

**UNIVERSITY OF SKILLS TRAINING AND
ENTREPRENEURIAL DEVELOPMENT BILL, 2020**

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SCHEDULE

Official Oath

*University of Skills Training and Entrepreneurial
Development Bill, 2020*

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ENTITLED

**UNIVERSITY OF SKILLS TRAINING AND
ENTREPRENEURIAL DEVELOPMENT BILL, 2020**

AN ACT to establish the University of Skills Training and Entrepreneurial Development and to provide for related matters.

PASSED by Parliament and assented to by the President:

University of Skills Training and Entrepreneurial Development

Establishment of the University

1. (1) There is established by this Act, the University of Skills Training and Entrepreneurial Development as a body corporate with perpetual succession.

(2) The University may, for the performance of the functions of the University, acquire and hold property, dispose of property and enter into a contract or any other related transaction.

(3) Where there is a hindrance to the acquisition of land, the land may be acquired for the University under the State Lands Act, 1962 (Act 125) and the cost shall be borne by the University.

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Aims of the University

2. (1) The aims of the University are to
 - (a) provide higher education in technical and vocational training;
 - (b) train and provide teachers with the relevant competence for teaching in technical and vocational education and training institutions; and
 - (c) foster links between the University, industry and the community in order to ensure the holistic training of teachers.
- (2) The University shall for the purpose of achieving its aims under subsection (1)
 - (a) determine the subjects to be taught at the University, placing emphasis on courses of special relevance to the needs of the technical and vocational education training system of the country and for national development;
 - (b) promote the use of critical and practical tools including information and communication technology for teaching, research, dissemination of knowledge and administration;
 - (c) institute curricula within the context of learner-centred and problem-based learning techniques that are practical and relevant to technical and vocational education training;
 - (d) promote the use of teaching methods that ensure critical and independent thinking for the benefit of humanity;
 - (e) undertake research in courses that are within the mandate of the University, but with special emphasis on
 - (i) technical and vocational education training issues within and outside the country; and
 - (ii) subjects that relate to technical and vocational education training within and outside the country;
 - (f) disseminate the results of research undertaken through the publication of books, papers and any other suitable means of dissemination; and
 - (g) provide services through extension and consultancy in technical and vocational education training related courses in higher education.

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Campuses of the University

3. (1) The main campus of the University shall be the College of Technology Education at the Kumasi Campus of the University of Education, Winneba.

(2) The University shall have an affiliate campus in each of the sixteen regions which shall be a College of Education that offers technical and vocational programmes.

(3) The College of Agriculture Education of the Mampong campus shall be a campus of the University.

(4) The University shall establish a campus in any other place as the Council may determine.

Award of degrees

4. (1) The University shall, in accordance with subsection (9) of section 14, award degrees, honorary degrees, diplomas and certificates.

(2) The University may withdraw a degree, diploma or certificate that the University has awarded, if the University has evidence that proves that the

- (a) degree, honorary degree, diploma or certificate was obtained through fraud or academic malpractice; or
- (b) process of acquiring the degree, diploma or certificate was tainted by an act that, in the opinion of the University, undermines the integrity of the award.

Governance of the University

The University Council

5. (1) The governing body of the University is a Council consisting of
- (a) a chairperson, nominated by the President;
 - (b) the Vice-Chancellor;
 - (c) one representative of the National Council for Tertiary Education nominated by the National Council for Tertiary Education ;
 - (d) one representative of the University Convocation elected by the Convocation;
 - (f) one representative of undergraduate students of the University elected by the Students' Representative Council;
- and

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(g) four other persons nominated by the President, at least one of whom is a woman.

(2) The President shall, in making the nominations under paragraphs (a) and (g) of subsection (1), have regard to the academic qualifications, leadership qualities, gender, expertise in finance, management, knowledge and relevant experience in the area and specialisation of the University.

(3) The chairperson and other members of the Council shall be appointed by the President in accordance with article 70 of the Constitution.

(4) The chairperson of the Council shall, in the absence of the Chancellor, preside at the Congregation and other ceremonies and meetings of the University.

(5) The President may, in case of an emergency,
(a) dissolve and reconstitute the Council; or
(b) appoint an interim Council to operate for a stated period.

Functions of the Council

6. The Council shall

- (a) determine the strategic direction of the University;
- (b) monitor and evaluate the implementation of policies of the University;
- (c) promote income-generating activities as part of the programmes of the University;
- (d) control the finances of the University and determine the allocation and proper use of funds of the University;
- (e) ensure the conservation and augmentation of the resources of the University, specifically in relation to matters affecting income or expenditure;
- (f) ensure the creation of an environment of equal opportunity for members of the University without regard to ethnicity, sex, race, religious belief or political affiliation;
- (g) make professorial level appointments, on the recommendation of the Appointment Committee of the Academic Board, as may be prescribed by the Statutes of the University; and
- (h) perform any other functions that are necessary to achieve the aims of the University.

