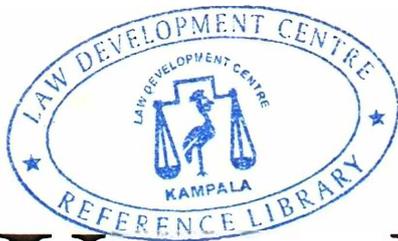




THE REPUBLIC OF UGANDA  
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# The

# Uganda Gazette



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No. 7—The Universities and Other Tertiary Institutions Act, 2001.	

General Notice No. 91 of 2001.

### THE WORKERS' COMPENSATION ACT, 2000. NOTICE.

PURSUANT to section 19(2) of the Workers' Compensation Act, 2000, the general public is hereby notified the duly empowered/authorized insurers to offer insurance under the Act are:

1. AIG Uganda Limited, P.O. Box 7077, Kampala.
2. East African Underwriters Ltd, P.O. Box 22938, Kampala.
3. Excel Insurance Company Ltd, P.O. Box 7213, Kampala.
4. Goldstar Insurance Company Ltd, P.O. Box 7781, Kampala.
5. Greenland Insurance Co Ltd, P.O. Box 5245, Kampala.
6. HQ Insurance Company Ltd, P.O. Box 4903, Kampala.
7. Imperial Insurance Company Ltd, P.O. Box 24256, Kampala.
8. Insurance Company of East Africa (U) Ltd, P.O. Box 2295, Kampala
9. National Insurance Corporation, P.O. Box 7134, Kampala.
10. Pan Africa Insurance Co (U) Ltd, P.O. Box 5318, Kampala.
11. Paramount Insurance Company Ltd, P.O. Box 6427, Kampala.
12. Rio Insurance Company Ltd, P.O. Box 5710, Kampala.
13. Statewide Insurance Company Ltd, P.O. Box 9393, Kampala.
14. The East Africa General Insurance Company Ltd, P.O. Box 1392, Kampala.
15. The Jubilee Insurance Company of Uganda Ltd, P.O. Box 10234, Kampala.
16. TransAfrica Assurance Company Ltd, P.O. Box 7601, Kampala.
17. United Assurance Company Ltd, P.O. Box 7185, Kampala.

DATED at Kampala this 21st day of March, 2001.

GERALD M. SSENDAULA,  
*Minister of Finance, Planning and Economic Development.*

General Notice No. 92 of 2001.

PURSUANT to the provisions of Regulation 2 of the Control of Private Security Organisations Regulation (Statutory Instrument No. 13 of 1997) the general public is hereby notified that the duly recognised and operational personnel of M/s Security Group (U) Ltd shall exclusively don a uniform adequately described as beneath.

1. Shirt—Blue
2. Trousers—Blue
3. Head Dress—Blue
4. Company Logo



The company Logo is in white and Blue colours and with company initials Security Group in Blue

5. Shoe—Black
6. Belt—Black
7. Lanyard—Blue

DATED at Kampala this 19th day of February, 2001.

KASOLO AND KHIDDU,  
*Advocates.*

General Notice No. 93 of 2001.

### THE ADVOCATES ACT. NOTICE.

#### APPLICATION FOR ENROLMENT OF ADVOCATE.

IT IS HEREBY NOTIFIED that a Petition has been presented to the Hon. the Chief Justice by Patricia Kahigi who is stated to be a holder of Bachelor of Laws Degree of Makerere University and a Diploma in Legal Practice awarded to her by the Law Development Centre, Kampala for entry of her name on the Roll of Advocates for Uganda.

Kampala,  
13th December, 2000.

STEPHEN MUSOTA,  
*Acting Chief Registrar.*

General Notice No. 94 of 2001.

### THE ADVOCATES ACT. NOTICE.

#### APPLICATION FOR A CERTIFICATE OF ELIGIBILITY.

IT IS HEREBY NOTIFIED that an application has been presented to the Law Council by Lilian Christine Mwandha Naula who is stated to be a holder of Bachelor of Laws of Makerere University having been awarded a Degree on the 15th day of January, 1999 and to have been awarded a Diploma in Legal Practice by the Law Development Centre on the 21st day of January, 2000 for the issue of a Certificate of Eligibility for entry of her name on the Roll of Advocates for Uganda.

Kampala,  
23rd March, 2001.

JULIET NASSUNA,  
*Acting Secretary, Law Council.*

## REGISTRATION OF AGRICULTURAL CHEMICALS, DEALERS, FUMIGATORS AND PREMISES

## NOTICE.

Under the powers conferred upon the Registrar of Agricultural Chemicals under section 5 (c) of the Control of Agricultural Chemicals Statute, No. 8 of 1989 and in fulfillment of section 41 (a) of the Statutory Instrument No. 85, The Agricultural Chemicals (Registration and Control) Regulations of 1993, the following Agricultural Chemicals Dealers, Fumigators, and Premises have been registered with the Agricultural Chemicals Board over the period 2000-2001 and are hereby gazetted. Continued use and renewal of the Registration is subject to good performance and safety.

## REGISTERED AGRICULTURAL CHEMICALS

DATE	CODE	TRADE NAME	COMMON NAME	FIRM
20.1.2000	Ugc/2000/00234/In/RR	Thionex 35EC	Endosulfan 35%	Makhteshim Agan, Israel
7.2.2000	Ugc/2000/00235/He/T	Sanahormone	2-4 D Amine 720SL	Dow Agro-Sciences, UK
7.2.2000	Ugc/2000/00236/He/T	Sancopox A500SC	Ametryn 250g/L + Atrazine 250g/L	Dow Agro-Sciences, UK
7.2.2000	Ugc/2000/00237/He/T	Sanatryn 500SC	Ametryn 500	Dow Agro-Sciences, UK
7.2.2000	Ugc/2000/00238/In,Ne/T	Carbosan 10G	Carbofuran 10G	Dow Agro-Sciences,UK
3.3.2000	Ugc/2000/00239/In/T	Debush CY	Cypermethrin 5% EC	Dera Chemical Industries, Kenya
3.3.2000	Ugc/2000/00240/In/T	Chlorpaz	Chloryprifos 480g/L EC	Pazchem Ltd, Israel
3.3.2000	Ugc/2000/00241/He/T	Rondopaz 480g/L LC	Glyphosate 480g/L/LC	Pazchem Ltd, Israel
6.3.2000	Ugc/2000/00242/In/T	Dera Blue Cross	Malathion% Dust	Dera Chemical Industries, Kenya
6.3.2000	Ugc/2000/00243/In/T	Degor 40EC	Dimethoate 40% EC	Dera Chemical Industries, Kenya
14.3.2000	Ugc/2000/00244/In/T	Super Maler Dust	Malathion 6% + Permethion 0.4%	Dera Chemical Industries, Kenya
14.4.2000	Ugc/2000/00245/In/RR	Thiokill 35EC	Endosulfan 35%	United Phosphorous
14.4.2000	Ugc/2000/00246/RO/RR	RATOL	Zinc Phosphide 80%	United Phosphorous
14.4.2000	Ugc/2000/00247/In/RR	Fenkill	Fenvalerate 20%	United Phosphorous
14.4.2000	Ugc/2000/00248/In/RR	Phoskill 40% SL	Monocrotophos 40% S.L	United Phosphorous India

27.4.2000	Ugc/2000/00249/In/T	Malataf 50E
25.5.2000	Ugc/2000/00250/In/T	Famgor 40% EC
25.5.2000	Ugc/2000/00251/In/T	Famithion 57% EC
25.5.2000	Ugc/2000/00252/In/T	Famecyper 5% EC
25.5.2000	Ugc/2000/00253/In/T	FamRound 48% S.L
25.7.2000	Ugc/2000/00254/In/T	Famthrothion 50% EC
25.7.2000	Ugc/2000/0255/In/T	Ripcyper 5% EC
25.7.2000	Ugc/2000/00256/In/T	Famban 48% EC
23.8.2000	Ugc/2000/00257/In/R	Chlorban 48% EC
23.8.2000	Ugc/2000/00258/In/R	Ustaad 5% EC
22.9.2000	Ugc/2000/00259/He/T	Weedoff
22.9.2000	Ugc/2000/00260/Fu/T	Sinozeb 80 %WP
22.9.2000	Ugc/2000/00261/In/T	Sinagor 40%
5.10.2000	Ugc/2000/00262/Fu/R	Famecozeb 80% WP
6.11.2000	Ugc/2000/00263/In/T	Cyper Lacer
6.11.2000	Ugc/2000/00264/In/R	Furacarb 5G
13.11.2000	Ugc/2000/00265/Fu/R	Agro Laxy LMZ 635 WP
13.11.2000	Uzgc/2000/00266/In/RR	Sumithion 50% EC
13.11.2000	Ugc/2000/00267/He/R	Agro-2,4D Amine 720g/L A.E SL
13.11.2000	Ugc/2000/00268/In/RR	Agro-Dettrin 2.5 EC
11.12.2000	Ugc/2000/00269/He/T	Pinup (Bounce 480)
11.12.2000	Ugc/2000/00270/In/T	Trounce (Fezr. et)
26.2.2001	Ugc/2000/00271/In/T	Devicyper 5EC
26.2.2001	Ugc/2000/00272/In/T	Devsulfan 35EC
26.2.2001	Ugc/2000/00273/In/T	Devimalat 50EC

Malathion 50 EC  
 Dimethoate W/W 40%  
 Malathion 57%  
 Cypermethrin 5%  
 Glyphosate 48%  
 Fenitrothion 50% EC  
 Cypermethrin 5% EC  
 Chloropyriphos 48% EC  
 Chloropyriphos 48% EC  
 Cypermethrin 5% EC  
 Glyphosate 41 % SL  
 Mancozeb 80%WP  
 Dimetheate 40% EC  
 Mancozeb 80% W  
 Cypermethrin 5% EC  
 Carbofuran  
 Metalaxyl 7.5% + Mancozeb 56% W/W  
 Fenitrothion 50% EC  
 2,4 D Amine Salt (2,4 - dichlorophenoxy)  
 Deltamethrin 2.5% EC  
 Glyphosate 48 SL  
 Dimethoate 38 EC  
 Cypermethrin 5% EC  
 Endosulfan 35% EC  
 Malathion 50% EC



Rallis India Ltd  
 Agrochem Alexandria Egypt  
 Agro-chem Alexandria Egypt  
 Agro-chem Alexandria Egypt  
 Agro chem Alexandria Egypt  
 Agro chem Alexandria Egypt  
 Rallis India Ltd  
 Rallis India Ltd  
 United Phosphorous Ltd India  
 United Phosphorous Ltd India  
 Camfall Corporation Taiwan  
 Sinon Corporation Taiwan  
 Simon Corporation Taiwan  
 Lemin Chemicals Ltd, China  
 RPG Life Sciences India  
 Aimco Pesticides Ltd, India  
 Trans Agro, Germany  
 Sumitomo Chemical Co, Japan  
 TransAgro, Germany  
 TransAgro, Germany  
 Zuellig Chemicals, Malaysia  
 Zuellig Chemicals, Malaysia  
 Devidayal (Sales) Ltd, India  
 Devidayal (Sales) Ltd, India  
 Devidayal (Sales) Ltd, India

DEALERS REGISTERED TO SELL AGRICULTURAL CHEMICALS

DATE	CODE	CATEGORY	PROPRIETOR/DEALER
22.2.2000	UgDI/2000/0021/R	Dealer	Mr. Thembo Mwesigwa Wilfred Green House Chemicals Ltd P.O. Box 10116 Kampala
25.2.2000	UgDI/2000/0022/R	Dealer	Mr. Andrew Gita Universal Chemicals (U) Ltd P.O. Box 8154, Kampala
15.2.2000	UgDL/2000/0023/R	Dealer	Dr. Alice Banga MEM P.O. Box 22111, Kampala
15.3.2000	UgDL/2000/0024/R	Dealer	Dr Mucunguzi Richard ERAM (U) Ltd P.O. Box 11304, Kampala
12.4.2000	UgDL/2000/0025/R	Dealer	Mr. Robert Male Nyonyi Farm Enterprises P.O. Box 3592, Kampala
14.4.2000	UgDL/2000/0026/R	Dealer	Ms. Kasimagwa Florence Biva Agro Chemicals P.O. Box 21995, Kampala
25.5.2000	UgDL/2000/0027/R	Dealer	Ms. Namagembe Olive New S.K.Farm Supply P.O. Box 16845, Kampala
8.5.2000	UgDL/2000/0028/R	Dealer	Mr. Ddamba Geoffrey M.S.J. Afro Agro Farm Enterprises P.O Box 8046, Kampala
6/12/2000	UgDL/2000/0029/R	Dealer	Mr. B.N.S. Gowda General and Allied Ltd Plot No. 21, Nakivubo Place Kampala

PREMISES REGISTERED TO SELL/STORE AGRICULTURAL CHEMICALS

DATE	CODE	BUSINESS NAME	PROPRIETOR
22.2.2000	UgP/2000/00043/GT	Green House Chemicals Ltd Plot 276/2777 Ntinda Estate Factory Close, Kampala	Mr. Thembo Mwesigwa
25.2.2000	UgP/2000/00044/ST	Universal Chemicals (U) Ltd Plot 24/2 Nakivubo Place Kampala	Mr. Andrew Gita
25.2.2000	UgP/2000/00045/GT	Universal Chemicals (U) Ltd Nalukolongo Industrial Area Plot 40/42, Kampala	Mr. Andrew Gita
15.2.2000	UgP/2000/00046/ST	MEM Plot 14/18 Nakivubo Place Kampala	Dr. Banga Alice
15.3.2000	UgP/2000/00047/ST	ERAM (U) Ltd Plot 14/18 Nakivubo Place Kampala	Dr. Mucunguzi Richard
12.4.2000	UgP/2000/00048/ST	Nyonyi Farm Enterprises Plot 14/18 Nakivubo Place Kampala	Mr. Robert Male
14.4.2000	UgP/2000/00049/ST	Biva Agro Chemicals Plot 14/15 Nakivubo Place, Kampala	Ms. Kasimagwa F.
2.5.2000	UgP/2000/00050/ST	New S.K.Farm Supply Plot 14/15 Nakivubo Place Kampala	Ms. Namagembe Olive
8.5.2000	UgP/2000/00051/ST	M.S.J. Afro Agro Farm Enterprises Plot 5/9 Nakivubo Green Kampala	Mr. Ddamba Geoffrey
14/9/2000	UgP/2000/00052/ST	Musajjawaza Farmers Store Plot No. 21 Nakivubo Place Kampala	Ms. Ruth Musajjawaza
6/12/2000	UgP/2000/00053/ST	General Allied Ltd Plot 21 Nakivubo Place Kampala	Mr B.M.S.Gowda
9/3/2001	UgP/2000/00054/ST	Famous Distributors (U) Ltd Plot 21 Nakivubo Place Kampala	Mr. Vincent Serwanga Mukasa



Dated this 26th day of March, 2001.

