76,000/= which ^{we} has promised to clear.

I, however, request that we work together still until this last part is cleared by him.

But for now, I thank you for what you have done so far.

I remain yours faithfully;

Tinkasimie Cypria

Tinkasimie Cypria
20/01/09



Mugisa John Baaba
Kaswa Trading Centre
Busoro sub county
Kabankole District,
19th/05/2009.

The Regional Inspectorate
Officer
Fort Portal Regional
Office,
P.O. Box 157,
Fort Portal.



Sir,
RE: APPRECIATION!

My name is Mugisa John Baaba of the above stated particulars. I hereby appreciate the services rendered by your office towards the case I filed which was registered under file No. FP/03/06/05 in which my wages were unpaid by Busoro SLC. I came to report to you that with your intervention, the sub county authorities paid my balance of shw. 60,000/- which had remained.

I therefore state that my case is solved and I hereby withdraw my complaint.

Thank you very much.
Yours, *Mugisa J.*

MUGISA JOHN BAABA
19th/05/2009.



Acome village, Aleles
Katakwi District
27/3/2009

LETTER OF APPRECIATION ABOUT
MY COMPLAINT AGAINST GRADE I
MAGISTRATE KATAKWI

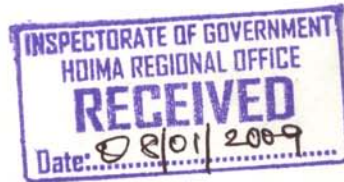
I wish to inform you that the complaint I brought to your office about non-payment of funds payed to court by the person who had failed to pay me and was put to personal use by former magistrate grade one Katakwi Mr. Cheputukei Kaye David was recovered ~~the~~ by the chief Magistrate Soroti. This happened after your office had interviened.

I am gratefully for your help, as I have received shillings Seven hundred and ~~ten~~ thousand (710,000/-)

Ochen Lawrence



SEBAGDOLO LCI
KABWOYA S/COUNTY
HOIMA DISTRICT
08th - 01 - 2009



YA IGG HOIMA

OKWEBAZA OLWO'KUNYAMBA OKUNYUNULA SENTI ZANGE
EZALI ZIMAZZE EMYAKA EBIRI EWA PROBATION OFFICER
OWE-HOIMA

NZE NYARABIRA OCHAYA, NINSA OKWEBAZA KWANGE ERI
OFFIS YA IGG-HOIMA OLWO'KUNYAMBA OKUFUJA SENTI
ZANGE EZIBABBE ZALEMERA EWA PROBATION OFFICER HOIMA
OKUMALA EMYAKA EBIRI. SENTI ZALI MITWALO ABIRI MWE
TANO (250,000=)

PROBATION YANSASUBBEKO EMITWALO ABIRI (200,000=) OLUV.
NYUMA LWA IGG OKUMUYITA NOKUMUKAZA ENYO.
IGG WEBALENYO WEBALIREBALA. MUKAMA ABONGERE
OMUKISA NAMANYI MUSOBOLE OKUYAMBA NABALABA.
NSIGABBE NZE Nyarabira Ochya

NB NINA EMYAKA 50 (ATAANO) EGYOBUKULU

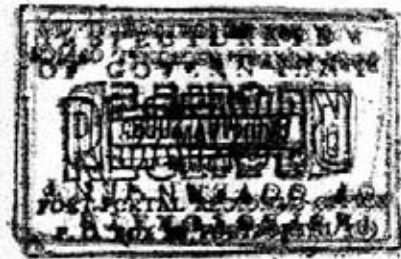


EMITWALO ETAANO BALI BAZIMPADDA, NAYE EMITWALO ABIRI
NGAZALEMERAYO OKUMALA EMYAKA EBIRI.
KATI SIKYABANJA.



Mugisa John Baaba
Kaswa Trading Centre
Busoro sub county
Kabankole District,
19th / 05 / 2009.

The Regional Inspectorate
Office
Fort Portal Regional
Office,
P.O. Box 157,
Fort Portal.