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General powers of the Council

7. (1) Subject to this Act, the Council shall have power to do or provide for any matter in relation to the University which the Council considers necessary or expedient.

(2) The conferment of particular powers on the Council by other provisions of this Act shall not be taken to limit the generality of this section.

Tenure of office of members of the Council

8. (1) A member of the Council, other than the Vice-Chancellor, shall hold office for a period of three years and is eligible for re-appointment for another term only.

(2) Where a member of the Council, other than the Vice-Chancellor, is absent from three consecutive meetings without reasonable cause, the office of that member shall become vacant.

(3) A member of the Council, other than the Vice-Chancellor, may resign from office in writing, addressed to the President through the Minister.

(4) Where the office of a member becomes vacant by death, resignation or the absence of the member for three consecutive meetings without reasonable cause, another person, nominated by the relevant body, shall be appointed for the unexpired term of the office.

Meetings of the members of the Council

9. (1) The Council shall meet at least three times in each academic year for the despatch of business at a time and place determined by the chairperson.

(2) The quorum for a meeting of the Council is nine members of the Council.

(3) The chairperson shall preside at each meeting of the Council and, in the absence of the chairperson, members of the Council shall elect one of the Government nominees present to preside.

(4) Matters before the Council shall be decided by consensus or by a simple majority of the members present and voting and, in the event of an equality of votes, the person presiding shall have a casting vote.

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(5) The Council may co-opt a person to attend and participate in any of the meetings, but a co-opted person is not entitled to vote at a meeting.

(6) The Pro Vice-Chancellor, the Registrar and the Director of Finance shall attend meetings of the Council, but are not entitled to vote.

(7) The proceedings of the Council are not invalidated by reason of a vacancy among the members or by a defect in the appointment or qualification of a member.

(8) Subject to this section, the Council may by Statutes of the University determine the procedure for its meetings.

Disclosure of interest

10. (1) A member of the Council who has an interest in a matter for consideration by the Council shall disclose in writing the nature of that interest and is disqualified from participating in the deliberations of the Council in respect of that matter.

(2) Where a member contravenes subsection (1), the chairperson shall notify the Minister who shall inform the President in writing to revoke the appointment of that member.

(3) Without limiting any further cause of action that may be instituted against the member, the Council shall recover the benefit derived by a member who contravenes subsection (1) in addition to the revocation of the appointment of the member.

Establishment of committees

11. (1) The Council may establish committees consisting of members or non-members of the Council or both to perform a function of the Council.

(2) A committee comprised entirely of non-members of the Council is advisory only.

(3) A committee composed of members and non-members of the Council shall be chaired by a member of the Council.

(4) Section 10 applies to members of a committee of the Council.

Allowances

12. Members of the Council and members of a committee of the Council shall be paid allowances approved by the Minister in consultation

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with the Minister responsible for Finance.

Administrative Provisions

Principal Officers of the University

13. (1) The Principal Officers of the University are the
- (a) Chancellor;
 - (b) Chairperson of the Council; and
 - (c) Vice-Chancellor.

(2) A Principal Officer of the University shall, before assuming office, take and subscribe to the Official Oath as specified in the Schedule.

Chancellor of the University

14. (1) The University shall have a Chancellor.

(2) The Council shall nominate three persons for appointment as Chancellor.

(3) The President shall appoint a nominee under subsection (2) as Chancellor for the University.

(4) The Chancellor is the head of the University and the Chancellor takes precedence over any other officer of the University.

(5) The criteria and modalities for the nomination and election of the Chancellor shall be prescribed by the Statutes of the University.

(6) The Chancellor shall hold office for a period of five years and is eligible for re-appointment for another term only.

(7) The Chancellor shall preside at the Congregation, meetings and other ceremonies of the University at which the Chancellor is present.

(8) The Chancellor shall be served with the summons, minutes and other documents related to meetings of the Council and may attend the meetings.

(9) The Chancellor shall confer on a qualified person, a degree, diploma and certificate awarded by the University in accordance with this Act and procedures prescribed by the Statutes of the University.

(10) The Chancellor may delegate a function under subsection (8) by directions in writing to the Council.

(11) Where the integrity and welfare of the University are threatened by any matter, the Chancellor may, in consultation with the Council, intervene.

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Vacancy in office of the Chancellor

15. (1) The office of the Chancellor shall become vacant on

- (a) resignation;
- (b) death;
- (c) removal from office; or
- (d) the expiry of the term of office.

(2) The grounds and procedures for the removal from the office of the Chancellor shall be contained in the Statutes of the University.