KOMAYOMBI BULEGEYA,  
PAI/Agro Chemicals & Pesticides.

General Notice No. 96 of 2001.

THE COMPANIES ACT, 1964.

(Cap. 85).

NOTICE.

PURSUANT to section 343(3) of the Companies Act, notice is hereby given that unless cause is shown to the contrary the name of the following company will be struck off the Register after the expiration of three months from the date of publication of this notice.

GRAND LAKE GROUP LIMITED

DATED at Kampala this 2nd day of February, 2001.

JOEL COX OJUKO,

Assistant Registrar of Companies.

General Notice No. 97 of 2001.

THE COMPANIES ACT, 1964.

(Cap. 85).

NOTICE.

PURSUANT to section 20(3) of the Companies Act, notice is hereby given that World Home Bible League has by Special Resolution passed on 20th July, 1993 and with the approval of the Registrar of Companies changed its name to The Bible League and that such new name has been entered in my Register.

DATED at Kampala this 13th day of December, 1993.

RITA BBANGA-BUKENYA (MRS.),

Assistant Registrar of Companies.

General Notice No. 98 of 2001.

THE COMPANIES ACT, 1964.

(Cap. 85).

NOTICE.

PURSUANT to section 20(3) of the Companies Act, notice is hereby given that Syndachem (E.A.) Limited has by Special Resolution passed on the 1st day of March, 2001 and with the approval of the Registrar of Companies changed its name to Syndachem (U) Limited and that such new name has been entered in my Register.

DATED at Kampala this 20th day of March, 2001.

MAUDAH ATUZARIRWE,

Assistant Registrar of Companies.

General Notice No. 99 of 2001.

THE TRADE MARKS ACT.

(Cap. 83).

NOTICE.

NOTICE IS HEREBY GIVEN that any person who has grounds to oppose the registration of any of the marks advertised herein may within sixty days from the date of this *Gazette*, lodge a Notice of opposition on Trade Mark Form No. 6 together with a fee of Shs. 4000 in case of National applicants or US\$ 250 in case of Foreign applicants. The period of lodging Notice of opposition may be extended in suitable cases by the Registrar as he thinks fit upon such terms as he may direct. Formal opposition should not be lodged until after reasonable notice has been given by letter to the applicant so that he may have an opportunity to withdraw his application before the expense of opposition proceedings is incurred. Failure to give such notice will be taken into account in considering any application by the opponent for an order for costs if the opposition is uncontested by the applicant. Representations of the marks herein advertised can be inspected at the office of the Registrar of Trade Marks, Parliamentary Buildings, P.O. Box 7151, Kampala.

(21) APPLICATION NO. 23991 IN PART "A".

(52) Class 31.

(54)

## AGREVA

(53)

(59)

(64)

(57) *Nature of goods*— Agricultural, horticultural, forestry products (neither prepared nor transformed), seeds, natural plants and flowers; foodstuffs for animals, malt.

(73) *Name of applicant*— Aventis Cropscience.

(77) *Address*—55 Avenue Rene Cassin, 69009, Lyon, France.

(74) *C/o* Ms. Mugerwa & Masembe Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 14th February, 2001.

(21) APPLICATION NO. 23999 IN PART "A".

(52) Class 5.

(54)

## DURZERA

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth; dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Agouron Pharmaceuticals, Inc.

(77) *Address*—10350 North Torrey Pines Road, La Jolla, California, 92037-1020, U.S.A.

(74) *C/o* Ms. Mugerwa & Masembe Advocates, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 20th February, 2001.

(21) APPLICATION NO. 24018 IN PART "A".

(52) Class 9.

(54)

## STELLAT

(53)

(59)

(64)

(57) *Nature of goods*— Scientific (other than medical use), nautical, surveying, photographic, cinematographic, optical, weighing, signaling, checking (supervision), life-saving and teaching apparatus and instruments; apparatus for emitting, recording, transmission or reproduction of sound or images; magnetic data carriers, recording discs; automatic vending machines and mechanisms for coin-operated apparatus; cash registers, calculating machines; data processing equipment, computers; memory for computers; modems, magnetic tapes, fax machines, optical and magnetic data media, arithmetic machines, electric cables, satellites, videodisks, digital optical disks, laser equipment (other than medical use), keyboards, printed circuits, telecommunication emitters, high frequency apparatus, software, applications software, telephone equipment, visual display units, audio-visual apparatus, telecommunication equipment, input, storage, information or data processing devices; supports for recording and reproducing sound, image and signal; computer connection equipment (modems); message transmission equipment, calculators and process computers, computers for data and word processing, computer terminals, video screens.

computer printers, optical and magnetic disks, magnetic tapes, microfilm readers and associated control components, printed circuit boards, recorded memory boards, electronic circuits boards, electronic identification boards, integrated circuit modules, equipment for data, information and signal capture, counting, collection, storage, conversion, processing, entry, emission and transmission; apparatus and instruments for optical reading, coded information and media for such information, namely diskettes for computer; apparatus and parts of compound apparatus for data and signal transmission by telephone, fax, telegraph, teleprinter, telex, cable and satellite; interfaces namely interface software.

(73) *Name of applicant*— Stelat.

(77) *Address*—16 RUE Jean-Jacques Rousseau, 91230 Issy Les Moulineaux, France.

(74) *C/o Ms. Mugerwa & Masembe Advocates*, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th March 2001.

(21) APPLICATION NO. 24000 IN PART "A".

(52) Class 5.

(54)

## ZAPRAVIX

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth; dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Agouron Pharmaceuticals, Inc.

(77) *Address*—10350 North Torrey Pines Road, La Jolla, California, 92037-1020, U.S.A.

(74) *C/o Ms. Mugerwa & Masembe Advocates*, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 20th February, 2001.

(21) APPLICATION NO. 23977 IN PART "A".

(52) Class 5.

(54)

## ZEONEX

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical preparations.

(73) *Name of applicant*— Agouron Pharmaceuticals, Inc.

(77) *Address*—10350 North Torrey Pines Road, La Jolla, California, 92037-1020, U.S.A.

(74) *C/o Ms. Mugerwa & Masembe Advocates*, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 6th February, 2001.

(21) APPLICATION NO. 24002 IN PART "A".

(52) Class 5.

(54)

## COSOFT

(53)

(59)

(64)

(57) *Nature of goods*— Pharmaceutical, veterinary and sanitary preparations; dietetic substances adapted for medical use, food for babies; plasters, materials for dressings; material for stopping teeth; dental wax; disinfectants; preparations for destroying vermin; fungicides, herbicides.

(73) *Name of applicant*— Merck & Co., Inc.

(77) *Address*—One Merok Drive, White House Station, New Jersey, U.S.A.

(74) *C/o Ms. Mugerwa & Masembe Advocates*, 3rd Floor Diamond Trust Building, P.O. Box 7166, Kampala.

(22) *Date of filing application*— 22nd February, 2001.

(21) APPLICATION NO. 24020 IN PART "A".

(52) Class 34.

(54)

## TUSKER

(53)

(59)

(64)

(57) *Nature of goods*— Cigarettes, tobacco, tobacco products, smokers' articles, lighters, matches.

(73) *Name of applicant*— British American Tobacco (Brands) Limited.

(77) *Address*—Globe House, 4 Temple Place, London, WC2R 2 PG, England.

(74) *C/o Ms. Byamugisha & Rwaheru Advocates*, P.O. Box 9400, Kampala.

(22) *Date of filing application*— 7th March, 2001.

Kampala,

FIONA BAYIGA,

22nd March, 2001.

*Assistant Registrar of Trade Marks.*

## ADVERTISEMENTS

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Busiro Block 341 Plot 25, Area 5.0 Acres at Nakasazi.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of George Wilson Nsubuga of Kisozi Ssabagabo, Busiro, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,

NAKISALI-WAMAI,

29th December, 2000.

*for Chief Registrar of Titles.*

THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

NOTICE.

ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Kibuga Block 7 Plot 280, Area 0.08 Hectares at Mengo.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Elidadi Galiwango of P.O. Box 15008, Kibuye-Kampala, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Kampala,

OPIO ROBERT,

9th February, 2001.

*for Chief Registrar of Titles.*

## THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATES OF TITLES.

Kyadondo Block 195 Plot 195. Area 1.0 Acres at Kyanja.  
Kyadondo Block 195 Plot 196. Area 4.10 Acres at Kyanja.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Musa S. Musoke, special Certificates of Titles under the above Block and Plots, the Certificates of Titles which were originally issued having been lost.

Kampala,  
20th March, 2001.

NAKISALI-WAMAJI  
for Chief Registrar of Titles.

IN THE MATTER OF CHANGE OF NAMES BY  
BONIFACE WANAKU FORMERLY BONIFACE  
NAMUSON NANGABO WANAKU.

## DEED POLL

By this deed poll, I, the undersigned Boniface Wanaku, a citizen of Uganda by birth, and of P.O. Box 2551, Kampala, hereby renounce, relinquish and abandon the use of my former names of Boniface Namuson Nangabo Wanaku and in lieu thereof assume the names Boniface Wanaku in all records, deeds, writings, and address.

IN WITNESS whereof I have hereto subscribed my assumed names this 19th day of March, 2001.

BONIFACE WANAKU,  
Renouncer.

## THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

*Leasehold Register*—volume 315 Folio 8, Plot No. 36  
Mugurusi Road, Fort Portal.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Mohamed Din Khalifa of P.O. Box 44, Fort Portal, a special Certificate of Title under the above Volume and Folio, the Certificate of Title which was originally issued having been lost.

Kampala,  
22nd March, 2001.

WILLIAM M. MUKALAZI,  
for Chief Registrar of Titles.

## THE REGISTRATION OF TITLES ACT, 1964.

(Cap. 205).

## NOTICE.

## ISSUE OF SPECIAL CERTIFICATE OF TITLE.

Block 20 Plot 144, Kebisoni, Rukungiri.

NOTICE IS HEREBY GIVEN that after the expiration of one month from the publication hereof, I intend to issue in the names of Erinesiti Mutegaya of Nyabitete, Buyanja, Rukungiri, a special Certificate of Title under the above Block and Plot, the Certificate of Title which was originally issued having been lost.

Mbarara,  
2nd March, 2001.

J.K. KARUHANGA,  
for Chief Registrar of Titles.

## IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA.

ADMINISTRATION CAUSE No. 147 OF 2001.

In the Matter of the Estate of the Late Violet Mpiirwa  
and

In the Matter of an application for Letters of Administration  
by Benon Tabaro Mpiirwa (Husband) of the deceased.

## NOTICE OF APPLICATION

TAKE NOTICE that an application for letters of administration to the Estate of the late Violet Mpiirwa, has been lodged in this Court by Benon Tabaro Mpiirwa (Husband) of the said deceased.

Dated at Kampala this 6th day of March, 2001.

WOLIA HARRIET,  
Registrar.

## IN THE HIGH COURT OF UGANDA AT KAMPALA.

ADMINISTRATION CAUSE No. 195 OF 2001.

In the Matter of the Estate of the Late Rose Muyinda Kimeze  
Mutwabule Kagoto late of Walukuba, Jinja East  
and

In the Matter of an application for Letters of  
Administration by Lydia Carol Namuli Mutwabule of  
Bweyogerere, Wakiso District.

## NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN

TAKE NOTICE that an application for letters of administration to the Estate of the late Rose Muyinda Kimeze Mutwabule Kagoto, has been lodged in this Court by Lydia Carol Namuli Mutwabule, daughter of the said deceased.

This court will proceed to grant the same if no caveat is lodged with this Court within fourteen (14) days from the date of publication of this notice, unless cause be shown to the contrary.

Dated at Kampala this 23rd day of March, 2001.

THADEUS OPESEN  
Assistant Registrar (Family Division).

## IN THE HIGH COURT OF UGANDA AT KAMPALA.

ADMINISTRATION CAUSE No. 198 OF 2001.

In the Matter of the Estate of the Late Enock Dribidu  
and

In the Matter of an application for Letters of  
Administration by Diana Dribidu, wife of the deceased.

## NOTICE OF APPLICATION

TO WHOM IT MAY CONCERN

TAKE NOTICE that an application for letters of administration to the Estate of the late Enock Dribidu, has been lodged in this Court by Diana Dribidu, wife of the deceased.

This court will proceed to grant the same if no caveat is lodged with this Court within fourteen (14) days from the date of publication of this notice, unless cause be shown to the contrary.

Dated at Kampala this 26th day of March, 2001.

THADEUS OPESEN  
Assistant Registrar (Family Division).

SEE ACT 7/2003 FOR  
VARIOUS AMENDMENTS.

*Universities and Other Tertiary  
Institutions Act*

2001

THE UNIVERSITIES AND OTHER TERTIARY INSTITUTIONS  
ACT, 2001.

SEE L.N: 16,18,19 OF 2006

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*Short title.*

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*Functions of the National Council.*

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*Composition of the National Council.*

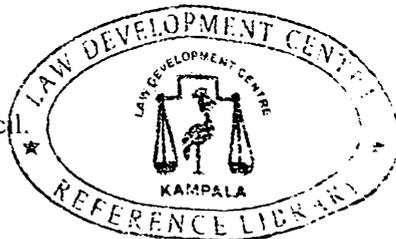
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\* SEE ACT 7/2003 FOR  
VARIOUS AMENDMENTS.

SEE L.N. 16,18,19 OF 2006

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**THE UNIVERSITIES AND OTHER TERTIARY  
INSTITUTIONS ACT, 2001.**

An Act to provide for the establishment of the National Council for Higher Education, its functions and administration and to streamline the establishment, administration and standards of universities and other institutions of Higher Education in Uganda and to provide for other related matters.

DATE OF ASSENT: 28th March, 2001.

*Date of Commencement:* 6th April, 2001.

BE IT ENACTED by Parliament as follows—

*DIVISION ONE—PRELIMINARY PROVISION.*

PART I—SHORT TITLE, INTERPRETATION AND  
OBJECTIVES OF THE ACT.

