

Court throws NDA boss out of office

Ruling. Justice Stephen Musota of the Civil Division of the High Court, said the position that Ms Kusemererwa, who replaced Dr Gordon Sematiko, occupied was non-existent.

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KAMPALA. The appointment of Ms Donna Asiimwe Kusemererwa as the executive director of National Drug Authority (NDA) in January last year was "unlawful, unjustifiable, null and void," a High Court judge has ruled.

Justice Stephen Musota of the Civil Division of the High Court, said in a judgment delivered on Tuesday that the position that Ms Kusemererwa, who replaced Dr Gordon Sematiko, occupied was non-existent.

"A declaration that the position of the executive director in which the 2nd respondent [Ms Kusemererwa] was appointed was/is nonexistent and contrary to Section 54(2) of the National Drug Authority Act Cap 206," the judgment read in part.

"An order of Mandamus do issue directing the Authority of the National Drug Authority (the 1st Respondent) to



Thrown out. Ms Donna Kusemererwa inspects drugs in Kampala recently. PHOTO BY ALEX ESAGALA

advertise the vacant position of secretary within 60 days from the day of this ruling including weekends and public holidays," it added.

The ruling follows an application challenging the appointment of Ms Kusemererwa as inconsistent with Section 54(2) of the NDA Act.

The petition was contained in an application filed by Ms Florence Nakachwa, the former Head of Drug Assessment and Registration at the authority, who was challenging the termination of her contract.

Besides, the ruling also bars Ms Kusemererwa from acting

in the position of the Secretary to the authority.

Ms Nakachwa had also petitioned the court to declare that Ms Kusemererwa was illegally occupying the office.

JUDGEMENT

Bars. The judgment also bars the drug authority or its agents from terminating the contract of the applicant [Ms Nakachwa] dated February 29, 2016, without according her a fair hearing.

Ms Kusemererwa replaced Ms Kate Kikule who served as acting executive director following the sacking of Dr Sematiko at the peak of corruption scandals that were then being investigated at the drug authority.

In February 2015, Dr Sematiko, the then executive secretary/registrar, and Mr Dan Badebye, the head of finance at NDA, were fired for transferring \$5m (about Shs14b) from the official authority account to an unauthorised fixed deposit account.

Another official, Mr Adolf Baguma, was also sacked in relation to the same scam.