Vice-Chancellor of the University

16. (1) The University shall have a Vice-Chancellor.

(2) The Council shall appoint a Vice-Chancellor for the University.

(3) The Vice-Chancellor shall hold office on the terms and conditions specified in the letter of appointment.

(4) The Vice-Chancellor shall hold office for a period of three years and is eligible for re-appointment for another term only.

(5) The Vice-Chancellor is the academic and administrative head and chief disciplinary officer of the University.

(6) The Vice-Chancellor is responsible to the Council for maintaining order and ensuring the efficient administration of the University.

(7) The Vice-Chancellor shall perform any other functions as may be prescribed by the Statutes of the University.

Pro Vice-Chancellor of the University

17. (1) The University shall have a Pro Vice-Chancellor.

(2) The Council shall appoint a Pro Vice-Chancellor for the University in accordance with the Statutes of the University.

(3) The Pro Vice-Chancellor shall hold office for a period of three years and is eligible for re-appointment for another term only.

(4) The Pro Vice-Chancellor shall attend a Council meeting, but shall not vote at the meeting.

(5) The Pro Vice-Chancellor shall be assigned duties that the Council or the Vice-Chancellor may determine.

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(6) The Pro Vice-Chancellor shall perform the functions of the Vice-Chancellor in the absence of the Vice-Chancellor.

(7) The Pro Vice-Chancellor shall, before assuming office, take and subscribe to the Official Oath as specified in the Schedule.

Academic Board

18. There is established by this Act, an Academic Board of the University which is answerable to the Council.

Composition of the Academic Board

19. (1) The Academic Board consists of

- (a) the Vice-Chancellor who shall be the chairperson;
- (b) the Pro Vice-Chancellor;
- (c) Deans and Vice-Deans;
- (d) Directors of Schools, Institutes and Centres;
- (e) Heads of academic Departments;
- (f) Professors and Associate Professors;
- (g) a representative each from
 - (i) an academic Department,
 - (ii) a School,
 - (iii) an Institute, and
 - (iv) a Centre;
- (h) the Librarian of the University;
- (i) the Registrar of the University who is the Secretary; and
- (j) nine other members of the University, five of whom are non-teaching staff, elected by Convocation, in accordance with the Statutes of the University.

(2) A person who is a member of the Academic Board by virtue of office may be represented at a meeting of the Academic Board by a person designated by that member.

Committees of the Academic Board

20. (1) The Academic Board may establish standing and ad-hoc committees for the purpose of carrying out functions under this Act and as may be determined by the Statutes of the University.

(2) A committee of the Academic Board comprised entirely of non-members shall be advisory only.

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Functions of the Academic Board

21. The Academic Board shall, subject to the powers of the Council,
- (a) formulate and implement the academic policies of the University;
 - (b) devise and regulate courses of instruction and study subject to accreditation by the National Accreditation Board;
 - (c) promote and supervise research within the mandate of the University, but with special emphasis on
 - (iii) technical and vocational education training issues within and outside the country; and
 - (iv) subjects that relate to technical and vocational education training within and outside the country;
 - (d) regulate the
 - (i) conduct of examinations; and
 - (ii) award of degrees, diplomas and certificates;
 - (e) authorise research grants;
 - (f) advise the Council on the
 - (i) appointment of academic staff,
 - (ii) admission of students, and
 - (iii) award of scholarships and bursaries;
 - (g) report on matters that are referred to the Academic Board by the Council;
 - (h) make representations to the Council on any matter connected with the University; and
 - (i) perform other functions in the Statutes of the University.

The Registrar

22. (1) The University shall have a Registrar.
- (2) The Council shall appoint the Registrar for the University in accordance with the Statutes of the University.
- (3) The Registrar shall hold office
- (a) for a period of four years and is eligible for re-appointment but for another term only; and
 - (b) on the terms and conditions specified in the letter of appointment in accordance with the Statutes of the University.
- (4) The Registrar is the secretary to the
- (a) Office of the Chancellor;

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- (b) Council; and
- (c) Academic Board.

(5) The Registrar is responsible to the Vice-Chancellor for the day-to-day administration of the affairs of the University.

(6) The Registrar may perform any other functions provided for in the Statutes of the University.

(7) The Registrar shall, before assuming office, take and subscribe to the Oath of Office as specified in the Schedule.

Director of Finance

23. (1) The University shall have a Director of Finance.

(2) The Council shall appoint the Director of Finance for the University in accordance with the Statutes of the University.

(3) The Director of Finance shall hold office for a period of four years and is eligible for re-appointment but for another term only.

(4) The Director of Finance shall perform functions as prescribed in the Statutes of the University.

(5) The Director of Finance is responsible to the Vice-Chancellor in the performance of the functions of the Director of Finance.