1. This Act may be cited as the Universities and Other Tertiary Institutions Act, 2001. Short title.

2. In this Act, unless the context otherwise requires— Inter-pretation.

“accreditation” means public acceptance and confirmation evidenced by the grant of a charter that a University meets the requirements and standards of academic excellence set by the National Council;

“Affiliated Tertiary Institution or College” means a Tertiary Institution or College established as such under section 71 or 111 of this Act;

“Certificate of Classification” means a Certificate issued by the National Council at the registration of a Tertiary Institution;

“Chancellor” means a person appointed as such by the President under section 30 of this Act;

“Charter” means a charter granted by the President under this Act as evidence that the University meets the requirements and standards of academic excellence set by the National Council;

“Classification” means the grouping of tertiary institutions according to the type of Higher Education or Programmes being provided or offered by the institution;

“Constituent College” means a college established or declared as such under section 29 or 111 of this Act;

“course of study” means the structure for a certificate, diploma, degree or other academic qualification, and the subjects of study in that course;

“Governing Council” means the Governing Council of a Tertiary Institution established under section 77 of this Act;

“Minister” means the Minister responsible for education;

“National Council” means the National Council for Higher Education established under section 4;

“operate a University or Tertiary Institution” includes conducting courses or programmes of study by any method of delivery, whether residential or distance, electronic or print, satellite or similar form of transmission of information;

“Private University” means a University registered under this Act the proprietor of which is a person, firm or organisation other than Government and basically maintained out of funds other than public funds;

“Provisional licence” means a licence issued to a University or Tertiary Institution allowing it to function under the observation of the National Council to assess its prospects for accreditation or classification;

“Public University” means a University established by the Minister with the approval of Parliament under section 22 and maintained out of public funds;

“Tertiary Institution” means any Public or Private Institution, School or centre of Higher Education other than a University, one of the objects of which is to provide post-secondary education offering courses of study leading to the award of certificates or diplomas and conducting research and publish;

“University” means any Institution, School, Institute or centre of Higher Education, other than a Tertiary Institution, one of the objects of which is the provision of post secondary education offering courses of study leading to the award of certificates, diplomas and degrees and conducting research and publish;

“Vice Chancellor” means the person appointed under section 31 of this Act who is responsible for the academic, administrative and financial affairs of the University;

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“Visitor” means the President of Uganda as is provided under section 26 of this Act.

Objects of  
the Act.

3. The objects of this Act are to establish and develop a system governing institutions of higher education in order to equate qualifications of the same or similar courses offered by different institutions of higher education while at the same time respecting the autonomy and academic freedom of the Institutions and to widen the accessibility of high quality standard institutions to students wishing to pursue higher education courses by—

- (a) regulating and guiding the establishment and management of those institutions;
- (b) equating the same professional or other qualifications as well as the award of degrees, diplomas, certificates and other awards by the different institutions.

*DIVISION TWO—THE NATIONAL COUNCIL FOR  
HIGHER EDUCATION.*

*PART II—ESTABLISHMENT OF THE NATIONAL  
COUNCIL FOR HIGHER EDUCATION.*

Establish-  
ment of a  
National  
Council.

4. (1) There is hereby established a council to be known as the National Council for Higher Education.

(2) The National Council shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name.

(3) The seal of the National Council shall be—

- (a) kept under the custody of the executive director;
- (b) such device as the National Council may determine and the affixing of the seal shall be authenticated by the signatures of the Chairperson and the Executive Director or a person acting in any of the two offices.

(4) Every document purporting to be an instrument executed or issued by the National Council and sealed with the seal of the National Council, authenticated in the manner provided under subsection (3), shall be received in evidence and be deemed to be such instrument without further proof unless the contrary is proved.

5. The functions of the National Council shall be—

Functions of  
the National  
Council.

- (a) to implement the objects of this Act;
- (b) to promote and develop the processing and dissemination of information on higher education for the benefit of the people;
- (c) to advise the Minister on the establishment and accreditation of public and private institutions of Higher Education;
- (d) to receive, consider and process applications for the establishment and accreditation of public and private institutions of Higher Education;
- (e) to register all institutions of Higher Education established under this Act;
- (f) to receive and investigate complaints relating to institutions of Higher Education and take appropriate action;
- (g) to monitor, evaluate and regulate institutions of Higher Education;
- (h) in co-operation with the relevant Government departments, private sector, or the different, institutions of Higher Education, to evaluate the overall national manpower requirement and recommend solutions to the requirements;

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- (i) to ensure minimum standards for courses of study and the equating of degrees, diplomas and certificates awarded by the different public and private institutions of Higher Education;
- (j) to set and co-ordinate national standards for admission of students to the different institutions of Higher Education;
- (k) to determine the equivalence of all types of academic and professional qualifications of degrees, diplomas and certificates obtained elsewhere with those awarded by Uganda institutions of Higher Education for recognition in Uganda;
- (l) to certify that an institution of Higher Education has adequate and accessible physical structures and staff for the courses to be offered by it;
- (m) to promote national interests in courses of study and professional qualifications among the different types of institutions of Higher Education;
- (n) to ensure that adequate facilities and opportunities for career guidance and counseling are provided by the institutions of Higher Education;
- (o) to collect, examine and publish information relating to the different institutions of Higher Education;
- (p) to generally advise the government on policy and other matters relating to institutions of Higher Education;
- (q) to perform any other function incidental to the objects of this Act or relating to higher education in Uganda or that may be conferred upon it by the Minister or any other law.

6. The National Council shall have the powers to do all such things and acts that are necessary for, or incidental to the objects of this Act and without prejudice to the generality of the foregoing, may—

Powers of  
the National  
Council.

- (a) acquire, hold, charge, alienate and dispose of property both movable and immovable;
- (b) lease, or take on lease any land together with any improvements on the land;
- (c) carry out any improvement upon any land held by it;
- (d) derive capital or income from property held by it;
- (e) raise or borrow money in such manner and upon such security as it may from time to time determine;
- (f) invest any monies not immediately required in any investment or project;
- (g) make regulations in respect of minimum requirements for admission of persons in the different types of institutions of Higher Education;
- (h) mobilise funds and resources for institutions of Higher Education activities;
- (i) delegate any of its powers and functions, other than the approval of estimates or any powers required by this Act to be exercised by resolution of the National Council, to any member, officer or committee of the National Council as it may deem necessary;
- (j) subject to any law in force at the time, enter into any legal contract with any publisher for the publication of materials written by the National Council.

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PART III—COMPOSITION OF THE NATIONAL COUNCIL  
AND TENURE OF OFFICE.

Composition  
of the  
National  
Council.

## 7. The National Council shall consist of—

- (a) a Chairperson of the National Council;
- (b) a Vice Chairperson of the National Council;
- (c) one representative of the Vice Chancellors of public universities elected from among themselves;
- (d) one representative of the Vice Chancellors of private universities elected from among themselves;
- (e) one representative of Public Universities Senate elected from among themselves;
- (f) one representative of Private Universities Senate elected from among themselves;
- (g) two students one representing University students and one representing tertiary institutions students and one of whom shall be a female;
- (h) four members of religious non degree awarding institutions appointed by the Minister;
- (i) three representatives one each from commerce, industry and agricultural sectors;
- (j) four persons representing other sectors of higher education, at least one of whom shall be a woman, and one person with disability appointed by the Minister;
- (k) the Officer in charge of higher education or his or her representative, from the Ministry responsible for higher education;

- (l) the Executive Director; and
- (m) one person from the public appointed by the National Council.

(2) The National Council shall recommend two members from among themselves from whom the President shall appoint the Chairperson of the National Council.

(3) The National Council shall elect a Vice-Chairperson from among themselves.

(4) Except for the *ex-officio* members, all members of the National Council shall hold office for a period of five years from the date of appointment and shall be eligible for reappointment for one more term.

8. A person shall not be appointed a member of the National Council who is—

- (a) an undischarged bankrupt or has made any arrangement with his or her creditors;
- (b) incapacitated by mental or physical illness that renders him or her incapable of performing the functions of the office.

9. (1) The office of a member of the National Council shall fall vacant if—

- (a) a member resigns office by writing under his or her hand addressed to the Executive Director;
- (b) the member is disqualified from membership in accordance with section 8;
- (c) a member is continuously and persistently unable to discharge the functions of the office;

(d) a member is convicted of an offence involving moral turpitude;

(e) a member dies.

(2) Where a vacancy occurs the Executive Director shall notify the authority which appointed the member vacating office within one month and the authority shall appoint another person in that member's place.

Meetings of  
the National  
Council.

**10.** (1) The National Council shall meet for the discharge of its functions at least once in three months.

(2) The Chairperson shall preside at all meetings of the National Council unless he or she is absent from a particular meeting in which case the Vice-Chairperson shall preside.

(3) In the event of the absence of the Chairperson and the Vice-Chairperson from a meeting of the National Council, the members present shall elect one of the members present at that particular meeting to preside.

(4) The National Council shall meet at least four times in each year, but the Chairperson may, and upon application in writing by at least one third of all the members, shall convene a special meeting of the National Council within fourteen days.

(5) The quorum for transaction of the business of the National Council shall be thirteen members.

(6) All questions at a meeting of the Council shall be determined by a majority of the votes of the members present and voting and in case of equality of votes the Chairperson shall have a casting vote.

(7) The Chairperson shall, in case of equality of votes, have a casting vote in addition to his or her deliberative vote.

(8) The National Council shall cause minutes of all proceedings of meetings of the National Council to be entered in a minute book kept for that purpose.

(9) Subject to this Act, the National Council shall regulate its own procedure.

11. The Chairperson and other members of the National Council shall be remunerated on terms that the National Council with the approval of the Minister may provide.

Remuneration of members.

12. (1) The Minister may after consultation with the National Council give the National Council guidance on policy matters as may be appropriate.

Minister's power to give guidance.

(2) The guidelines referred to in subsection (1) shall be in writing.

#### PART IV—STAFF OF THE NATIONAL COUNCIL.

13. (1) There shall be an Executive Director who shall be appointed by the Minister on the recommendation of the National Council on terms and conditions that may be specified in the instrument of appointment.

Executive Director.

(2) The Executive Director shall hold office for a period of five years and shall be eligible for re-appointment.

(3) The Executive Director shall be the chief executive officer of the National Council and shall be responsible for the day to day operations of the National Council.

(4) Subject to the provisions of this Act and the general supervision and control of the National Council, the Executive Director shall—

- (a) be responsible for the management of the funds, property and business of the National Council;
- (b) be the accounting officer of the National Council;
- (c) be responsible for the administration and control of the staff of the National Council; and
- (d) be in custody of the seal of the National Council.

(5) The Executive Director shall in addition to being a member, be the Secretary to the National Council and as such shall keep all records of the National Council.

Deputy  
Executive  
Director.

**14.** (1) The National Council may appoint a Deputy Executive Director on the terms and conditions that the National Council may determine.

(2) The Deputy Executive Director shall deputise for the Executive Director and perform the functions of the Executive Director in the absence of the Executive Director and such other duties as the Executive Director or the National Council may direct.

Other Staff.

**15.** The National Council shall have such other officers and employees as may be appointed by the National Council and the officers and employees shall hold office on terms and conditions that the National Council may determine.

**PART V—FINANCIAL PROVISIONS OF THE NATIONAL COUNCIL.**

Funds of the  
National  
Council.

**16.** (1) The funds of the National Council shall consist of—

- (a) money appropriated to the National Council by Parliament from time to time;
- (b) grants, gifts and donations to the National Council;
- (c) fees and other moneys paid for services rendered by the National Council;

(d) moneys that may, in any manner become payable to, or vested in the National Council in pursuance of the provisions of this Act or in relation or incidental to the carrying out of its functions.

(2) The National Council shall operate a bank account in a bank determined by the National Council and the account shall be operated in a manner decided by the National Council.

17. The financial year of the National Council shall be the twelve months beginning from the 1st day of July and ending on the 30th day of June.

Financial  
Year of  
National  
Council.

18. (1) The National Council shall within three months before the end of each national financial year, prepare and submit to the Minister for his or her approval, estimates of income and expenditure of the National Council for the next ensuing year and may, at any time before the end of a financial year, prepare and submit to the Minister for his or her approval, any supplementary estimates.

Estimates of  
National  
Council.

(2) No expenditure shall be made out of the Fund of the National Council unless that expenditure is part of the expenditure approved by the National Council under estimates for the financial year in which that expenditure is to be made or in estimates supplementary to that year's estimates.

19. (1) The National Council shall keep proper books of accounts and shall prepare the annual financial statements of accounts for the immediate preceding financial year not later than three months in the following year.

Accounts  
and audit of  
National  
Council.

(2) The annual accounts of the National Council shall be audited by the Auditor General or an auditor appointed by him or her.

(3) The National Council shall, within three months after the end of each financial year submit—

(a) to the Minister an annual report in respect of that year containing—

(i) financial statements;

(ii) a report on the operations of the National Council;

(iii) any other information that the Minister may prior to the completion of the annual report or as otherwise supplementary thereto, direct in writing;

(b) to the Auditor General—

(i) the accounts of the National Council for the financial year; and

(ii) the annual report referred to in paragraph (a), who shall audit the accounts of the National Council within two months after the receipt of them and submit his or her opinion on the accounts and the annual report to the Minister and the National Council.

(4) The Minister shall cause copies of the annual report together with a copy of the audited accounts to be laid before Parliament at the first available opportunity after receipt of them, but not later than the next sitting of Parliament after the date on which the Minister receives the annual report and the audited accounts.

#### PART VI—OTHER PROVISIONS RELATING TO THE NATIONAL COUNCIL.

Committees  
of the  
National  
Council.

20. (1) For the better carrying out of its functions, the National Council may, appoint such committees composed of its members, as it may consider necessary for a specific purpose and period.

(2) The seal of a Public University shall be such devise as may be determined by the University Council, and the affixing of the seal shall be authenticated by the signatures of the Vice-Chancellor and the University Secretary.

(3) Any document purporting to be a document executed or issued under the seal of a University authenticated as aforesaid, shall be received in evidence and shall, unless the contrary is proved, be deemed to be duly executed.

(4) Notwithstanding subsection (3), for the purposes of degrees, diplomas, certificates and other awards of a Public University the seal of the University shall be authenticated by the signatures of the Vice-Chancellor and the Academic Registrar of the University.

Objects and  
functions of  
a Public  
University.

**24.** (1) The objects and functions of a Public University shall be those set out in the instrument establishing the University.

(2) In addition to any functions that may be set out under subsection (1) the functions of a university shall include—

- (a) the provision of higher education, promotion of research and advancement of learning; and
- (b) dissemination of knowledge and giving opportunity of acquiring higher education to all persons including persons with disabilities wishing to do so regardless of race, political opinion, colour, creed, or sex;
- (c) the provision of accessible physical facilities to the users of the Public University.

Location of  
a Public  
University.

**25.** The location of a Public University established under this Act shall be as may be provided in the instrument establishing it but that University may establish a branch of that University in any other part of Uganda.

