

UPPC accountant faces demotion over failure to declare wealth

The Leadership Code Tribunal has ordered the demotion of the Uganda Printing and Publishing Corporation (UPPC) accountant to a lower rank in addition to withholding his salary over failure to declare wealth.

The Inspector General of Government (IGG) contended that Fahad Kuteesa was appointed as an accountant at UPPC on September 1, 2022, and was holding the same position by March 2023 when all leaders were required to declare their respective incomes, assets and liabilities. However, Kuteesa did not file his declaration and never gave a reason.

Kuteesa has also been fined sh1.2m for non-submission of his income from April 1 to June 30, 2023. In a ruling delivered yesterday, the tribunal chaired by Dr Roselyn Karugonjo found that Kuteesa, without any justifiable reasons, failed to declare his wealth.

Other members of the tribunal

include Jane Okelowange, Bakunzi Mufasha, Annete Karungi and Dr Anthony Conrad Kakooza.

“The respondent (Kuteesa) is hereby ordered to submit his declaration of income, assets and liabilities from April 1, 2023, to June 30 of the same year to the Inspectorate of Government (IG), and his salary should be withheld until he submits the declaration,” Karugonjo ruled.

Kuteesa was dragged to the tribunal by the IGG. However, the matter proceeded ex parte after Kuteesa failed to appear before the tribunal despite being summoned. He has also been ordered to pay costs to the IGG.

Betty Ajambo, an investigating officer attached to the IG, told the tribunal that Kuteesa was repeatedly reminded during the declaration period to declare his wealth, but he never did.

THE LAW

Section 4(11) of the Leadership Code Act provides that a leader who fails without reasonable cause to submit the declaration of income, assets and liabilities commits a breach of the code.

The tribunal noted that accountants are listed as leaders under Schedule Two of the Leadership Code Act.

Leaders are required to declare their income, assets and liabilities every two years and failure can lead to either reprimand, demotion or dismissal.

Citing the 2020 decision of Justice



Karugonjo, the chairperson of the tribunal

PAST CASE

In January 2006, Ken Lukyamuzi who represented Rubaga South Constituency in Parliament was kicked out of Parliament due to his failure to declare personal assets, as required by law.

Florence Nakachwa in the case of Geoffrey Wasswa vs Army for Africa Limited, the tribunal noted that the use of the word “shall” makes it mandatory for all leaders mentioned under the Leadership Code Act to declare their wealth without fail.

“The Inspectorate of Government online declaration system data analysis report of 2023 indicates that the

respondent (Kuteesa) registered on January 16, 2023. The same report indicates no submission of a declaration, no logins beyond initial registration and no system-generated queries from the respondent,” the tribunal noted.

ESSENCE OF DECLARATION

Citing the Constitutional Court decision in the case of Hub for Investigative Media versus Attorney General, the tribunal emphasised that the purpose of requiring persons in leadership positions to declare their wealth and liabilities from time to time is to ensure that leaders act with honesty, impartiality and integrity in handling public affairs.

Efforts to get a comment from Kuteesa proved futile as he skipped the session despite having been notified about it. Before delivering the

decision, Karugonjo revealed that the tribunal has now fully resumed its operations as it is now fully constituted following the re-appointment of some of the members and the appointment of new ones. Kakooza and Karungi are the new members of the tribunal.

DECLARATION DEADLINE

The decision comes at a time when the IGG, Aisha Naluzze Bataala, has since issued a stern warning to the public officers and political leaders to declare wealth by April 30 this year or face prosecution that may result in either demotion or dismissal.

THE TRIBUNAL'S MANDATE

Established under Article 235A of the Constitution and section 19A of the Leadership Code Act, the tribunal's mandate is to hear and determine cases of, breach of the Leadership Code of Conduct.