Appointment of other staff

24. The Council may appoint other staff as may be necessary for the effective performance of the functions of the University.

Internal Audit Unit

25. (1) The University shall have an Internal Audit Unit in accordance with section 83 of the Public Financial Management Act, 2016 (Act 921).

(2) The Internal Audit Unit shall be headed by an Internal Auditor who shall be appointed in accordance with the Internal Audit Agency Act, 2003 (Act 658).

Internal organisation of the University

26. (1) Subject to this Act, the Council may make arrangements as the Council considers appropriate for the internal organisation of the University, including the

- (a) establishment, variation and supervision of academic Divisions, Faculties, Schools, Centres, Institutes, Departments, halls of residence, hostels and other bodies in the campuses in Kumasi and elsewhere in consultation with the National Council for Tertiary Education;

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- (b) award of professorships and promotion of lecturers;
 - (c) appointment and promotion of academic or administrative staff;
 - (d) conferment of honorary degrees and other awards;
 - (e) promotion of professional development; and
 - (f) development of other facilities including hostels.
- (2) The University may
- (a) in consultation with the National Council for Tertiary Education and with the approval of the Minister, enter into an agreement or relationship with another institution whether academic or non-academic within or outside the country; and
 - (b) incorporate within the University another institution or body, taking over the property, rights, privileges and liabilities of that other institution or body.
- (3) The Council shall exercise the powers referred to in subsection (1), only after consultation with the Academic Board on matters which in the opinion of the Council are academic matters.

Financial Matters

Funds of the University

27. (1) The funds of the University include
- (a) moneys approved by Parliament;
 - (b) moneys accruing to the University in the performance of functions of the University including
 - (i) tuition fees, hostel fees and any other fees paid by students of the University;
 - (ii) fees, charges and dues in respect of services rendered by or through the University;
 - (iii) proceeds from the sale of publications of the University; and
 - (iv) subscriptions, rents and royalties;
 - (c) returns on investments;
 - (d) endowments, grants, donations and gifts; and
 - (e) moneys from any other source approved by the Council.

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(2) Any sum of money received by or on behalf of the University shall be paid into a bank account of the University opened on the authority of the Council.

(3) Moneys received by or standing to the credit of an establishment of the University shall form part of the funds of the University as defined under this Act.

(4) The Council may invest the funds of the University that are not required for immediate use as the Council considers appropriate.

Borrowing powers

28. (1) Subject to article 181 of the Constitution and section 76 of the Public Financial Management Act, 2016 (Act 921), the University may borrow money.

(2) The University may, for the purpose of borrowing money under subsection (1), use a property for the University as security.

Submission of annual estimate

29. (1) The University shall prepare and submit to the Minister responsible for Finance, through the National Council for Tertiary Education, the annual estimate of revenue and expenditure of the University within one month after the beginning of the financial year to which the estimate relates for approval.

(2) Pursuant to subsection (1), the University shall not exceed the annual estimate of expenditure approved by the Minister responsible for Finance.

Accounts and audit

30. (1) The Council shall keep the books, records, returns of account and other documents relevant to the accounts in the form approved by the Auditor-General.

(2) The Council shall submit the accounts of the University to the Auditor-General for audit at the end of the financial year.

(3) The accounts shall be under the signature of the Vice-Chancellor and the Director of Finance.

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(4) The Auditor-General shall, within six months after the end of the immediately preceding financial year, audit the accounts and forward a copy of the audit report to the Minister and the Council.

(5) The financial year of the University is the same as the financial year of the Government.

Annual report and other reports

31. (1) The Council shall within one month after receipt of the audit report, submit to the Minister an annual report covering the activities and the operations of the University for the year to which the report relates.

(2) The annual report shall include the report of the Auditor-General.

(3) The Minister shall, within one month of receipt of the annual report, submit the report to Parliament with a statement that the Minister considers necessary.

(4) The Council shall also submit to the Minister any other reports which the Minister may require in writing.

Exemption from taxes, duties and other charges

32. The University is exempt from the payment of taxes, duties and other charges that the Minister responsible for Finance may in writing determine with the prior approval of Parliament.

Miscellaneous Matters

Statutes of the University

33. The Council shall enact Statutes for the implementation of this Act which shall, in particular,

(a) regulate the following in respect of the employees of the University:

- (i) appointment;
- (ii) conditions of service;
- (iii) termination of appointment; and
- (iv) retirement benefits;

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- (b) determine the persons who form the academic staff of the University;
- (c) determine the persons who are authorised to sign contracts, cheques and other documents on behalf of the University and to regulate the procedure in relation to transactions entered into by the University;
- (d) fix the academic calendar of the University;
- (e) determine the rules and procedures relating to the discipline of students and employees of the University;
- (f) ensure that the seal of the University is kept under proper custody and is used only on the authority of the Council; and
- (g) provide for any matter required by this Act to be prescribed by Statute.