26. (1) The President shall be the visitor of each Public University.

Visitor of  
Public  
University.

(2) The visitor shall perform an overall supervisory role over the affairs of each Public University.

(3) The visitor shall, as often as circumstances may require, in respect of any of the affairs of a Public University—

(a) conduct a visitation of the Public University; or

(b) direct the Chancellor of a Public University that a visitation be conducted by a person or persons that the visitor may appoint.

(4) The Chancellor and Vice Chancellor of a Public University shall—

(a) make available to the visitor or any person or persons conducting a visitation all such facilities and assistance that may be required for the purposes of the visitation; and

(b) give effect to any instructions given by the visitor or any person or persons conducting visitation which are consistent with this Act.

(5) Any person or persons conducting a visitation under instructions of the visitor shall make a written report of the visitation to the visitor and the visitor shall transmit the report to the Chancellor with or without any recommendations or suggestions.

27. (1) The members of a Public University shall be—

(a) the Chancellor;

(b) the Chairperson of the University Council;

MEMBERSHIP  
OF PUBLIC  
UNIVERSITY

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29. (1) The National Council may, after consultation with the relevant institution and with the approval of the University Council and the Senate of a Public University, by statutory order—

(a) establish any college or institution as a constituent college of that Public University;

(b) declare any Public Tertiary Institution as a constituent college of that Public University.

(2) Where the National Council establishes or declares a college or Public Tertiary Institution to be a constituent college of a University—

(a) the Chancellor of that University shall appoint a Principal on the recommendation of the University Council from three candidates recommended by the Senate of the University;

(b) the Chancellor shall appoint a Deputy Principal on the recommendation of the University Senate with the approval of the University Council;

(c) subject to subsection (4), the Appointments Board of the University shall appoint members of the academic and administrative staff and other employees of the college in accordance with the provisions of this Act;

(d) the governing council of the former Public Tertiary Institutions shall function and have such responsibilities as is provided by Statutes of the University relating to constituent colleges of that University.

(3) For the avoidance of doubt a Public Tertiary Institution declared to be a constituent college under paragraph (b) of subsection (1) shall cease to be a body corporate and all rights, assets and liabilities of the governing council of that

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institution shall vest in the University Council to which it is a constituent college to the same extent and for the same estate or interest as they were previously vested in the governing council and shall be held and enjoyed in trust and for the benefit of that constituent college.

(4) Where the National Council declares a Public Tertiary Institution to be a constituent college of a University, the National Council shall make provision for—

- (a) the transfer of the staff and employees of the institution whose services are required, to the University or another Public Tertiary Institution;
- (b) the retirement benefits of the staff and employees of the institution whose services are terminated because of the declaration of the constituent college.

(5) All continuing students of an institution declared to be a constituent college of a University shall transfer to the constituent college for their studies without any further assurance and all subsequent recruitment of students to, and the conduct of courses of study in the College shall be made in accordance with procedures and standards set by the University.

(6) For any other matter relating to constituent colleges which is not provided for under this Act general regulations made by the National Council in that behalf shall apply together with any statutes made by the relevant University relating to its constituent colleges.

#### PART VIII—OFFICERS OF A PUBLIC UNIVERSITY.

30. (1) There shall be a Chancellor for each Public University who shall be appointed by the President on the recommendation of the University Council.

(2) The Chancellor shall hold office for a period of four years but shall be eligible for re-appointment for one more term.

(3) The Chancellor shall be the titular head of the University and as such shall preside at all ceremonial assemblies of the University and, in the name of that University, confer degrees and other academic titles and distinctions of that University.

(4) The Chancellor shall, at any time, on the direction of the visitor, cause a visitation of the University to be conducted by a person or persons and for the purposes specified in the directive.

**31.** (1) There shall be a Vice-Chancellor for each Public University who shall—

(a) be responsible for the academic, administrative and financial affairs of the University; and

(b) in the absence of the Chancellor, preside at ceremonial assemblies of the University and confer degrees and other academic titles and distinctions of the University.

(2) The Vice Chancellor shall be appointed by the Chancellor on the recommendation of the University Council from among three candidates recommended by the Senate.

(3) A search committee composed of two members from the University Council and three members from the University Senate shall identify suitable candidates for the post of Vice Chancellor and forward them to the Senate to nominate three candidates for recommendation to the University Council.

(4) The Vice-Chancellor shall be appointed on terms and conditions determined by the University Council for five years and shall be eligible for re-appointment for one more term.

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Vice  
Chancellor  
of Public  
University.

Deputy Vice  
Chancellors.

32. (1) Each Public University shall have not more than three Deputy Vice Chancellors who shall be appointed by the Chancellor on the recommendation of the University Senate with the approval of the University Council.

(2) A Deputy Vice-Chancellor shall hold office for a period of five years and shall be eligible for re-appointment for one more term.

(3) The First Deputy Vice-Chancellor shall—

(a) assist the Vice-Chancellor in the performance of his or her functions and in that regard be responsible for the academic affairs of the University;

(b) in the absence of the Vice-Chancellor perform the functions of Vice-Chancellor;

(c) perform such other functions that may be delegated to him or her by the Vice Chancellor or assigned by the University Council.

(4) The Second Deputy Vice Chancellor shall—

(a) assist the Vice-Chancellor in the performance of his or her functions and in that regard shall oversee the finances and administration of the University;

(b) be responsible for the planning and development of the University;

(c) perform such other functions that may be delegated to him or her by the Vice-Chancellor or assigned by the University Council;

University  
Secretary.

33. (1) There shall be a University Secretary for each Public University who shall be appointed by the University Council on the recommendation of the appointments board of that University on terms and conditions that the University Council may determine.

(2) The University Secretary shall be responsible for the general administration of the University, including the custody of the seal and administration of its assets.

(3) The University Secretary shall be—

(a) the secretary to the University Council; and

(b) the accounting officer of the University.

(4) The University Secretary shall be responsible to the Vice-Chancellor.

**34.** (1) There shall be an Academic Registrar for each Public University appointed by the University Council, on the recommendation of the appointments board, on such terms and conditions as the University Council may determine.

Academic  
Registrar.

(2) The Academic Registrar shall be responsible to the Vice-Chancellor.

(3) The Academic Registrar shall assist the first Deputy Vice-Chancellor in the administration and organisation of all academic matters including admission, undergraduate studies, post graduate studies, examinations, research and publication.

**35.** (1) There shall be a University Librarian for each Public University who shall be appointed by the University Council on the recommendation of the appointments board on terms and conditions that the University Council may determine.

University  
Librarian.

(2) The University Librarian shall be responsible for the development, control, management and co-ordination of all library and information services of the University.

(3) The University Librarian shall be responsible to the Vice-Chancellor.

University  
Bursar.

36. (1) There shall be a University Bursar for each Public University who shall be appointed by the University Council on the recommendation of the appointments board on such terms and conditions that the University Council may determine.

(2) The University Bursar shall be responsible for the financial administration and planning of the University and shall maintain the accounts in a form determined by the University Council.

(3) The University Bursar shall be responsible to the Vice-Chancellor through the University Secretary, who is the accounting officer.

The Dean of  
Students.

37. (1) There shall be a Dean of Students for each Public University who shall be appointed by the University Council on the recommendation of the appointments board on terms and conditions that the University Council may determine.

(2) The Dean of Students shall be responsible for the welfare of the students.

(3) The Dean of Students shall be responsible to the Vice Chancellor.

PART IX—THE PUBLIC UNIVERSITY ORGANS.

*The University Council*

University  
Council for  
Public  
University.

38. (1) There shall be a University Council for every Public University consisting of the following members—

- (a) the Chairperson of the University Council;
- (b) the Vice-Chairperson of the University Council;
- (c) the Vice-Chancellor of the Public University;

- (d) the Deputy Vice-Chancellors;
- (e) a representative of a sector relevant to the University depending on its objectives and mission, appointed by the relevant body in that sector;
- (f) one member of the District Council elected by the District Council in whose jurisdiction the Public University is situated;
- (g) a member of the Convocation elected by the Convocation;
- (h) two members of the University Senate elected by the Senate;
- (i) two members of the Academic Staff elected by the Academic Staff Association of the Public University;
- (j) a senior member of Administrative Staff elected by the Senior Administrative Staff;
- (k) a member of the National Union of Education Institutions; Support Staff elected by the branch in that University;
- (l) two students of the University, one of whom shall be a woman appointed by the Students Union;
- (m) three members appointed by the Minister from the public;
- (n) three members appointed by the University Council from the public;
- (o) a representative of the Ministry responsible for finance;
- (p) a representative of the Ministry responsible for higher education.

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(q) representatives of the affiliated and constituent colleges or schools if any, namely—

- (i) the Chairperson of the governing Council;
- (ii) the Chairperson of the Academic Board;
- (iii) a representative of the staff; and
- (iv) a representative of the students.

(2) Members appointed under paragraphs (m) and (n) shall be appointed from different public sectors, including Farmers, Industry, Commerce and other professions.

(3) All elected and appointed members other than the representative of the students shall hold office for four years and shall be eligible for re-election.

(4) The students' representatives on the University Council shall hold office for one year and shall be eligible for re-election so long as they are students of the University.

(5) The office of a member of the University Council shall become vacant—

- (a) upon death;
- (b) upon ceasing to be a representative of the particular office or body by virtue of which that person became a member of the University Council;
- (c) upon resignation of a member; or
- (d) upon being adjudged bankrupt or of unsound mind.

(6) The University Council may discharge its functions and exercise its powers notwithstanding any vacancy in its membership.

39. (1) The University Council shall elect a Chairperson and a Vice-Chairperson from among the members of the Council who are not members of staff or students of the University, persons employed by the Public Service or a member of the District Council or Parliament.

Chairperson  
and Vice-  
Chairperson.

(2) The Chairperson and Vice-Chairperson shall hold office for a period of four years and shall be eligible for re-election for one more term.

(3) Whenever the office of Chairperson is vacant or the Chairperson is absent for any cause the Vice-Chairperson shall discharge the functions of the Chairperson and in the absence of both the Chairperson and Vice-Chairperson such other member elected by the University Council, not being an employee or student of the University, Public Service employee or member of the District Council or Parliament, shall discharge the functions of the Chairperson.

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(4) The Chairperson of a University Council in consultation with the Vice-Chancellor shall keep the Chancellor fully informed about the general conduct of the affairs of the University and shall furnish the Chancellor with such information as he or she may require on any particular matter relating to the affairs of the University.

40. (1) Subject to the provisions of this Act, the University Council shall be the supreme organ of the Public University and as such shall be responsible for the overall administration of the University and ensuring the due implementation of the objects and functions of the University.

Functions of  
the  
University  
Council.

(2) Without prejudice to the generality of subsection (1), the University Council shall—

(a) be responsible for the direction of the administrative, financial and academic affairs of the University;

- (b) formulate the general policy of the Public University;
- (c) give general guidelines to the administration and academic staff of the University on matters relating to the operations of the University;
- (d) do any other thing and take all necessary decisions conducive to the fulfilment of the objects and functions of the University.

Powers of  
the  
University  
Council.

**41.** The University Council shall, in relation to its functions—

- (a) represent the University in all legal suits by and against the Public University;
- (b) receive gifts, donations, grants or other moneys and make disbursements as may be required, on behalf of the University;
- (c) fix scales of fees and boarding charges;
- (d) make statutes under this Act;
- (e) establish faculties, departments, boards and courses of study and approve proposals for the creation or establishment of constituent colleges;
- (f) provide for the welfare and discipline of the students;
- (g) approve the University budget proposals and the final accounts submitted by the management;
- (h) approve the appointment of Deans and Deputy Deans of faculties.

Meetings of  
a University  
Council

**42.** (1) A University Council shall meet at times and at places that it may determine for the transaction of its business but not less than three times in each calendar year.

(2) The Chairperson may at any time call a meeting of the University Council and shall call a meeting if requested in writing by at least one third of all the members of the University Council.

(3) Half of the members of the University Council, at least five of whom shall not be employees or students of the University, shall constitute a quorum at any meeting of the University Council.

(4) Any matter for decision by a University Council shall be determined by a majority of the members of the University Council present and voting; and in the case of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his or her deliberative vote but at any meeting where the Chairperson is being elected or where an annual budget is being approved the decision shall be determined by a majority of two thirds of the members.

(5) The validity of the proceedings, act or decision of a University Council shall not be affected by any vacancy in the membership of the University Council or by any defect in the appointment of any member or by reason that any person not entitled to do so took part in the proceedings.

(6) Members of the University Council shall be paid such allowances as the Council may determine, taking into account other allowances in the public sector.

(7) Subject to the provisions of this Act, a University Council may regulate its own procedure, and the procedure of any of its committees.

43. (1) The University Council may—

(a) appoint Committees and Boards consisting of such number of its members and other persons as it may deem necessary;

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Committees  
of a  
University  
Council.

- (b) appoint one of the members of a Committee to be the Chairperson of that Committee;
- (c) co-opt any person on any Committee of the University Council.

(2) A University Council may, subject to limitations that the Council may deem fit, delegate any of its functions to any Committee appointed under subsection (1), but the Council shall not delegate the power to approve the budget or the final accounts of the Public University.

(3) The University Council may authorise any of its Committees to act with any other Committee appointed by the University Senate.

(4) The Chairperson of the University Council shall be an *ex-officio* member of every Committee of the University Council and where no specific Chairperson is appointed for a Committee the Chairperson of the University Council shall be the Chairperson of that Committee.

(5) In the absence of a Chairperson of a Committee, the members present and constituting a quorum shall elect a temporary Chairperson from among themselves.

*The University Senate and other Academic Bodies.*

University  
Senate.

44. (1) There shall be a Senate for each Public University whose maximum number of members shall be determined by the University Council from time to time, but the *ex-officio* members shall not be reduced.

(2) The Senate shall consist of the following members—

- (a) Vice-Chancellor;
- (b) the Deputy Vice Chancellors;

- (c) Deans and Directors of faculties or schools as may be established within the University;
- (d) representatives of the affiliated and constituent colleges or schools if any, namely—
- (i) the Principal;
  - (ii) the Chairperson of the academic Board; and
  - (iii) a representative of the Academic staff;
- (e) such number of professors and associate professors of the University that the University Council may determine which shall include at least one professor or associate professor from each faculty or school of the University elected by the academic staff of the faculty or school;
- (f) the University Librarian, Bursar, Dean of Students and Secretary;
- (g) such number of the Non-Academic Staff that the University Council may determine to be elected by the Non-Academic Staff;
- (h) two students of the University to be elected by the students in accordance with the Students Union Procedure;
- (i) three persons who are capable of contributing to the academic and social development of the University appointed by the Minister from the public.
- (3) Appointed members of the University Senate shall hold office for a period of three years and shall be eligible for reappointment.