Sir,
RE: APPRECIATION:

My name is Mugisa John Baaba of the above stated particulars. I hereby appreciate the services rendered by your office towards the case I filed which was registered under file No. FP/03/06/01 in which my wages were unpaid by Busoro slc. I came to report to you that with your intervention, the sub county authorities paid my balance of shw. 60,000/- which had remained.

I therefore state that my case is solved

APPENDIX D

THE INSPECTORATE OF GOVERNMENT ACT, 2002



THE INSPECTORATE OF GOVERNMENT ACT, 2002.

ARRANGEMENT OF SECTIONS.

Section.

PART I—PRELIMINARY.

1. Short title.
2. Interpretation.

PART II—THE INSPECTORATE OF GOVERNMENT.

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

PART III—FUNCTIONS OF INSPECTORATE.

8. Functions of Inspectorate.
9. Jurisdiction of Inspectorate.
10. Independence of Inspectorate.
11. Branches of Inspectorate.
12. General powers of Inspectorate.
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**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.

Short title.

1. This Act may be cited as the Inspectorate of Government Act, 2002.

Interpretation.

2. 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.

3. (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.

The
Inspectorate.



Appointment
of members of
Inspectorate.

4. (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.

Removal of
Inspector-General
and Deputy
Inspector-
General.

5. (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.

6. (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.

7. (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.

Oath of members
of Inspectorate.

Appointments
Board.

Functions of
Inspectorate.

PART III—FUNCTIONS OF INSPECTORATE.

8. (1) Pursuant to the provisions of the Constitution and to this Act, the functions of the 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.



Jurisdiction of
Inspectorate.

9. 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.



10. 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.

Independence of Inspectorate.

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

Branches of Inspectorate.

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

General powers of Inspectorate.

(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.

13. (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.

Powers of access and search.

(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.



14. (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.

Secretary
to
Inspectorate.

15. (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.

Other staff.

16. (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.



17. (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.

Oath of Secretary and other staff.

(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.

PART V—PROCEDURE FOR INVESTIGATIONS.

18. (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.

Rules of procedure.

(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.

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

Limitation on investigations by Inspectorate.

- (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.

Conduct of
investigations.

20. (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.



21. 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.

Effect of findings and recommendations of Inspectorate.

22. (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.

Immunity of officers.

(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.

23. 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.

Privilege of information.

PART VI—INVESTIGATIONS.

24. (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.

Provisions relating to complaints.

(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;



Right to be heard.

Procuring information and attendance of witnesses.

(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.

25. (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.

26. (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.

27. (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.

28. 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.

29. (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.

Failure of witnesses to attend.

Witness allowances.

Reports of Inspectorate.



Action on
report.

(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.

30. (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.

Resources of
Inspectorate.

31. (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.

32. 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.

33. 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.

34. (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.

Signification
of acts of
Inspectorate.

Seal of
Inspectorate.

Protection
of informers
and
witnesses.



Offences.

35. 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.

Personation
of member
or official of
Inspectorate.

36. 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.

General penalty

37. 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.

Minister's power
to amend First
Schedule.

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



39. (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.

40. (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.

Regulations.

Repeal and
transitional
provisions.

Decree No. 18
of 1976



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.



Act 5

The Inspectorate of Government Act

2002

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 of 20.....
 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..... day of..... 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. Short title.
2. Interpretation.

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

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

PART III—CONFLICT OF INTEREST.

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

PART IV—POST EMPLOYMENT.

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

PART V—PROCEEDINGS OF INSPECTORATE.

18. Lodging of complaints.
19. Report of Inspectorate.
20. Action on report of Inspectorate.
21. Forfeiture and compensation.
22. Special powers of Inspector General.
23. Powers of Inspectorate to hear evidence *etc.*



Section.

24. Protection of informers and witnesses.
25. Procedure of Inspectorate.
26. Inspectorate to observe rules of natural justice.
27. Witnesses allowances.
28. Inspectorate to award costs.
29. Application of other powers of Inspectorate.