Convocation

34. (1) There shall be a Convocation of the University with the membership prescribed by the Statutes of the University.

(2) The Registrar shall compile a register of the members of the Convocation which shall be published each academic year.

(3) A person whose name appears on the register is entitled to vote at the Convocation.

(4) The Convocation shall meet at least once each academic year at the time and place determined by the Vice-Chancellor.

(5) Despite subsection (4), the Convocation shall meet upon a request made by a number of members as prescribed in the Statutes of the University.

(6) The Convocation shall receive and discuss a report from the Vice-Chancellor on the state of the University and future plans for the University.

(7) The Convocation may express an opinion on any matter that affects the University and may refer the matter to the Council or the Academic Board.

Matriculation

35. (1) A student admitted to the University, shall take the Matriculation Oath and sign the Matriculation Register.

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(2) A student who fails to sign the Matriculation Register shall be prevented by the University from graduating.

Congregation

36. The University may hold a Congregation composed of the persons prescribed by the Council in the Statutes of the University for the purpose of conferring degrees and awarding diplomas and certificates.

Student governance

37. (1) The University shall have a Students' Representative Council.

(2) The Students' Representative Council is responsible for representing students duly admitted and registered to study at the University.

(3) The constitution and other governing instruments of the Students' Representative Council shall

(a) be drawn up by the students subject to the approval of the Academic Board; and

(b) conform to this Act, the Statutes of the University and any other rules, regulations, directives and edicts duly issued by the University.

(4) A constitution or a governing instrument drawn up by the Students' Representative Council which is inconsistent with paragraph (b) of subsection (3) shall, to the extent of the inconsistency be void.

(5) The Statutes of the University may grant the Students' Representative Council representation on appropriate bodies and organs of the University.

Intellectual property

38. (1) The intellectual property right in a creative work, research or other intellectual enterprise funded or otherwise undertaken with resources of the University shall vest in the University.

(2) The Statutes of the University enacted by the Council under section 33 shall provide for the creation, ownership and use of intellectual property including copyright, patents, trademarks, trade names and industrial designs by employees of the University in accordance with the laws on intellectual property.

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(3) The Council shall, for the purposes of subsection (2) determine the incentives for persons who undertake any work, research or other intellectual enterprise funded or otherwise undertaken with resources of the University to enable those persons benefit from their work, research or intellectual enterprise.

Academic freedom

39. (1) The University shall, in the performance of the functions of the University, have the right and responsibility to preserve and promote the traditional principles of academic freedom in the conduct of its internal and external affairs.

- (2) The University shall conduct its affairs in a manner which will
- (a) promote equal access to opportunities;
 - (b) ensure the effective use of resources of the University; and
 - (c) promote probity and accountability.

(3) An academic staff of the University, shall in the performance of functions under this Act, have the freedom

- (a) to conduct research, and
- (b) provide opinions on research findings

and shall not be disadvantaged, or subject to a less favourable treatment by the University for the exercise of that freedom.

Policy directives

40. The Minister may issue policy directives to the University through the National Council for Tertiary Education and the University shall comply.

Anti-discrimination

41. (1) Without limiting the power of the University to adopt affirmative action policies, the University or an officer of the University shall not discriminate against a person on the basis of the race, ethnic origin, political opinion, colour, gender, occupation, religion or creed, disability, social or economic status of that person to determine whether that person is to be

- (a) admitted as a student of the University;
- (b) registered as a student of the University;
- (c) permitted to graduate from the University;

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- (d) appointed as an academic staff or other staff member;
- (e) promoted as an academic staff or other staff member; or
- (f) granted any advantage, privilege or other benefit accorded all other persons.

(2) For the purpose of subsection (1), “an officer of the University” includes a Principal Officer, staff or other employee, an agent, servant or any other person performing or acting in an official capacity for or on behalf of the University.

(3) For the purpose of this section, “discriminate” means to give different treatment to different persons attributable only or mainly on the grounds stated in subsection (1).

Dispute settlement

42. (1) There is established by this Act the University of Skills Training and Entrepreneurial Development Appeals Board.