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(4) The Vice-Chancellor shall be the Chairperson of the Senate and shall preside at all meetings of the Senate at which he or she is present and in the absence of the Vice-Chancellor one of the Deputy Vice-Chancellors shall preside.

(5) The Academic Registrar of the University shall be the Secretary to the Senate.

Functions  
and powers  
of the  
Senate.

45. (1) Subject to the provisions of this Act the Senate shall be responsible for the organisation, control and direction of the academic matters of the University and as such the Senate shall be in charge of the teaching, research and the general standards, of education and research and their assessment in the University.

(2) Without prejudice to the generality of subsection (1) the Senate shall—

- (a) initiate the academic policy of the University and advise the University Council on the required facilities to implement the policy;
- (b) direct and regulate the instruction programme and the structure of any degree, diploma or certificate course within the University;
- (c) advise the University Council regarding the eligibility and qualifications of persons for admission to courses leading to the award of degree, diploma, certificate or other award of the University;
- (d) make regulations regarding the content and academic standard of any course of study in respect of a degree, diploma, or certificate or other awards;
- (e) make regulations regarding the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award by the University;

- (f) decide which persons have reached the standard of proficiency and are fit for the award of any degree, diploma, certificate or other awards of the University;
- (g) advise the University Council on the promotion, coordination, control and general direction of research in the University;
- (h) consider and report to the University Council on any matter relating to, or in connection with the academic work of the University.

(3) The Senate may deprive any person of a degree, diploma, certificate or other award of a Public University if after due inquiry it is found that the award was obtained through fraud or dishonourable or scandalous conduct.

(4) A person deprived of an award under subsection (3) may appeal to the University Council against the decision of the Senate.

(5) The Senate may delegate any of its powers or functions to a faculty, school, board of studies or Committee as the Senate may consider fit.

46. (1) The Senate shall meet for the discharge of its functions and exercise of its powers at least three times in an academic year at a time and place that the Senate may decide or as the Vice-Chancellor may require.

(2) The quorum at a meeting of Senate shall be one third of the members of the Senate.

(3) Subject to this section the Senate may regulate its own procedure.

AW DEVELOPMENT CENTRE  
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Procedure  
of the  
Senate.

Honorary  
degree.

47. The Senate may award honorary degrees to persons who have excelled in any sector of life as it may deem fit on the recommendation of an honorary degrees committee established jointly by the Senate and the University Council.

Board of  
Faculties,  
Institutes  
and  
Colleges.

48. (1) Each faculty, institute, college or other academic body shall have a Board consisting of the following—

- (a) the Dean or Director who shall be the Chairperson;
- (b) the Deputy Dean or Director;
- (c) heads of departments within the faculty, institute, college or other body;
- (d) such number of students in the faculty as the Senate may prescribe representing a variety of the courses of study in the faculty;
- (e) such other persons as the Senate may decide;
- (f) a representative of the teaching staff.

(2) The Board of a faculty, institute, college or other academic body shall recommend for adoption by the Senate in relation to the faculty, proposals—

- (a) regulating the attendance of students, the system of courses and lectures and the admission of students in the faculty;
- (b) on the methodology and curricula to be followed taking into account the policy guidelines given by the University Council;
- (c) regulating the procedure and dates of examinations;
- (d) relating to the promotion of teaching, research and writing of papers in the faculty, institute, college or other academic body.

(3) The Board under this section shall meet at least once every month for the discharge of its functions and a meeting shall be held on the request of the Dean or Director or the Deputy Dean or Director at a time and place determined by the Dean or Director.

(4) A decision of the Board of a Faculty, Institute, College or any other academic body on any matter shall be by a majority of the members present and voting and in the case of equality the person presiding shall have a second or casting vote.

(5) The Board may, with the approval of the Senate, determine its own procedure.

49. (1) Each faculty, institute, college or other academic body shall have departments for the various courses of study covered by the faculty, institute, college or other body as the University Council on the recommendation of the Senate may determine.

Department  
of faculties,  
*etc.*

(2) Each department shall have a board composed of the faculty members in that department.

(3) The board of a department may, with the approval of the Board of the Faculty, Institute, College or other body determine its own procedure.

(4) Each department shall, subject to the direction of the Senate and the faculty, institute, college or other academic body—

- (a) deal with its own academic and administrative matters;
- (b) propose study plans and academic decisions to the Dean or Director for approval;
- (c) assign its members to particular curricula courses, lectures, seminars and workshops.

## PART X—STAFF OF A PUBLIC UNIVERSITY.

Appoint-  
ments  
Board.

**50.** (1) There shall be a Committee of the University Council to be known as the Appointments Board.

(2) The Appointments Board shall consist of nine members appointed under section 43.

(3) The Appointments Board shall, except where provided otherwise under this Act, be responsible to the University Council for the appointment, promotion, removal from service and discipline of all officers and staff of the academic and administrative service of the University, as may be determined by the University Council.

(4) The Appointments Board may in the discharge of its functions invite any person to give technical advice in any meeting of the Board.

Staff of a  
Public  
University.

**51.** (1) There shall be three categories of staff in a Public University, namely, the academic staff, the administrative staff and support staff.

(2) The academic staff shall consist of—

(a) Deans of Faculties or Schools;

(b) the Directors of Institutes, College or other academic bodies;

(c) Professors, Associate Professors, Senior Lecturers, Lecturers and Assistant Lecturers appointed on a full-time basis for teaching and research;

(d) University Librarian and other library staff designated as academic members of staff; and

(e) such other persons as the University Council may designate, academic members of staff.

(3) The administrative staff shall consist of persons employed by the University, other than academic staff, holding administrative, professional or technical senior posts established by the University Council for the efficient management and running of the University.

(4) The support staff shall consist of persons employed by the University who are not members of the academic staff or the administrative staff.

52. (1) Subject to the provisions of this Act, academic staff, administrative staff and support staff shall be appointed by the Appointments Board on terms and conditions that may be determined by the University Council in respect of each category of staff.

Appoint-  
ment of  
staff.

(2) All members of staff shall be subject to the general authority of, and responsible to the University Council and the Vice-Chancellor through the immediate relevant authority and, except where it is otherwise provided, be deemed to be on full-time service.

53. (1) A Dean or Director of a faculty, institute, college or other academic body shall be elected by its academic staff from among its senior members of the academic staff in accordance with the procedures proposed by the Senate and approved by the University Council.

Deans and  
Directors.

(2) In the case of a faculty, institute, college or other academic body being established for the first time the Vice Chancellor shall appoint the Dean or Director who shall hold office for a period of two years after which the Dean or Director shall be appointed under subsection (1).

(3) Subject to subsection (2) a Dean or Director shall hold office for a period of four years and shall be eligible for re-election for one more consecutive term.

(4) The Dean or Director shall be responsible for the general supervision and administration for the affairs of the faculty, institute, college or other academic body and as such shall be responsible for the promotion and maintenance of efficient teaching and research in the relevant body.

(5) The faculty, institute, college or other academic body may, by a two thirds majority of its members, recommend to the Vice- Chancellor to forward to the Appointments Board the removal from office of the Dean or Director.

Heads of  
Depart-  
ments.

**54.** (1) The Head of Department in each faculty, institute, college or other academic body shall be elected by the academic staff of the department concerned and recommend to the Appointments Board for appointment.

(2) In the case of a department in the process of being established the Vice Chancellor shall appoint an acting head of that department to hold office for a period of one year after which the Head of Department shall be elected under subsection (1).

(3) The minimum requirement for election to the post of Head of Department shall be the rank of Senior Lecturer.

(4) The Head of Department shall hold office for four years and shall be eligible for re-election for one more consecutive term.

(5) Two-thirds of the academic members of a Department may make a recommendation to the Vice Chancellor to be forwarded to the Appointments Board, to remove the Head of Department from office.

Removal of  
officers and  
employees  
from office.

**55.** (1) If two-thirds of the University Council are satisfied that the Vice-Chancellor or a Deputy Vice Chancellor should be removed from office on the grounds of misconduct or of inability to perform the functions of the office the University Council

shall give notice in writing to the Vice Chancellor or Deputy Vice Chancellor and thereafter on the recommendation of the University Appointments Board, recommend to the Chancellor the removal of the Vice Chancellor or the Deputy Vice Chancellor.

(2) If the Vice-Chancellor, a Dean, the University Librarian, a Director or Head of Department has reasonable grounds for believing that a member of the academic staff, other than the Vice Chancellor or Deputy Vice-Chancellor, for whom he or she has direct responsibility should be removed from office or employment on the grounds of misconduct or failure to perform the functions of the office he or she shall, following consultation with and the agreement of the Vice Chancellor or a Deputy Vice Chancellor or such other person nominated for the purpose by the Vice Chancellor—

- (a) give that person notice in writing including grounds for the removal and the member of staff concerned shall respond in writing;
- (b) in writing, suspend the member in question from office or employment pending investigation;
- (c) refer the matter to the University Appointments Board; and
- (d) request the Secretary of the University Appointments Board to make arrangements for the member to appear before the University Staff Tribunal with respect to the matter.

56. (1) There shall be a University Staff Tribunal consisting of—

University  
Staff  
Tribunal

- (a) a person who is or is qualified to be a High Court Judge, appointed by the Chancellor, who shall be the Chairperson;

- (b) a person representing the University Council elected from among themselves;
- (c) a person representing the Senate elected from among themselves;
- (d) a person nominated by the Ministry of Public Service and appointed by the Vice Chancellor;
- (e) two persons nominated by the Academic Staff Association of the University one of whom shall be a woman;
- (f) two persons from the senior members of the administration staff elected from among themselves.

(2) The term of office of a member of the University Staff Tribunal shall be four years and he or she shall be eligible for re-appointment.

(3) The University Staff Tribunal may require any senior member of staff of the University to assist it in the assessment of any particular case.

(4) The University Secretary shall provide the secretariat to the University Staff Tribunal.

(5) The University Staff Tribunal and Appointments Board shall complete their work within a period of six months from the date from which the suspension of a member of staff takes effect.

**57.** (1) A member of staff may appeal to the University Tribunal against the decision of the Appointments Board within fourteen days after being notified of the decision.

(2) In any appeal under subsection (1) the court may confirm, vary, amend or set aside the decision appealed against or give such decision as the case may require.

Appeal  
against  
decision of  
Appoint-  
ments  
Board.

(3) Where a member of staff has been removed from office or employment by the Appointments Board he or she shall be deemed to be suspended until the expiry of the period allowed for appeal, at which date the removal shall become effective, or, where an appeal has been lodged in time, the suspension shall remain in force until the court determines the appeal.

PART XI—FINANCIAL PROVISION FOR PUBLIC UNIVERSITIES.

58. (1) All the funds, assets and property movable and immovable of a Public University shall be managed and utilised by the University Council in accordance with this Act in such a manner and for such purposes as shall promote the best interest of the University.

Management of property of a Public University.

(2) A University Council may dispose of the immovable property of a University.

59. (1) A Public University may get funding from the following—

Funding of Public University.

- (a) grants or contributions from Central Government as may be appropriated by Parliament;
- (b) voluntary contributions from the District Council within which the Public University is situated;
- (c) grants, contributions, loans and donations acceptable to the University Council;
- (d) University fees;
- (e) any other money that may become payable to the Public University in the discharge of its functions.

(2) A District Council or any other local government may provide financial contribution or assistance to a Public University within its area of jurisdiction for the purpose of improving facilities for higher education within its area of jurisdiction.

(3) The Public University shall not be obliged to accept any grant or donation for a particular purpose unless it approves the purpose and the conditions of the grant or donation.

(4) All moneys of a Public University shall be deposited to the credit of a bank approved by the University Council and shall not be withdrawn except in accordance with the manner provided by the University Council.

(5) A University Council of Public University may, after approval of the Minister invest any of the funds of the University in securities or on deposit at such banks as it may determine.

Borrowing  
powers of  
Public  
University.

**60.** (1) The University Council may, subject to subsection (3), borrow funds required for meeting its obligations and for carrying out its functions.

(2) The University Council may borrow temporarily, by way of overdraft or otherwise, sums of money to be paid within a short period for any urgent requirements in the discharge of its functions.

(3) The Minister responsible for finance in consultation with the Minister responsible for education may, from time to time, prescribe the maximum sum that may be borrowed in respect of the different votes of expenditure of the Public University.

Financial  
year of  
Public  
University.

**61.** The financial year of a Public University shall be the period of twelve months beginning on the 1st day of July, in each year and ending on the 30th day of June, in the year following.

Estimates of  
a  
University.

**62.** (1) The University Council shall, within a period of three months before the end of each financial year, make and submit to the Minister for approval, estimates of the income and expenditure of the Public University for the next ensuing year.

(2) The annual estimates shall include all the income and expenditure of the Public University for that financial year and in particular shall include—

- (a) the payment of all salaries, allowances and other charges in respect of the staff;
- (b) the payment of all pensions, gratuities and other charges regarding retirement benefits payable out of the funds of the University;
- (c) charges for the maintenance of the buildings and other assets of the University, including the repair and replacement of equipment and other movable property of the University;
- (d) the creation of reserve funds for future or contingent liabilities in respect of retiring benefits, insurance or replacement of buildings or equipment, or such other matters as the University Council may deem fit.

(3) No expenditure shall be made out of the funds of the Public University unless the expenditure has been approved by Parliament under the estimates for the year in which such expenditure is to be made or in any other estimates supplementary to it.

63. (1) The University Council shall keep or cause to be kept books of all income and expenditure and proper records in relation to them.

Accounts of  
a  
University.

(2) The University Council shall cause to be prepared at the end of each financial year, a balance sheet and a statement of income and expenditure during the financial year.

64. (1) The accounts of a Public University shall, in respect of each financial year, be subject to audit by the Auditor-General or an auditor appointed by him or her.

Audit for a  
University

(2) The University Council shall ensure that within three months from the end of each financial year, a statement of accounts is prepared and submitted to the Auditor-General for auditing.

(3) The Auditor-General or an auditor appointed by him or her shall be entitled to have access to all books of accounts, vouchers and other financial records of the Public University and to require such information and explanation on them as may be necessary.

(4) The Auditor-General shall audit and deliver to the University Council a copy of the audited accounts together with a report on the accounts not later than three months from the date of receipt of the final accounts by the Auditor-General.

(5) The University Council shall, within one month from receipt of the audited accounts and the Auditor General's report on them, deliver copies to the National Council and the Minister who shall deliver copies to Cabinet and Parliament.