PART VI—GENERAL.

30. Inspection of bank accounts.
31. Action against certain leaders.
32. Action against Chief Administrative Officer and Town Clerk.
33. Appeals.
34. Protection of officers of Inspectorate.
35. Penalties for breach of Code.
36. Offences
37. Annual report.
38. Regulations.
39. Amendment of Schedules.
40. 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. This Act may be cited as the Leadership Code Act, 2002.

2. (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;

Short title.

Interpretation.



“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.

3. (1) The Inspectorate shall enforce this Code.

(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.

Enforcement
and
functions of
Inspectorate.



Declaration
of income,
assets and
liabilities.

4. (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.



5. (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.

6. 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.

7. 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—CONFLICT OF INTEREST.

8. (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;

Power of the Inspector-General to require clarification etc.

Failure to submit correct information.

Declaration to be public.

Conflict of interest.

**Act 17****Leadership Code Act****2002**

Disclosure
of interest.

(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.

9. (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.

Gifts or
benefits in kind.

10. (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.

11. 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.

12. (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.

13. (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.

Prohibited conduct.

Prohibited contracts.

Abuse of public property.



Misuse
of official
information.

(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.

14. (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
- (c) dismissal; or
- (d) vacate office.

General
prohibited
conduct.

15. (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 any 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.

16. (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.

Future
employment.

**Act 17****Leadership Code Act****2002**

Upon
vacation of
office.

(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.

17. (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.

Lodging of
complaints.

18. (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.

19. (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
- (d) 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.

20. (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.

Report of
Inspectorate.

Action on
report of
Inspectorate.



Forfeiture
and
compensation.

21. (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.

Special powers
of Inspector
General.

22. (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.

Powers of
Inspectorate to
hear evidence
etc.

23. 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.

24. (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.

25. 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.

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

27. 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.

28. 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.

29. The Inspectorate shall when enforcing this Act, have all the powers conferred on it by Chapter Thirteen of the Constitution or any other law.

Protection of
informers
and
witnesses.

Procedure
of
Inspectorate.

Inspectorate to
observe rules of
natural justice.

Witnesses
allowances.

Inspectorate to
award costs.

Application of
other powers of
Inspectorate.



PART VI—GENERAL.

Inspection of
bank accounts.

30. (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.

Action against
certain leaders.

31. (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.

Act No. 1 of
1997

(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.



32. (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 Officer 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.

33. (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.

34. (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.

35. 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;

(c) 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;

Action
against Chief
Administrative
Officer and
Town Clerk.

Appeals.

Protection
of officers of
Inspectorate.

Penalties for
breach of Code.

**Act 17****Leadership Code Act****2002****Offences**

(ii) be warned in writing; or

(iii) dismissal;

(d) 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.

36. (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.

Annual report.

37. The Inspectorate shall include in its Statutory Report to Parliament under article 231 of the Constitution a report on its enforcement of this Code.

Regulations.

38. (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.

Amendment of Schedules.

39. The Minister may by statutory order made after prior approval of Parliament by resolution, amend the provisions of any schedule to this Code.

Repeal.

40. The Leadership Code, 1992 is repealed.



Act 17

Leadership Code Act

2002

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.

**Act 17***Leadership Code Act***2002**

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.

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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 party or organisation.

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

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

Inspectorate
of
Government.



Removal of
Inspector
General and
Deputy
Inspector
General

224. 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.

Functions of
Inspectorate.

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 applies, 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.

Jurisdiction of
Inspectorate.

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.

Independence
of
Inspectorate.

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.



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 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.

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 necessary and appropriate in the circumstances.

(3) Subject to the provisions of any law, the Inspectorate of Government 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.

(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.



Powers of
Parliament
regarding
Inspectorate

(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.

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 by the Inspectorate of any of those functions 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.

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 honesty, 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 honesty, 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 officer” means the holder of an office to which the Leadership Code of Conduct applies.

Leadership
Code of
Conduct 371.

Enforcement
Code.

Disqualification
on for breach of
Code

Interpretation.