- (2) The Appeals Board shall consist of
 - (a) a chairperson who is a retired justice of the Superior Courts of Judicature or a lawyer qualified to be appointed as a justice of the Superior Courts of Judicature;
 - (b) two lawyers of at least ten years standing at the Bar who are persons of high moral character and professional integrity, at least one of whom is a woman; and
 - (c) two persons who are neither lawyers nor employees of the University who are persons of high moral character, at least one of whom is a woman.
- (3) The Council shall appoint the members of the Appeals Board.
- (4) The Appeals Board shall hear and determine on appeal, matters on
 - (a) an act or omission in contravention of this Act or the Statutes enacted by the Council;
 - (b) breach of an employment contract by the University;
 - (c) the promotion of persons duly employed by the University;
 - (d) grievances by students against the University on matters related to welfare and discipline; or
 - (e) any other matter or dispute referred to the Appeals Board by the Council.

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(5) The chairperson and two other members of the Appeals Board, constitute a panel for the hearing and determination of a case or matter before the Appeals Board.

(6) In the absence of the chairperson, one of the two lawyers as specified in paragraph (b) of subsection (2), shall act as chairperson.

(7) The Council shall establish the rules and procedure which govern

- (a) the operations of the Appeals Board;
- (b) the appointment and remuneration of the members of the Appeals Board;
- (c) the functions of the chairperson of the Appeals Board;
- (d) the establishment of the Secretariat of the Appeals Board; and
- (e) any other relevant matter.

Interpretation

43. In this Act, unless the context otherwise requires

“Academic Board” means the body established under section 18;

“Appeals Board” means the University of Skills Training and Entrepreneurial Development Appeals Board established under subsection (1) of section 42;

“Convocation” means the Principal Officers of the University and all other senior members of the University appointed by the Council or the Academic Board and who are registered by the Registrar as members of Convocation;

“Council” means the University Council established under section 5;

“disclosure of interest” includes pecuniary, material, academic and relational interest in a matter being deliberated upon or decided upon by the University;

“Institute” means a multi-disciplinary research or service establishment which focuses primarily on multi-disciplinary research and on the provision of extension services;

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- “Minister” means the Minister responsible for Education;
- “Pro Vice-Chancellor” means the person appointed under section 17 to the office of Pro Vice-Chancellor of the University;
- “Statutes of the University” means administrative guidelines enacted by the Council in accordance with this Act to govern the internal operations of the University;
- “University” means the University of Skills Training and Entrepreneurial Development established under section 1;
- and
- “Vice-Chancellor” means the person appointed under section 16 to the office of Vice-Chancellor of the University.

Consequential amendment

44. The University of Education, Winneba Act, 2004 (Act 672) is amended by the substitution for section 5 of

“5. The University shall, without limit to the power of the University Council to establish other campuses, have a campus at Ashanti Mampong to be known as the College of Agricultural Education, Mampong Ashanti.”.

Transitional provisions

45. (1) Until the appointment of the members of the Council established under section 5, there shall be an Interim Council of the University which shall function for a period of not more than one year.

(2) The President shall appoint the members of the Interim Council on the recommendation of the Minister given in consultation with the National Council for Tertiary Education.

(3) The Interim Council shall perform functions of the Council.

(4) Any action taken by the Interim Council before the first meeting of the Council shall have the same effect as if done by the Council.

(5) The University shall be guided in its operation by accredited Universities in this country or abroad with similar objects for a period of not more than four years as may be determined by the National Council for Tertiary Education.

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SCHEDULE

Official Oath

(sections 13 (2), 17(7) and 22(7))

I,....., do (in the name of the Almighty God (swear) (solemnly affirm) that I will at all times well and truly serve the University of Skills Training and Entrepreneurial Development and the Republic of Ghana in the office of and that I will uphold, preserve and defend the University as by law established (so help me God).

(To be sworn before the Minister or such other person as the President may designate).

Date of *Gazette* notification: 3rd February, 2020.

**UNIVERSITY OF SKILLS TRAINING AND
ENTREPRENEURIAL DEVELOPMENT BILL, 2020**

MEMORANDUM

The object of the Bill is to establish the University of Skills Training and Entrepreneurial Development as a public tertiary institution to be an outstanding internationally acclaimed educational institution dedicated to the training of teachers with the relevant competence for teaching in technical and vocational education and training institutions.

An effective and efficient technical and vocational education and training system is critical for national development. The Bill thus provides the legal framework for the establishment of the University of Skills Training and Entrepreneurial Development with the focus on providing a holistic training for teachers to equip the teachers with the requisite skills that meet the needs of the technical and vocational education training system of the country.

Whilst there are many public universities in existence that offer courses and programmes in varying subjects, there is no public university dedicated to the training of teachers with the requisite knowledge, skills and aptitudes to train students in technical and vocational education.

The establishment of the University would therefore bring into focus the relevance of technical and vocational education and training to national development and the need to achieve excellence in that regard.

The proposed University will develop to the level of awarding doctorate degrees in technical and vocational education and training thereby providing a workforce with the requisite skills. This will undoubtedly increase productivity, encourage investment as well reduce unemployment and improve upon the socio-economic sector of the country.