(6) The fee for any auditor not being in the employment of the Government shall be fixed and paid by the University Council with the approval of the Minister.

**PART XII—GENERAL PROVISIONS RELATING TO  
PUBLIC UNIVERSITIES.**

**65.** (1) Contracts on behalf of a Public University shall be made in the following manner—

(a) a contract which if made between private persons would be by law required to be in writing and if made according to any law for the time being in force in Uganda is required to be under seal, may be made on behalf of the University under the common seal of the University;

(b) a contract which if made between private persons, would be by law required to be made in writing, signed by the parties to be charged therewith, may be made on behalf of the University in writing, signed by any person acting under its authority, express or implied;

(c) a contract which, if made between private persons, would be by law valid although made by parol only and not reduced into writing, may be made by parol on behalf of the University by any person acting under its authority.

(2) A contract made according to and under subsection (1) shall be effectual in law and shall bind the University and its successors and all other parties to the contract.

(3) A contract made in accordance with this section may be varied or discharged in the same manner in which it is authorised to be made in this section.

**66.** Any document may be served on the University by leaving it at the University Secretary's Office or sending it by registered post or by electronic means to the University Secretary.

Service of  
documents  
on  
University.

**67.** The University Council shall, within three months after the end of each calendar year, send to the Minister a report on the University activities for that year and the extent to which the objectives of the University are met and the Minister shall lay the report before Cabinet and Parliament.

Annual  
report by  
University.

**68.** (1) Each Public University may have an Academic Staff Association and Administrative Staff Association and a Supporting Staff Association.

Staff  
Association.

(2) All members of academic and administrative and supporting staff shall be eligible to be members of their respective association consequent upon their appointment and taking up their duties.

(3) The Staff Association shall be organised by the staff whose categories are stipulated in this Act.

Students  
Association.

**69.** (1) There may be a students association in each Public University, by whatever name called, which shall be constituted in accordance with statutes made for that purpose by the University Council except that—

(a) the governance of the Students Association shall be guided by a Constitution drawn by the Student body of the University which shall be in conformity with the statutes of the University;

(b) all the students shall be eligible to become members of the Students' Association upon admission to and registration at the University.

Convocation.

**70.** (1) There shall be a Convocation of the University which shall consist of the graduates of the University and members of staff and such other persons as the University Council may authorise.

(2) The Convocation shall exercise such powers and perform such functions as may be conferred on it by the statutes and in particular may meet and discuss any matter within the sphere of competence of the University and transmit recommendations arising out of such discussions to the University Council.

Affiliation  
of Tertiary  
Institution  
to a Public  
University.

**71.** (1) A tertiary institution may, for the purpose of promoting its academic programmes, and with the approval of the National Council, affiliate with a Public University if—

(a) the institutional standards governing the performance, operations and conduct of the institute are acceptable to the University Council of the Public University;

(b) its institutional standards conform to the standards set by the National Council for Higher Education.

(2) An affiliated College, School or Tertiary Institution shall remain a Tertiary Institution under this Act and as such, for all intents and purposes shall—

(a) retain its status, administration and organisational structure as they were before affiliation; and

(b) be independent of the University to which it is affiliated and only depend on the University to the extent agreed upon;

in conformity with this Act, regulations made thereunder and Statutes made and guidelines issued by the University relating to institutions affiliated to it.

(3) A College, School or Tertiary Institution affiliated to a University shall, as may be agreed in relation to awards, conduct courses leading to awards of certificates, diplomas or degrees of that University under standards provided under this Act and Statutes made and guidelines issued by the University and shall in connection with the relevant awards, jointly conduct examinations leading to those awards.

72. A Public University Council may make statutes not inconsistent with this Act for the better carrying out of its functions and, without prejudice to the generality of the foregoing, may provide for—

University  
statutes.

(a) the description of the degrees, diploma, certificates and other awards of the Public University;

(b) requirements for the awards of degrees, diplomas, certificate and other awards;

(c) the description and requirements for award of honorary degrees;

- (d) the conduct of examinations;
- (e) University fees;
- (f) procedure for appointment of staff, the terms and conditions of service including discipline, salary and retirement benefits of members of all categories of staff;
- (g) membership, functions and privileges of committees and boards established under this Act or by the university council;
- (h) the academic organisation of the university including admission to the university, courses of study, duration and number of academic terms;
- (i) the grant of scholarship, bursaries and other grants, if any, and their revocation;
- (j) anything that is required to be prescribed under this Act or which needs to be provided for.

Repeal and saving of Acts, 32 of 1970, Statute No. 9 of 1991, Statute No. 6 of 1992, Statute No. 14 of 1992.

**73.** (1) The Makerere University Act, 1970, the Mbarara University of Science and Technology Statute 1989, the Uganda Management Institute Statute, 1992, and the Institute of Teacher Education Kyambogo Statute, 1993, are repealed.

(2) Notwithstanding subsection (1) any regulations and statutes made under the Act or Statutes repealed shall remain in force until revoked under this Act or until replaced by new ones made under this Act.

(3) Notwithstanding subsection (1) any acts, appointments or programmes made or started under the Acts or Statutes repealed shall continue into existence as if they were made under this law or until they expire.

74. (1) All assets and property which were vested in the university councils established under the repealed Act or Statutes shall, on the commencement of this Act respectively vest in the relevant University Council established under this Act without any further appropriation.

Vesting of  
Assets and  
liabilities.

(2) All liabilities, court actions or contract incurred or enforceable by or against the University Councils established under the repealed Act and Statutes shall, from the commencement of this Act be enforceable by or against the respective University Councils established under this Act.

(3) All employees and staff of Makerere University or Mbarara University of Science and Technology or the Uganda Management Institute or the Institute of Teacher Education Kyambogo shall be deemed to have been engaged under this Act and shall continue in office until removed under this Act.

(4) All students of Makerere University and Mbarara University of Science and Technology and the Uganda Management Institute and the Institute of Teacher Education Kyambogo who were admitted to those Universities under the repealed Act or Statutes respectively shall continue to be students of their respective Universities under this Act.

*DIVISION FOUR—PUBLIC INSTITUTIONS OF HIGHER  
EDUCATION OTHER THAN UNIVERSITIES.*

*PART XIII—ESTABLISHMENT AND MANAGEMENT OF PUBLIC  
TERTIARY INSTITUTIONS.*

75. (1) The National Council shall, from time to time formulate a Development Plan for the expansion of Public Tertiary Institutions consistent with the National Plan for Economic and Social Development of the country.

Establish-  
ment of  
Public  
Tertiary  
Institution.

(2) The Minister shall, on the advice of the National Council, by statutory instrument establish a Public Tertiary Institution in any place in Uganda.

(3) An instrument made under subsection (2) shall be laid before Parliament.

(4) The Minister may on the recommendation of the National Council, and with the approval of Parliament upgrade a Tertiary Institution to a Public University.

Functions of  
a Public  
Tertiary  
Institution.

**76.** The functions of a Public Tertiary Institution shall be—

- (a) to provide full-time or part-time courses of study and training in such fields of applied learning and research as the Minister may specify in the instrument establishing the institution;
- (b) to arrange and organise conferences, seminars, workshops and study groups in its fields of operation;
- (c) to perform such other functions as may be directed by the Minister on the advice of the National Council in the promotion of higher education.

Governing  
Council.

**77.** (1) There shall be established for each Public Tertiary Institution a Governing Council which shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its name.

(2) The Governing Council shall consist of —

- (a) a Chairperson;
- (b) one person representing Public Universities;
- (c) two persons having made personal contributions to the development of agriculture industry, technology, education or commerce in Uganda, one of whom shall be a woman;
- (d) a representative of the relevant professional body to the Tertiary Institution;

- (e) a representative of the District Council in which the Tertiary Institution is situated;
- (f) the Principal and Deputy Principal of the Tertiary Institution;
- (g) a representative of the Ministry responsible for Higher Education;
- (h) a representative of the Ministry responsible for the field of study undertaken by the Tertiary Institution;
- (i) two representatives of the academic staff of the Institution one of whom shall be a woman;
- (j) a representative of the non-teaching staff of the Tertiary Institution;
- (k) three representatives of the Student's Association one of whom shall be a woman;
- (l) a representative of the alumina of the Tertiary Institution.

(3) The Principal shall be the Secretary to the Governing Council.

(4) The Chairperson of the Governing Council shall be appointed by the Minister from three names forwarded by the Council from among themselves.

(5) A member of the Governing Council other than the Principal and Deputy Principal shall hold office for a period of three years if he or she still represents the relevant sector for which he or she was appointed and shall be eligible for re-appointment.

(6) A member of the Governing Council may be paid allowances that may be determined by the Governing Council with the approval of the Permanent Secretary.

(7) A member of the Governing Council may resign the office by writing under his or her hand addressed to the Permanent Secretary.

(8) Where a vacancy occurs in the membership of the Governing Council the Permanent Secretary may appoint another person in that place who shall hold office for the remaining period of the person vacating office.

(9) Any vacancy on the Governing Council shall not affect the proceeding of the Governing Council in which a quorum is realised or any decision made in that proceeding.

Functions  
and powers  
of Council.

**78.** (1) The Governing Council shall be the governing body of the Public Tertiary Institution and shall exercise the general management of the affairs of the Tertiary Institution and exercise general control of the property of the institution.

(2) A Governing Council may acquire and hold movable or immovable property as may be necessary for carrying into effect the provisions of this Act and may sell, lease, mortgage or dispose of any property.

Meetings of  
the Council.

**79.** (1) The Governing Council shall meet at least once in three months for the discharge of its functions.

(2) The chairperson shall preside at all meetings of the Governing Council and in the absence of the chairperson the members present shall elect one of their number to preside.

(3) Subject to the provisions of this section the Governing Council shall regulate its own procedure.

Committees  
of the  
Council.

**80.** (1) The Governing Council may appoint such committees for the efficient functioning of the Governing Council as it may deem necessary, and without prejudice to the generality of the foregoing, the Governing Council shall have the following committees—

(a) the Appointments Committee;

(b) the Student's Affairs Committee;

- (c) the Planning and Development Committee; and
- (d) the Finance Committee.

(2) The Governing Council may delegate any of its functions or powers to any committee.

(3) The Governing Council shall prescribe the powers, duties and procedure and other terms and conditions of service of the committees appointed under this section.

(4) Any committee shall include among others, representatives of the Academic Staff Association, the Students Association and the Non-teaching Staff.

**81.** (1) There shall be an Academic Board for each Public Tertiary Institution which shall consist of—

Academic  
Board.

- (a) the Principal, who shall be the chairperson;
- (b) the Deputy Principal who shall be the vice chairperson;
- (c) the heads of departments in each faculty;
- (d) at least two members elected by the Academic Staff Association;
- (e) such other members as the Academic Board may decide.

(2) The registrar shall be the Secretary of the Academic Board but shall not vote on any matter at any meeting of the Academic Board.

(3) The Academic Board shall, subject to the provisions of this Act have the following powers and duties—

- (a) to satisfy itself regarding the content and academic standard of any course of study in respect of any award of the Tertiary Institution and report to the Governing Council;
- (b) to initiate proposals relating to the conduct of the institution generally, and to discuss any matter relating to the institution and to make submission to the Governing Council;
- (c) to propose regulations to be made by the Governing Council regarding the eligibility of persons for admission to any course of study provided by or under the supervision of the institution;
- (d) to propose regulations to be made by the Governing Council regarding the standard of proficiency to be gained in each examination for any award;
- (e) to decide which persons have reached the standard of proficiency referred to in paragraph (d) and fit for any award;
- (f) to initiate, prepare, evaluate and submit academic programmes for the institution.

Meetings of  
the  
Academic  
Board.

82. (1) Unless the Academic Board otherwise determines and subject to the provisions of this Act, meetings of the Academic Board shall be held at least once in three months at such place and time as the chairperson of the Academic Board may appoint.

(2) The chairperson of the Academic Board may at any time call a meeting of the Academic Board and shall call a meeting within ten days of receipt of a requisition for that purpose addressed to him or her and signed by half of all the members of the Academic Board.

(3) Every question before the Academic Board shall be decided by a simple majority of the members present and in case of an equality of votes the person presiding shall have a casting vote.

(4) Subject to this Act the Academic Board may regulate its own procedure.

PART XIV—OFFICERS AND STAFF OF A PUBLIC  
TERTIARY INSTITUTION.

83. (1) Each Public Tertiary Institution shall have a principal and deputy principal who shall be appointed by the Education Service Commission on terms and conditions that the Commission may determine.

Principal of  
a Public  
Tertiary  
Institution.

(2) The Principal shall be the chief academic and administrative officer as well as the accounting officer of a Public Tertiary Institution.

(3) The Principal shall hold office for a period of five years and shall be eligible for reappointment.

84. (1) There shall be a Secretary to each Public Tertiary Institution who shall be responsible for the day to day administration of the institution and shall perform such other functions as the Governing Council or the Principal may assign.

Secretary,  
Registrar  
and Bursar.

(2) There shall be a Registrar who shall be Secretary to the Academic Board and its Committees.

(3) There shall be a Bursar for each Public Tertiary Institution who shall be responsible to the Principal.

85. The Secretary, Registrar, the Bursar, and other senior administrative officers and the academic staff shall be appointed by the Education Service Commission on the recommendation of the Appointments Committee through the Governing Council.

Appoint-  
ment of  
other  
officers.

Appoint-  
ment of  
other staff.

**86.** (1) The chairperson of the Governing Council shall be the chairperson of the Appointments Committee.

(2) Subject to section 85 the Academic Staff, the Administrative Staff and any other employees shall be appointed by the Appointments Committee.

(3) All members of staff and employees shall be responsible for the Principal through the proper administrative channels.

Disciplinary  
procedure.

**87.** (1) The Governing Council may, in consultation with the Education Service Commission make regulations for the discipline of staff and other employees of the Tertiary Institution, as well as the students of the Institution as it may deem fit.

(2) The Principal may, in case of misconduct by a member of staff, which in the opinion of the Principal, is prejudicial to the interests of the Tertiary Institution, suspend the member and any such suspension shall forthwith be reported to the Governing Council.

(3) The Appointments Committee shall in consultation with the Governing Council institute an investigating sub-committee to investigate a member of staff who has been suspended and accused of gross misconduct or inefficiency and report within twenty one days after its institution; and if the Committee, after considering the report of the investigating sub-committee, is satisfied that the person in question should be removed, the Committee may so recommend to the Education Service Commission.

(4) Any member of staff may be suspended from office by the Appointments Committee for good cause which shall include—

(a) any physical or mental incapacity which, on medical advice, renders the officer or employee unfit for the discharge of the functions of his or her office;

- (b) conduct of a scandalous or other disgraceful nature which renders the person unfit to continue to hold his or her office; or
- (c) conduct which constitutes failure or inability of the person concerned to discharge the functions of his or her office or to comply with the terms and conditions of service.

(5) The Governing Council shall, report the suspension to the Education Service Commission within a period of thirty days.

(6) Any person suspended under this section shall be paid half pay until decision is taken by the Education Service Commission.

PART XV—FINANCIAL PROVISIONS FOR PUBLIC  
TERTIARY INSTITUTIONS.

88. (1) The funds of a Public Tertiary Institution shall include—

Funds of a  
Public  
Tertiary  
Institution.

- (a) revenue from time to time accruing to the Institution from the Government by way of subvention; grant-in-aid, endowment or otherwise;
- (b) fees charged by and payable to the Institution by the students;
- (c) any other amounts due to or recoverable by the Institution;
- (d) donations and legacies accruing to the Institution for the special purpose of the Institution.

(2) Donations of money to be applied to any purpose shall be placed to the credit of a special reserve account approved by the Governing Council until such time as they may be expended in fulfilment of that purpose.

(3) An Institution shall not be obliged to accept a donation for a particular purpose unless it approves of the conditions attached to the donation.

(4) All sums of money received by an Institution shall be paid into a bank account on the credit of the Institution as may be approved by the Governing Council.

(5) An Institution may invest any of its moneys which are not immediately required for the operations of the Institution.

(6) The Governing Council shall, within three months from the beginning of the financial year, in each year prepare and submit to the Minister an annual report of its activities during the preceding financial year and shall include in it the audit accounts of the tertiary institution in respect of the financial year and the Audit Report.

Financial  
Year for  
Tertiary  
Institution.

89. The financial year of a Public Tertiary Institution shall be the twelve months beginning from the 1st day of July and ending on the 30th day of June.

Estimates of  
a Public  
Tertiary  
Institution.

90. (1) The Governing Council shall, within a period of three months before the end of each financial year, make and submit to the Minister for approval, estimates of the income and expenditure of the institute for the next ensuing year.

(2) The annual estimates shall include all the income and expenditure of the Institution for that financial year and shall include—

- (a) payment of all salaries, allowances and other charges in respect of the staff;
- (b) payment of pensions, gratuities and other charges regarding retirement benefits payable out of the funds of the Institution;

- (c) charges for the maintenance of the buildings and other assets of the Institution including the repair and replacement of equipment and other movable property of the Institution;
- (d) the cost of teaching and research activities in the Institution, a reserve fund for future contingent liabilities in respect of retiring benefits, insurance or replacement of buildings or equipment, or other matter as the Governing Council may consider fit.

(3) No expenditure shall be made out of the funds of the Institution unless the expenditure has been approved by the Minister under estimates for the year in which the expenditure is to be made or in any other estimates supplementary there to.

**91.** (1) The Governing Council shall keep proper books of accounts and prepare the annual financial statements of accounts for the period immediately preceding the financial year not later than the 30th day of June.

Accounts  
and Audit  
of Public  
Tertiary  
Institution.

(2) The statement of accounts of the Institution shall, in respect of each year, be audited by the Auditor-General or an auditor appointed by the Auditor-General.

(3) The Governing Council shall ensure that within four months from the end of each financial year, a statement of accounts of the Institution is submitted to the Auditor General for auditing.

(4) The Auditor General or an auditor appointed by him or her shall be entitled to have access to all books of accounts, vouchers and other financial records of the institution and to require any information and explanation as he or she requires.

(5) The Auditor-General shall audit and deliver to the Governing Council a copy of the audited accounts together with his or her report on the accounts not later than three months from the date of receipt of the final accounts.

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(6) The Governing Council shall within one month from receipt of the audited accounts and the Auditor-General's report on it, deliver a copy to the Minister who shall present them to Parliament.

(7) The fee for any auditor not being in the employment of the Government shall be fixed and paid by the Governing Council.

PART XVI—OTHER MATTERS RELATING TO PUBLIC  
TERTIARY INSTITUTIONS.

Students'  
Association

92. (1) There shall be a Students' Association which shall be constituted in accordance with regulations made for that purpose by the Governing Council.

(2) The Students' Association may make its own Constitution with the approval of the Governing Council.

Academic  
Staff  
Association  
for Tertiary  
Institution.

93. (1) There shall be an Academic Staff Association whose aims shall be to promote the academic and welfare interest of the Academic Staff.

(2) The Academic Staff Association may make its Constitution with the approval of the Governing Council.

Seal of a  
Tertiary  
Institution.

94. (1) A Tertiary Institution shall have a common seal which shall be such device as the Governing Council may determine.

(2) The common seal of the Institution shall not be used or affixed to any document except in pursuance of resolution duly passed at a properly constituted meeting of the Governing Council and recorded in the minutes of that meeting.

(3) The fixing of the seal of the Institution shall be authenticated by the signature of the Chairperson of the Governing Council and one other member authorised generally or specifically for that purpose.

*Universities and Other Tertiary  
Institutions Act*

Act 7

2001

(4) Any document purporting to be a document duly executed under seal of the Tertiary Institution shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

95. (1) By virtue of this Act, all property movable and immovable held by or on behalf of any existing Public Institution shall, as from the commencement of this Act be vested in the new Institution established under this Act.

Transitional  
Provision  
for Public  
Institutions.

(2) Upon the commencement of this Act—

(a) the rights, interest, obligations and liabilities of a Public Tertiary Institution existing before the commencement of this Act under any contract or instrument, or at law or in equity shall by virtue of this Act, be assigned to and vested in the new Institution under this Act;

(b) any such contract or instrument as is mentioned in paragraph (a) shall be of the same force and effect against or in favour of the new Institution and shall be enforceable.

*DIVISION FIVE—PRIVATE UNIVERSITIES AND OTHER  
INSTITUTIONS OF HIGHER EDUCATION.*

PAT XVII—ESTABLISHMENT OF A PRIVATE UNIVERSITY.

96. (1) A person, firm or organisation proposing to establish and operate a Private University or a post-secondary institution proposing to constitute itself into a private university may, in a prescribed form, make an application to the National Council for Higher Education for a provisional licence to establish and operate a University.

Application  
to establish  
and operate  
a Private  
University.

(2) An application made under subsection (1) shall be accompanied by—

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- (a) the proposed name, physical location and academic character of the University;
- (b) the aim and objectives for which the University is to be established;
- (c) the detailed financial base of the proposed University;
- (d) the form of governance through which the academic and administrative affairs of the University are to be conducted;
- (e) an outline of the academic programmes intended to be conducted by the University;
- (f) the academic facilities including library services and property equipment proposed for the academic programme and the manner in which they are to be maintained;
- (g) existing or proposed human resources including academic and senior administrative staff;
- (h) existing or proposed physical infrastructure;
- (i) financial control and administration;
- (j) the timetable indicating the steps to be taken for the years after establishment of the University towards the realisation of the objects of the University.

(3) The National Council shall, on receipt of an application under this section organise a meeting or series of meetings with the applicant to verify the resources and information given with the application.

(4) A detailed report of the findings of the National Council under subsection (3) shall be submitted to the Minister.

97. (1) On being satisfied that—

- (a) the resources declared are available or are likely to be established;
- (b) the applicant is following realistic plans to achieve the objects of the University;
- (c) the University is likely to attain and maintain the academic standards set by the National Council; and
- (d) the establishment of that University is in the interest of the public in relation to higher education;

the National Council may issue a provisional licence to the applicant to establish and operate a Private University according to the resources and information attached to the application.

(2) The name and particulars of a Private University issued with a provisional licence shall be published in the *Gazette* by the National Council.

(3) A provisional licence shall be valid for at least three years from the date of publication of the University in the *Gazette*, within which period the National Council shall be monitoring the University to establish its viability for accreditation.

98. (1) The National Council may—

- (a) refuse a provisional licence if it is satisfied that the applicant is unlikely to procure the academic, physical or other resources necessary for the operation of the university;
- (b) by notice published in the *Gazette*, and public print media notify the University of the intention to suspend or revoke a provisional licence if two years after the issue of the licence no substantial

Provisional  
licence for a  
Private  
University.

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Refusal,  
suspension  
or  
revocation  
of a licence.

progress is made to establish the university or if established it is unable to meet the standards set for Universities.

(2) On the suspension or revocation of a licence the National Council shall indicate the failure of the University and the steps required to rectify the failure.

(3) Where a provisional licence is refused or revoked, no application shall be entertained by the Council within two years from the refusal or revocation of the licence.

(4) The suspension or revocation of a licence under this section shall not affect the validity or other status of any certificate, diploma, degree or other academic award granted by the University in question when still under provisional licence.

99. (1) A Private University issued with a provisional licence shall prepare and submit to the National Council—

- (a) a report of its activities in each year of operation; and
- (b) a detailed evaluation of its activities and steps taken towards the achievement of the objects for which it was established and the national institutional standards prescribed by the National Council after three years of its operation.

(2) The National Council shall discuss all reports submitted under subsection (1) and may make comments on them or give the University such instructions as it may deem fit.

100. (1) Any Private University, being a holder of provisional licence, and having been a holder for not less than three years may apply to the National Council for the grant of a Charter and accreditation.

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Report on evaluation under provisional licence.

Application for grant of a Charter and accreditation.

(2) An application for the grant of a Charter shall, in addition to any other details that the National Council may in each case specify, be accompanied by—

- (a) all information required for application of a provisional licence;
- (b) a draft Charter;
- (c) a list and academic qualifications of the academic staff and senior administrative staff on full-time employment of the Private University;
- (d) a list of the total number of students that have been enrolled in each programme of instruction being offered at the Private University;
- (e) library facilities, including the size, quality and equipment provided in each programme of instruction by the library;
- (f) a statement of the financial resources available for the exclusive use of the university, certified by a qualified accountant;
- (g) an inventory of the physical facilities, including land, available for the exclusive use of the University;
- (h) the names of the proprietors of the University.

**101.** (1) If the evaluation report under section 99 indicates that the National Council is satisfied with the progress of the Private University and the design, implementation and maintenance of the academic and administration system conform to the prescribed institutional standards, the National Council shall appoint an Inspection Committee to make—

- (a) an inquiry and ascertain the veracity of the information submitted under section 99;
- (b) an inquiry into the academic, administrative and social affairs of the Private University;

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Recommendation for accreditation.

(c) such other inquiry and investigation as may be relevant to the application under section 100.

(2) The Inspection Committee shall submit to the National Council a report on the Private University within six months from the date of its appointment.

(3) If after consideration of the report of the Inspection Committee and any other relevant matter, the National Council is satisfied that—

(a) the Charter of the Private University forms a sound basis for the academic, administrative and social organisation of the University; and

(b) the Private University has effectively organised adequate human, physical, financial and other necessary resources capable of achieving the prescribed institutional standards,

it shall recommend to the Minister that the university be accredited.

(4) The Minister shall take appropriate action after the recommendation of the National Council under subsection (3) within three months from the date of the recommendation.

(5) If after consideration of the report of the Inspection Committee and any other relevant matter, the National Council is not satisfied with the findings, the National Council shall inform the University and the Minister about the shortfalls in the expectations and give reasons for not recommending the granting of a Charter.

**102.** (1) The Minister shall, within ninety days from the date of receipt of a recommendation under section 101 submit the application and the recommendation to the President.

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Granting of  
Charter to a  
Private  
University.

(2) The President shall grant a Charter in the form submitted by the applicant with the application to the relevant University.

(3) The Minister shall, as soon as is practicable after the granting of the Charter, by legal notice publish the Charter in the *Gazette* and public print media.

**103.** On the publication of a Charter under section 102, the Private University to which the Charter is granted shall be—

Effect of  
Grant of  
Charter and  
accreditation.

- (a) accredited and certificates, diplomas, degrees and other academic awards by the University shall be recognised as of comparable and equivalent merit with those of other accredited and Public Universities in Uganda;
- (b) a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name and may for and in connection with its objects and functions—
- (i) purchase, hold, mortgage and dispose of any property whether movable or immovable.
- (ii) enter into any contract or transaction as may be expedient; and
- (iii) do or suffer any other act or thing as bodies corporate may lawfully do or suffer;
- (c) registered by the National Council.

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PART XVIII—OTHER MATTERS RELATING TO  
PRIVATE UNIVERSITY.

**104.** A Private University's Charter to be submitted with the application under this Act shall include—

Private  
University  
Charter.

- (a) the name of the University;

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- (b) location of the University;
- (c) object and functions of the University;
- (d) membership of the University;
- (e) administrative and academic structures and authorities of bodies within the structure including Council or Board, faculties, Departments and others;
- (f) officers of the University;
- (g) the method of appointing and disciplining employees;
- (h) functions of the different bodies and officers of the Private University;
- (i) method of admission of students;
- (j) students' participation in University operations;
- (k) source of funding;
- (l) financial administration;
- (m) the extent to which and the form in which regulations may be made for the better functioning of the University;
- (n) any other matter that may be relevant to the operations of the University.

Officers of a  
Private  
University.

**105.** A Private University shall have persons designated officers of the University as may be specified in its Charter.

Membership  
of a Private  
University.

**106.** A Private University shall have the membership specified in its Charter.

Governing  
body of a  
Private  
University.

**107.** There shall be a governing body for each Private University whose composition, powers and duties shall be specified in its Charter.

108. (1) A Private University shall have a supreme academic body, whose composition, functions and powers shall be specified in its Charter.

Academic structure of a Private University.

(2) A Private University shall have such faculties, schools, institutes or centres and such departments established as may be specified in its Charters.

109. A Private University shall prepare and submit to the National Council, an annual report on the operations and progress of the University including—

Annual report, audited accounts of Private University.

(a) a detailed evaluation of its academic activities and the extent to which the prescribed institutional standards are met;

(b) a statement of the assets and liabilities of the University and its audited accounts.

110. (1) The President may, on the recommendation of the National Council, through the Minister, revoke a charter issued under this Act if—

Revocation of a Charter.

(a) it is evident that the Private University is not carrying on its functions in a proper manner;

(b) the University is in breach of its Charter;

(c) it is in the interest of University education generally to revoke the charter.

(2) Where a Charter is revoked under subsection (1), the Minister shall, as soon as practicable, by legal notice, publish the revocation in the *Gazette* and thereafter the Private University shall cease to be a University at the expiry of one year from the date of the legal notice.

(3) The revocation of any Charter shall not affect the validity or other status of any certificate, diploma, degree or other academic

award granted by the University in question when still a recognised University under this Act.

Constituent colleges and affiliation to a Private University.

**111.** (1) A Private University may, with the approval of the National Council—

- (a) establish any college or institution as a Constituent College of the University;
- (b) with the approval of the institution, declare a Private Tertiary Institution as a Constituent college of the University.

(2) The provisions of subsections (2), (3), (4) and (5) of section 29 shall apply to a Constituent College under this section with such modifications as may be necessary in relation to a Private University.

(3) The provisions of section 71 shall apply to Tertiary Institutions wishing to affiliate with a Private University under this Act.

#### PART XIX—ESTABLISHMENT OF PRIVATE TERTIARY INSTITUTIONS.

Application for a provisional licence by Tertiary Institution.

**112.** (1) Any person, firm or organisation wishing to establish a Private Tertiary Institution shall make an application in writing, in a prescribed form to the National Council for a provisional licence to establish and operate a Tertiary Institution.

(2) An application made under subsection (1) shall be accompanied by a project proposal containing the following—

- (a) the name of the Private Tertiary Institution and the physical location;
- (b) the aims and objects for which the Private Tertiary Institution is to be established;

- (c) the membership and governance of the Private Tertiary Institution;
- (d) sources of funding;
- (e) the academic staff and Senior Administrative staff;
- (f) the extent to which, and the form in which regulations may be made by the governing body of the Private Tertiary Institution as may be specified for the better functioning of the Institution;
- (g) the financial control, expenditure and administrative control of other property of the Private Tertiary Institution.
- (h) an outline of the academic programmes to be offered;
- (i) the accessible physical facilities available including library services and equipment.

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(1) On receipt of the application for a provisional licence to establish a Private Tertiary Institution, the National Council shall scrutinise the application and verify the resources specified with the application shall issue a provisional

Provisional  
licence for  
Private  
Tertiary  
Institution

(2) The National Council shall, as soon as practicable after issuing a provisional licence under this section, by legal notice publish the Private Tertiary Institution in the *Gazette*.

(3) A provisional licence shall be valid for a period of two years from the date of publication of the Institution.

(4) Any Tertiary Institution being a holder of a provisional licence for a period of not less than two years may apply to the National Council for a certificate of classification and registration.

Application  
for  
certificate of  
classification  
and  
registration.

(2) An application under this section shall be accompanied by a project proposal containing in addition to the information given in the application for provisional licence, the following—

- (a) the name of the Tertiary Institution and physical location;
- (b) the type and range of Tertiary Education proposed to be or being provided;
- (c) the programmes to be or being offered;
- (d) the staff list and their qualifications, indicating whether on full-time or part-time employment;
- (e) the total number of students that have been enrolled in each programme of instruction being offered;
- (f) availability of library, equipment and laboratories developed for each programme offered;
- (g) a statement of financial resources available for the exclusive use of the Tertiary Institution;
- (h) an inventory of physical facilities, including land available for the exclusive enjoyment of the Tertiary Institution;
- (i) the form of governing of the Tertiary Institution.

Grant of  
Certificate  
of Classifi-  
cation and  
Registration

**115.** (1) If after a period of one year from the date of receipt of the application, the National Council is certified that a Tertiary Institution provisionally licensed is properly administered and organised and has attained the required standards of instruction the National Council shall issue a certificate of classification and registration.

(2) The National Council shall, as soon as practicable after issuing a Certificate of Classification and registration, by legal notice publish the Certificate in the *Gazette*.

116. On the publication of the certificate of classification and registration in the *Gazette* the Tertiary Institution to which the certificate is granted shall be—

Effect of  
Publication  
of a  
certificate  
of classifi-  
cation.

- (a) recognised and the certificate, diplomas and other academic awards granted by the institution shall be recognised as of comparable and equivalent merit with those of other recognised private and Public Tertiary Institutions in Uganda; and
- (b) be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name and may for and in connection with its objects and functions—
  - (i) purchase, hold, mortgage and dispose of any property whether movable or immovable;
  - (ii) enter into any contract or transaction as may be expedient; and
  - (iii) do or suffer any other act or thing as bodies corporate may lawfully do or suffer;
- (c) be registered by the National Council.

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117. (1) The National Council may, after satisfying itself that a Private Tertiary Institution—

Revocation  
of a  
provisional  
licence or  
Certificate  
of Classifi-  
cation.

- (a) is not carrying out its functions in a proper manner;
- (b) no longer fulfills the minimum requirements pertaining to physical infrastructure, staffing, qualifications of staff and facilities necessary for carrying out instructions in the programmes intended for the institution;
- (c) is being conducted or managed in contravention of the standards of instruction;

(d) has ceased to function as a Tertiary Institution; or

(e) its management has become unsatisfactory;

in the case of a provisionally licensed institution, extend the provisional licence for a period not exceeding one year, or revoke the licence, and in the case of a classified institution, revoke the certificate.

(2) The National Council shall give at least six month's notice to the Institution of the intention to revoke a provisional licence or certificate, giving reasons for the same.

*DIVISION SIX—MISCELLANEOUS PROVISIONS RELATING  
TO INSTITUTIONS OF HIGHER EDUCATION.*

*PART XX—PROVISIONS FOR THE REGULATIONS OF  
INSTITUTIONS OF HIGHER EDUCATION.*

**118.** (1) No person shall establish and operate a University or Tertiary Institution without the relevant provisional licence, charter or certificate granted under this Act.

(2) Any person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of not less than fifty currency points.

(3) One currency point shall be equivalent to the amount specified in the Schedule to this Act.

(4) The Minister may, by statutory instrument after consultation with the Minister responsible for finance revise the value of one currency point.

(5) For the avoidance of doubt the payment of a fine under subsection (2) shall not in itself legalise the existence of a relevant institution.

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Operating  
Institution  
Contrary to  
this Act an  
Offence.

119. No University or Tertiary Institution shall employ a lecturer, instructor or other person recruited for the purpose of teaching or giving instructions to students whose qualifications do not conform to the standards set by the National Council by regulations.

Qualification of lecturers.

120. The language of instruction in Universities or Tertiary Institutions shall be the official language of Uganda but any other language may be used as a medium of instruction in accordance with clause (2) of article 6 of the Constitution.

Language of Instruction.

121. Subject to clause (1) of article 32 of the Constitution, and section 28 of this Act, Universities or Tertiary Institutions shall admit, train and assess students on merit.

Admission and assessment to be on merit.

122. (1) Any University or Tertiary Institution wishing to change its name or part of its name shall do so by application in writing to the National Council which shall by general notice publish the application in the *Gazette* and in a widely circulated newspaper inviting any body having any objection to the change to present the objection to the National Council within thirty days from the date of publication.

Change of name of Institution.

(2) If after the period of thirty days referred to in subsection (1) no objection is received by the National Council—

(a) the application shall be granted by the Minister, in the case of a Tertiary Institution;

(b) in the case of a University, the application shall be forwarded to the President through the Minister, who shall grant the application.

123. (1) The National Council shall, by regulations set institutional standards governing the performance, operations and general conduct of Universities and Tertiary Institutions.

Institutional standards.

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(2) Without prejudice to the generality of subsection (1) the National Council may set—

- (a) the minimum entry requirements for admission to any certificate, diploma or degree programmes of any University or Tertiary Institution;
- (b) the minimum number and duration of programmes for certificate, diploma or degree levels to be offered by Universities or Tertiary Institutions;
- (c) the minimum and maximum number of students which must be enrolled in each programme before the University or Tertiary Institution can be registered;
- (d) the standards of proficiency assessed in terms of content and contact hours, which students are expected to attain in respect of a certificate, diploma, or degree programme;
- (e) the qualifications of lecturers, instructors and other persons involved in teaching or giving instructions at University or Tertiary Institutions;
- (f) detailed specifications concerning the space requirements and concomitant services for each class size and for the absolute number of students expected to be enrolled in, or activity to be carried out in an institution providing University or Tertiary Institution and other services;
- (g) the basic ethical standards regulating the conduct of all members of the University or Tertiary Institution; and
- (h) any other provision that the National Council may consider necessary for setting a good standard in the Universities or Tertiary Institutions, including standards for equating institutions outside Uganda to those in Uganda.

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**124.** (1) The National Council shall adopt a system of classification of Tertiary Institutions according to the type of tertiary education being provided or programmes being offered by the institution and all Tertiary Institutions whether private or public shall be registered according to their classification.

Classification of Tertiary Institution.

(2) The classification made under subsection (1) may be amended and where amended the Register shall be amended accordingly.

**125.** The National Council shall maintain or cause to be maintained—

Registers of Universities and Tertiary Institutions.

(a) a register of all Universities established under this Act in a prescribed form;

(b) a register for all registered Tertiary Institutions established under this Act in the prescribed form which shall be kept by the National Council for Higher Education having a separate register for the separate Classifications.

**126.** Every University or Tertiary Institution shall submit an annual report to the National Council and the Minister in a prescribed form, setting out the activities of the institution in that year and its achievement towards its objectives and the set institutional standards.

Annual Report.

**127.** A University shall endeavour to include in its teaching and research programmes, solutions to social and economic problems in the community.

Teaching to include practical solutions.

**128.** The National Council may, with the approval of the Minister make regulations generally for the better carrying into effect the provisions of this Act including the fixing of the minimum fees to be paid for the services of the National Council and prescribing anything to be prescribed under this Act.

Regulations.

Rights of  
appeal.

**129.** Any person or institution aggrieved by an act or decision of the National Council under this Act may appeal to the High Court within thirty days from the date of the decision or act.

PART XXI—TRANSITIONAL PROVISIONS.

General  
Repeal.  
Statute No.  
8 of 1990.  
Statute No.  
14 of 1998.

**130.** (1) For the avoidance of doubt any Act or other law establishing a University or Tertiary Institution other than the law establishing the Islamic University in Uganda and the Uganda National Institute of Special Education is repealed.

(2) Notwithstanding subsection (1) any regulations, statutes, actions, appointments or programmes made under any Act or other law repealed under subsection (1) shall continue in force as if it were made under this Act until revoked, replaced or expires under this Act.

Existing  
institutions.

**131.** (1) A University or Tertiary Institution operating before the commencement of this Act shall—

- (a) where it was established by law, apply for a Charter or Certificate of Classification within twelve months from the date of commencement;
- (b) where it was operating under a valid provisional licence, continue to operate under that licence and shall apply for a Charter or Certificate of Classification at the appropriate time as provided under this Act;
- (c) where it was operating without a valid provisional licence, apply for a provisional licence within twelve months from the date of commencement.

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(2) Where, at the commencement of this Act, a University or Tertiary Institution had a valid provisional licence but had not started operating, the licence shall expire and the University or Tertiary Institution shall be required to apply for a provisional licence under this Act.

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(3) The National Council shall, after the period of twelve months or such other period referred to under subsection (1), prepare and publish by legal notice in the *Gazette* the registers of all Universities and Tertiary Institutions registered and recognised at the time.

(4) After the publication of the Universities and Tertiary Institutions under subsection (2) a University or Tertiary Institution which does not appear in those registers shall not without the authority of the National Council under this Act—

- (a) advertise or continue to advertise or in any manner hold itself out to the public as a University or Tertiary Institution;
- (b) admit or continue to admit students to courses or programmes or conduct courses or programme leading to awards of certificates, diplomas or degrees; or
- (c) establish or operate a University or Tertiary Institution.

(5) Notwithstanding the provisions of this Act, the Islamic University in Uganda and the Uganda National Institute of Special Education shall be recognised and registered by the National Council and its awards subject to the equating and relevant regulations by the National Council but shall operate in accordance with the provisions of the Islamic University in Uganda Statute, 1990 and the Uganda National Institute of Special Education Statute 1998 respectively.

(6) The provisions of subsections (2) and (3) relating to the registration, recognition and operation of a University or Tertiary Institution under this Act shall not affect the validity or other status of any certificate, diploma, degree or other academic award granted by the University or Tertiary Institution in question before the commencement of this Act.

(7) So far as they conduct courses leading to awards of certificates, diplomas or degrees of Makerere University, the

following Institutions shall, until they attain a University status, be deemed to be affiliated to Makerere University for purposes of those awards, that is to say—

- (a) the Institute of Teacher Education, Kyambogo;
- (b) the Uganda National Institute of Special Education; and
- (c) the Uganda Management Institute.

Makerere  
University  
Business  
School.

132. (1) At the commencement of this Act, Makerere University Business School shall be deemed to have been affiliated to Makerere University and shall assume the status of an affiliated Public Tertiary Institute under this Act.

(2) At the commencement of this Act all assets and property acquired by Makerere University under Makerere University (Establishment of Constituent College) Order, 1997, shall vest in the Business School without further assurance, subject to all interests, liabilities, charges, obligations and trusts affecting that property.

(3) All contracts, debts, engagements and liabilities of Makerere University attributable to Makerere University Business School immediately before the commencement of this Act shall vest in the Business School.

(4) The School shall conduct courses leading to the award of degrees, diplomas and certificates by Makerere University under standards provided by the Act and Statutes and regulations made under the Act or as may be agreed upon by the School and Makerere University and shall in connection with the awards, jointly conduct examinations leading to the awards, with Makerere University.

(5) In addition to the functions of a Public Tertiary Institution under section 76, Makerere University Business School may—

- (a) provide instructions to those admitted to the School and make provision for advancement, transmission

and preservation of knowledge relating to commerce or business—

- (i) undergraduate, postgraduate, higher diploma and ordinary diploma courses;
  - (ii) professional courses, including but not limited to Chartered Accountants, chartered Secretaries, Bankers, Insurance personnel, managers and other professionals;
  - (iii) short term professional courses.
- (b) create and offer opportunities to persons interested in courses offered through distant education methodologies from relevant commercial or business training institutions outside Uganda;
- (c) conduct examinations for the award of degrees, diplomas, certificates and other awards of the University;
- (d) conduct other examinations and award certificates and diplomas and where necessary to revoke awards;
- (e) coordinate and supervise all Uganda government funded colleges of commerce with an objective of developing curricula and achieving high standards of business education;
- (f) act as examining body for such colleges and privately run colleges which may seek affiliation to the School for such diplomas and certificates;
- (g) conduct or facilitate the conducting of research on any issue relating to the commercial or business sector;
- (h) facilitate staff development through the provision of up-grading courses and short term continuing education;
- (i) establish linkages and joint programmes with other institutions offering similar courses within and outside Uganda; and

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(j) carry on any other thing relating to the enhancement of standards in the commercial and business sector as the Minister may direct.

(6) The National Council shall ensure that the Business School is established fully as a Tertiary Institution under the Act.

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SCHEDULE

Section 118.

one currency point is equivalent to twenty thousand Uganda Shillings.

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