Clause 1 establishes the University of Skills Training and Entrepreneurial Development as a body corporate with perpetual succession. The aims of the University are specified in *clause 2*. The aims of the University are to provide higher education in technical and vocational training, train and provide teachers with the relevant competence for teaching in technical and vocational education and training institutions and foster links between the University, industry and the community in order to ensure the holistic training of teachers.

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In achieving the aims of the University, the University is, among others, required to promote the use of critical and practical tools including information and communication technology for teaching, research, dissemination of knowledge and administration, institute curricula within the context of learner-centred and problem-based learning techniques that are practical and relevant to technical and vocational education training and promote the use of teaching methods that ensure critical and independent thinking for the benefit of humanity.

Clause 3 provides for the campuses of the University. The main campus of the University is the College of Technology Education at the Kumasi Campus of the University of Education, Winneba. The University is required to have an affiliate campus in each of the sixteen regions and establish other campuses in any other place that the Council determines.

Clause 4 mandates the University to award degrees, honorary degrees, diplomas and certificates in accordance with subclause (9) of *clause 14*. The *clause* also empowers the University to withdraw a degree, diploma or certificate that the University has awarded, if the University has evidence that proves that the degree, honorary degree, diploma or certificate was obtained through fraud or academic malpractice or the process of acquiring the degree, diploma or certificate was tainted by an act that, in the opinion of the University, undermines the integrity of the award.

Clauses 5 to 12 provide for governance of the University.

Clause 5 establishes the governing body of the University which is a Council consisting of nine persons including the Vice-Chancellor. The chairperson and other members of the Council are to be appointed by the President in accordance with article 70 of the Constitution.

The functions of the Council are provided for in *clause 6*. The Council is mandated to determine the strategic direction of the University, monitor and evaluate the implementation of policies of the University, promote

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income-generating activities as part of the programmes of the University, control the finances of the University and determine the allocation and proper use of funds of the University. Other functions of the Council include ensuring the conservation and augmentation of the resources of the University specifically in relation to matters affecting income or expenditure and ensuring the creation of an environment of equal opportunity for members of the University.

Clause 7 confers powers on the Council to do or provide for any matter in relation to the University which the Council considers necessary or expedient.

Standard provisions on tenure of office of members of the Council, meetings of members of the Council, disclosure of interest, establishment of committees and allowances are provided for in *clauses 8, 9, 10, 11 and 12* respectively.

The administration of the University is provided for in *clauses 13 to 26*. The principal officers of the University are the Chancellor, the chairperson of the Council and the Vice-Chancellor, *clause 13*.

The office of the Chancellor of the University is provided for in *clause 14*. The Chancellor is the head of the University and takes precedence over any other officer of the University. The Chancellor is required to hold office for a period of five years and is eligible for re-appointment for another term only.

Clause 15 provides for vacancy in office of the Chancellor. The office of the Chancellor becomes vacant on the resignation, death, removal from office or expiry of the term of office of the Chancellor.

The Council is mandated under *clause 16* to appoint a Vice-Chancellor for the University. The Vice-Chancellor is the academic and administrative head and chief disciplinary officer of the University. The Vice-Chancellor is required to hold office for a period of three years and is eligible for re-appointment for another term only.

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Clause 17 provides for the office of the Pro Vice-Chancellor of the University. The Council is required to appoint a Pro Vice-Chancellor for the University in accordance with the Statutes of the University. The Pro Vice-Chancellor is to hold office for a period of three years and is eligible for re-appointment for another term only.

Clause 18 establishes the Academic Board of the University while *clause 19* provides for the composition of the Academic Board. The Academic Board consists of persons including the Vice-Chancellor of the University who is the chairperson, the Pro Vice-Chancellor, Deans and Vice-Deans, Director of Schools, Institutes and Centres and the Heads of academic Departments.

The Academic Board may establish standing and ad-hoc committees for the purpose of carrying out functions under the Bill and as may be determined by the Statutes of the University, *clause 20*.

The functions of the Academic Board are provided for in *clause 21*. The Academic Board is mandated to formulate and implement the academic policies of the University, devise and regulate courses of instruction and study subject to accreditation by the National Accreditation Board and promote and supervise research within the mandate of the University. Other functions of the Academic Board include the regulation of the conduct of examinations and the award of degrees, diplomas and certificates as well as the authorisation of research grants and making representations to the Council on any matter connected with the University.

Clause 22 provides for the Registrar of the University. The Council is to appoint the Registrar in accordance with the Statutes of the University. The Registrar is to hold office for a period of three years and is eligible for re-appointment for another term only. The Registrar is also responsible to the Vice-Chancellor for the day-to-day administration of the affairs of the University.

The Director of Finance is provided for in *clause 23*. The Council is to appoint the Director of Finance in accordance with the Statutes of the University. The Director of Finance is to hold office for a period of three

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years and is eligible for re-appointment for another term only. The Director of Finance is also responsible to the Vice-Chancellor in the performance of functions of the Director of Finance.

Other staff of the University are appointed under *clause 24*. The *clause* confers power on the Council to appoint other staff necessary for the effective performance of the functions of the University.

Clause 25 requires the University to have an Internal Audit Unit in accordance with section 83 of the Public Financial Management Act, 2016 (Act 921).

The internal organisation of the University is provided for under *clause 26*. *Clause 26* empowers the Council to make arrangements for the internal organisation of the University including the establishment, variation and supervision of academic Divisions, Faculties, Schools, Centres, Institutes, Departments, halls of residence and hostels, award of professorships and promotion of lecturers, appointment and promotion of academic or administrative staff and conferment of honorary degrees and other awards.

The financial matters of the University are dealt with in *clauses 27* to *32*.

Clause 27 provides for the funds of the University. The funds of the University include moneys approved by Parliament, returns on investments, endowments, grants, donations and gifts and moneys from any other source approved by the Council. The clause further provides for moneys received by or standing to the credit of an establishment of the University to form part of the funds of the University.

Clause 28 empowers the University to borrow money subject to article 181 of the Constitution and section 76 of the Public Financial Management Act, 2016 (Act 921). The University is further empowered to use a property of the University as security for the purpose of borrowing money.

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Clause 29 obliges the University to prepare and submit to the Minister responsible for Finance, through the National Council for Tertiary Education, an annual estimate of revenue and expenditure of the University for approval.

The standard provisions on accounts and audit and annual report and other reports are provided for in *clauses 30* and *31* respectively. The University is exempt from the payment of taxes, duties and other charges that the Minister responsible for Finance may in writing determine with the prior approval of Parliament, *clause 32*.

Clauses 33 to *45* deal with miscellaneous matters.

Clause 33 provides for the Statutes of the University. The Council is required to enact Statutes for the implementation of the provisions of the Bill. The Statutes are to, among other things, regulate the appointment, conditions of service, termination of appointment and retirement benefits of employees of the University, determine the persons who form the academic staff of the University, fix the academic calendar of the University and determine the rules and procedures relating to the discipline of students and employees of the University.

The Convocation of the University is provided for in *clause 34*. The membership of the Convocation is to be prescribed by the Statutes of the University.

Matters relating to matriculation are specified in *clause 35*. Under the *clause*, a student admitted to the University is mandated to take the Matriculation Oath and sign the Matriculation Register. The University is obliged to prevent a student who fails to sign the Matriculation Register from graduating.

Clause 36 provides for Congregation of the University. The University is empowered to hold a Congregation composed of persons prescribed by the Council for the purpose of conferring degrees and awarding diplomas and certificates.

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Matters on student governance are dealt with in *clause 37*. *Clause 37* mandates the University to have a Students' Representative Council responsible for representing students duly admitted and registered to study at the University.

Clause 38 provides for intellectual property matters. The *clause* vests in the University, the intellectual property right in a creative work, research or other intellectual enterprise funded or otherwise undertaken with resources of the University. The Council is also required to determine the incentives for persons who undertake any work, research or other intellectual enterprise funded or otherwise undertaken with resources of the University to enable those persons benefit from their work, research or intellectual enterprise.

The University has the responsibility to preserve and promote the traditional principles of academic freedom in the conduct of the internal and external affairs of the University. An academic staff of the University is to exercise the freedom to conduct research and provide opinions on research findings without being disadvantaged or subjected to a less favourable treatment by the University for the exercise of that freedom, *clause 39*.

The Minister is empowered to issue policy directives to the University through the National Council for Tertiary Education and the University is obliged to comply with the policy directives, *clause 40*.

Clause 41 prohibits the University or an officer of the University from discriminating against a person in determining whether that person is to be admitted or registered as a student of the University, permitted to graduate from the University, appointed or promoted as an academic staff or other staff member or granted any advantage, privilege or other benefit accorded all other persons.

Dispute settlement is provided for in *clause 42*. The *clause* provides for the establishment of the University of Skills Training and Entrepre-

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neurial Development Appeals Board. The Appeals Board is required to hear and determine on appeal, matters specified in the Bill including breach of an employment contract by the University, grievances by students against the University on matters related to welfare and discipline or any other matter or dispute referred to the Appeals Board by the Council.

Clause 43 provides for the interpretation of words and phrases used in the Bill while *clauses 44* and *45* provide for consequential amendments and transitional matters respectively.

DR. MATTHEW OPOKU PREMPEH (MP)
Minister responsible for Education

Date: