

Lerotholi Polytechnic Act 1997
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LEROTHOLI POLYTECHNIC ACT, 1997
ACT NO. 1 OF 1998

An act to establish the Lerotholi Polytechnic and to provide for incidental matters. Enacted by the Parliament of Lesotho.

PART I - PRELIMINARY

Short title and commencement

1. This Act may be cited as the Lerotholi Polytechnic Act 1997 and shall come into operation on the date to be appointed by the Minister by notice in the Gazette.

Interpretation

2. In this Act unless the context otherwise requires-

“Academic Board” means the Academic Board of the Polytechnic established under section 17; “academic staff” means members of staff of the Polytechnic appointed on academic terms of service and includes the Director and the Deputy Directors; “administrative staff” means members of staff of the Polytechnic who have not been appointed on academic terms of service; “Alumni” means former students of Lerotholi Technical School, Lerotholi Artisan Training Centre, Lerotholi Technical Institute, Technician Training School and Commercial Training Institute;

“Council” means the Governing Council of the Polytechnic established under section 7;

“Director” means the Director of the Polytechnic;

“Minister” means the Minister responsible for education;

“Ordinances” means the Ordinances of the Polytechnic made under this Act; “Polytechnic” means the Lerotholi Polytechnic established under section 3; “special resolution” means a resolution passed at the meeting of the Council by a majority of not less than three-fourths of those present and voting;

“Statutes” means the Statutes of the Polytechnic made under the authority of this Act;

“student” means a person admitted and registered into an academic programme of the Polytechnic whether fulltime or part-time;

“University” means any University to which the Polytechnic is affiliated.

PART II - CONSTITUTION AND GOVERNMENT OF THE POLYTECHNIC

Establishment of the Polytechnic

3. (1) There is established the Lerotholi Polytechnic.
 - (2) The Polytechnic is a body corporate with perpetual succession and a common seal.
 - (3) The Polytechnic is capable of-
 - (a) suing and being sued;
 - (b) compounding or proving in any court of competent jurisdiction all debts or sums of

- money due to it;
- (c) acquiring, holding, dealing with and disposing of movable ,and immovable property;
- (d) doing all such other things as are essential, incidental or conducive to the discharge or performance of the functions of the Polytechnic or in order to further the object of the Polytechnic as a place of learning, education and research; and
- (e) doing and allowing such other acts and things as bodies corporate may by law do or allow.

Membership

4. The Polytechnic consists of .

- (a) members of the Council;
- (b) full-time members of the academic and administrative staff of the Polytechnic;
- (c) graduates of the Polytechnic;
- (d) students of the Polytechnic; and
- (e) such other persons as may, under this Act or the statutes, be admitted to the membership of the Polytechnic.

Functions

5. (1) The functions of the Polytechnic are -

- (a) to provide vocational and technical education;
- (b) to provide courses of study, instruction or training in fields that the Council may from time to time deem appropriate;
- (c) to confer, grant or give or to recommend conferring, granting or giving diplomas, certificates or other educational awards with respect to technical and craft courses;
- (d) to provide facilities for, and undertake, research;
- (e) to disseminate knowledge and to promote scholarship;
- (f) to foster relationships by way of affiliation, association or link with other institutions and individuals;
- (g) to enter into arrangements with other relevant institutions for the purposes of offering joint courses and of conducting research and development work; and
- (h) to exploit the results of research and development work undertaken by the Polytechnic either separately or jointly, including entering into arrangements with other bodies or persons and participation in limited liability companies for that purpose.

(2) The Minister may, on the recommendation of the Council, assign to the Polytechnic additional functions.

Affiliation with other institutions

6. The Polytechnic may, with the approval of the Council, affiliate, associate or have academic links with other institutions wherever situated.

Governing Council

7. (1) There is established a Council to be known as the Governing Council of the Polytechnic which shall consist of .

- (a) the following ex-officio members:

- (i) the Principal Secretary of the Ministry responsible for education;
 - (ii) a representative of the Ministry responsible for finance;
 - (iii) the Chief Education Officer (Tertiary);

 - (iv) a representative of the Ministry responsible for transport and communications;
 - (v) a representative of the Ministry responsible for employment;
 - (vi) a representative of the Ministry of Economic Planning;

 - (vii) the Director;

 - (viii) the Deputy Director (Academic);

 - (ix) the Deputy Director (Administration);

 - (x) the Dean of the Faculty of Science of the University of which the Polytechnic is affiliated;
 - (xi) the Vice-Chancellor of the University to which the Polytechnic is affiliated;
 - (xii) one Director of Studies selected by rotation in accordance with the statutes;

 - (xiii) the President of the Students Representative Council;
 - (xiv) the Librarian of the Polytechnic;
 - (xv) the Bursar; and

 - (xvi) the Registrar who shall be the Secretary.
- (b) the following persons to be appointed by the Minister (in this Act referred to as “appointed members”):
- (i) two members from persons who represent the interests of commerce and industry or any profession which in the opinion of the Minister is relevant to the activities of the Polytechnic;
 - (ii) one former graduate of the Polytechnic elected by the alumni under a procedure to be prescribed by the Ordinances;
 - (iii) one member of the teaching staff of the Polytechnic elected by the academic staff;
 - (iv) one member of the administrative staff of the Polytechnic elected under a procedure prescribed by the Ordinances;
 - (v) two persons having special competence or professional experience in technical education one of whom shall be drawn from the informal sector in Lesotho;
 - (vi) one representative of the Law Society of Lesotho nominated by the Law Society; and
 - (vii) one representative of the Technical Institutions in Lesotho elected from the Association of Technical Institutions.
- (2) An appointed member of the Council shall, subject to this Act, hold office for a period of three years from the date of his appointment. If still qualified, an appointed member is eligible for reappointment.
- (3) A person appointed to act in, or who according to law acts in, the office of a member of the Council shall while so acting be entitled also to act as a member of the Council in place of the person in whose office he is acting and shall have and may exercise all the powers and authorities of, and shall discharge and perform all the functions and duties of, a member of the Council.
- (4) If an appointed member of the Council is, or may be, prevented by absence, illness or any other cause whatsoever from performing the duties of a member of the Council and the Council believes that this absence may extend beyond six months, the Minister or the electing or

nominating authority may appoint some other eligible person in a place of the appointed person, and that person shall have and may exercise all the powers and authorities of, and shall discharge and perform all the functions and duties of, a member of the Council.

- (5) Members of the Council may elect from among themselves persons to fill the posts of Chairman and Vice-Chairman but such persons shall not be members of staff or students of the Polytechnic or public officers.
- (6) The Chairman shall preside at all meetings of the Council at which he is present and the Vice Chairman shall preside in the absence of the Chairman.
- (7) If both the Chairman and the Vice Chairman are absent from any meeting, the members of the Council present at the meeting shall appoint one member to preside at that meeting but such a person shall not be a member of the staff or a student of the Polytechnic or a public officer.
- (8) At any meeting of the Council, the person presiding has a primary vote and in the event of an equality of votes on any issue, also a casting vote.

Disqualification from office

8. (1) The following people are not qualified to be members of the Council:
 - (a) an unrehabilitated insolvent except with the leave of the High Court;
 - (b) any person who at any time has been convicted of high treason, sedition, or any crime or offence involving dishonesty or violence to the person of another;
 - (c) any person suffering from mental incapacity within the meaning of the Mental Health Law, 1964¹
- (2) An appointed member shall vacate his office as an appointed member, if he,
 - (a) resigns office by writing to the Minister;
 - (b) becomes an ex-officio member of the Council;
 - (c) is absent, without leave granted by the Council, from three successive meetings of the Council of which due notice has been given; or
 - (d) ceases to hold the office or qualification in respect of which the person was appointed a member of the Council.

Casual appointment

9. If a vacancy occurs in the office of an appointed member of the Council, the Minister shall appoint a person qualified to fill the vacancy for the remainder of the term of the appointed member and the person appointed to fill the casual vacancy may at the end of the term be re-appointed if still eligible.

Powers of the Council

10. (1) The Council is the governing body of the Polytechnic.
- (2) Except where otherwise provided in this Act and the Statutes, the Council shall manage and control the affairs and property of the Polytechnic and shall perform the functions conferred on the Polytechnic and has powers necessary for that purpose.
- (3) Without limiting the generality of subsection (2), the Council has the following powers:
 - (a) to regulate its own procedure;
 - (b) to determine the policy and general direction of the Polytechnic;
 - (c) to govern, manage and regulate the finances, accounts, investments, property, business and all affairs of the Polytechnic and, for that purpose, to appoint bankers

- and other officers or agents;
- (d) to propose the annual budget including the estimates of income and expenditure before being submitted to the Minister for his approval;
- (e) to acquire and transfer immovable property and to enter into lease agreements with regard to such property on behalf of the Polytechnic;
- (f) to enter into, vary, carry out or rescind contracts on behalf of the Polytechnic;
- (g) to authorise the establishment of any academic or administrative post or suspension or abolition of any such post after consultation with the Academic Board;
- (h) to appoint, dismiss or remove from office any member of the academic or administrative staff of the Polytechnic in accordance with procedures prescribed by Statutes;
- (i) to call for, receive and consider reports from the Director on the working of the Polytechnic;
- (j) to determine Polytechnic fees after consultation with the Academic Board;
- (k) to establish, abolish or vary any academic or administrative section or unit as it deems fit;
- (l) to approve the Constitution of the Students' Union and any subsequent amendments to such Constitution and to receive and approve the audited accounts of the Students' Union which must be submitted annually;

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- (m) to determine salaries and conditions of service of employees of the Polytechnic in consultation with Government of Lesotho and to provide pension and retirement benefits or other benefits for the employees of the Polytechnic;
 - (n) to affiliate, associate or link with any other institution or body on such terms and conditions as it deems fit;
 - (o) to establish committees or boards;
 - (p) to establish a consultative machinery for consultation with representatives of industry, commerce and the professions, as well as, other fields of employment relevant to the work of the Polytechnic;
 - (q) subject to the provisions to this Act, to make Statutes and Ordinances and to approve any rules drawn up by the Academic Board;
 - (r) subject to the provisions of this Act, to appoint the Director, Deputy Director (Academic Affairs), Deputy Director (Administration), Registrar, the Bursar and the Librarian of the Polytechnic; and
 - (s) to determine the criteria for admission of students in the Polytechnic.
- (4) The Council has the power to exclude any member from a meeting at which his promotion, conduct, suspension, dismissal or retirement or that of any member holding a post senior to such a member are being considered.
- (5) No student member of the Council shall take part in any discussion or voting relating to the appointment, remuneration, conditions of service, dismissal or retirement of a member

of staff of the Polytechnic and if required by the Chairman, a student member present at a meeting shall withdraw from that meeting.

- (6) The Council may -
- (a) terminate the appointment of any member of the academic or administrative staff or other officer or servant of the Polytechnic, with or without notice but where termination of appointment is made without notice, the member, officer or servant shall be paid a cash payment in lieu of notice;
 - (b) subject to section 20(4), dismiss any member of the academic staff or other officer or servant of the Polytechnic on the grounds that -
 - (i) the person is engaging in an occupation likely to interfere with the proper discharge of his duties in the Polytechnic;
 - (ii) the person has failed to discharge his duties to the Polytechnic;
 - (iii) the person has failed to observe his responsibilities to the Polytechnic,
 - (iv) the person has otherwise engaged in conduct rendering him unfit to hold his appointment;
 - (v) the public interest so requires;
 - (c) take disciplinary action provided for in the Statutes against any member of the academic staff, officer or servant of the Polytechnic.
- (7) Where practicable, before exercising any of its powers or discharging any of its functions with respect to a matter which falls within the competence of the Academic Board, the Council shall seek and consider any report or recommendation from the Academic Board in relation to that matter unless the Academic Board fails, within a reasonable time, to make the report or recommendation to the Council.
- (8) In case of emergency or urgency, the Council shall, as soon as is reasonably practicable, advise the Academic Board of the circumstances and the action which it has taken and thereafter give due consideration to any report or recommendation which the Academic Board may make.

Delegation by the Council

11. (1) The Council may, in relation to any matter, activity or function, delegate by an ordinary resolution any of its powers under this Act except the power of delegation and its powers in relation to the annual adoption of a budget and the approval of the proposed distribution of funds referred to in section 26 of this Act, to the Director or to any committee appointed by the Council or to any other officer or officers of the Polytechnic.
- (2) A delegation under this section may be varied or revoked by an ordinary resolution of the Council, and no delegation shall prevent the exercise, discharge or performance of any power, authority, function or duty by the Council.

Director

12. (1) There shall be a Director who shall be the chief academic and administrative officer of the Polytechnic.
- (2) The Director shall, subject to the provisions of this Act, Statutes and Ordinances, control and direct the activities of the Polytechnic, maintain discipline and control and direct the staff of the Polytechnic in the implementation of those activities.
- (3) The Director shall, subject to the approval of the Minister, be appointed by the Council.

- (4) Notwithstanding sub-section (3), the first Director shall be appointed by the Minister.
- (5) The Director shall be appointed for a period of five years and is eligible for re-appointment. The terms and conditions of appointment shall be specified in the instrument of appointment.
- (6) The office of the Director shall become vacant -
 - (a) if the Director resigns;
 - (b) if the Council, with the consent of the Minister, removes the Director from office for inability to perform his duties or for misbehaviour; or
 - (c) at the expiry of his term of office.

Deputy Directors

13.
 - (1) There shall be a Deputy Director (Academic Affairs) and a Deputy Director (Administration) who shall have such powers and shall discharge such duties and functions as specified in the Statutes or which are assigned to them by the Director.
 - (2) The Council shall, in consultation with the Director, appoint the Deputy Directors.
 - (3) Notwithstanding subsection (2), the first Deputy Directors shall be appointed by the Minister.
 - (4) The Deputy Directors shall hold office for a term of four years and are eligible for re-appointment.

Registrar

14.
 - (1) The Council shall appoint a Registrar who has and may exercise such other powers and authority and shall discharge and perform such functions and duties as may be specified in the Statutes.
 - (2) The Registrar shall, in addition to his functions and duties act as Secretary to the Council and the Academic Board.

Bursar

15. The Council shall appoint a Bursar who shall exercise such powers and perform such functions and duties as may be specified in the Statutes.

Librarian

16. The Council shall appoint a Librarian who shall exercise such powers and perform such duties and functions as may be specified in the Statutes.

Academic Board

17.
 - (1) There is established a board to be known as the Academic Board which shall consist of -
 - (a) the Director who shall be the Chairman;
 - (b) the Deputy Director (Academic Affairs) who shall be the Vice-Chairman;
 - (c) the Directors of Studies;
 - (d) the Librarian of the Polytechnic;
 - (e) The Students Welfare Officer;
 - (f) the Dean of the Faculty of Science of the University;

- (g) one nominee of each of the Directors of Studies from among the academic staff of his school;
 - (h) one member of academic staff from each of the schools of the Polytechnic elected by the full time academic staff of those schools;
 - (i) the President of the Students' Union;
 - (j) the Director of the Technical, Vocational and Training Division;
 - (k) the Director of the National Curriculum Development Centre; and
 - (l) the Registrar, who shall be the Secretary.
- (2) Other members of the Academic staff of the Polytechnic may be invited to attend meetings of the Academic Board at the discretion of the Academic Board.

Functions of the Academic Board

18. (1) The Academic Board shall assist the Council and the Director in the planning, co-ordination and development of the academic activities of the Polytechnic.
- (2) Without prejudice to the generality of subsection (1), the Academic Board has the following powers:
- (a) to prepare annual, long-term and a five year rolling academic development plan of the Polytechnic;
 - (b) to design, develop and implement appropriate programmes of study;
 - (c) to make recommendations to the Council for the establishment of appropriate structures for the implementation of programmes of study;
 - (d) to direct and regulate the research carried out under the auspices of the Polytechnic;
 - (e) to make rules for the conduct of examinations and for the evaluation of academic programmes;
 - (f) to appoint external examiners and academic consultants or advisers;
 - (g) to make rules for the award of fellowships; scholarships, bursaries, prizes or other awards;
 - (h) to make general arrangements for tutorial or other academic counselling;
 - (i) to regulate and control the admission of persons to courses of study in the Polytechnic;
 - (j) to formulate and promulgate a Code of Conduct to be observed by the students of the Polytechnic and to regulate the discipline of the students;
 - (k) to recommend to the University the award of certificates; and
 - (l) to consider the budgets of departments and schools of the Polytechnic in respect of teaching and research for recommendation to the Council.
- (3) The Academic Board may establish standing or special committees to assist it in the performance of its duties.
- (4) Subject to the provisions of this Act, the Academic Board may regulate its own procedure.

Validity of proceedings

19. No proceedings of the Council, Academic Board or any committee and no act done by the Minister, Director, any of the Deputy Directors or any person acting in any of those offices, shall be invalidated by reason of -
- (a) any defect in the appointment or election of or any disqualification of any member of any of that body;
 - (b) any defect in the convening or conduct of any meeting of that body;
 - (c) there being any vacancy in the number of members of any body; or
 - (d) the fact that a person purporting to be a member of any of the bodies by virtue of an

office held by that person did not hold that office.

Employment of staff

20. (1) The Council may, subject to the approval of the Minister, employ such staff as it thinks appropriate.
- (2) Subject to subsection (3), the terms and conditions of service of the staff of the Polytechnic shall be determined by the Council after consultation with the Academic Board.
- (3) The remuneration and allowances payable to the staff of the Polytechnic shall be subject to the approval of the Minister.
- (4) A member of staff of the Polytechnic may not be dismissed unless the person has been provided with reasons for the proposed dismissal and has been given an opportunity to reply.

Existing staff

21. (1) Any person who, immediately before the coming into operation of this Act, was employed full-time at the Lerotholi Technical Institute, Technician Training School or the Commercial Training Institute, as the case may be, may within the period of six months of the coming into operation of this Act, if he so wishes, elect to terminate his employment with the Public Service and thereafter serve under the Polytechnic.
- (2) A person employed by the Lerotholi Technical Institute, Technician Training School or the Commercial Training Institute who, on or after the commencement of this Act, elects to serve under the Polytechnic shall,
- (a) be regarded as an employee of the Polytechnic; and
- (b) subject to Pensions Proclamation 1964², be paid any pension and or gratuity accruing at the time of his election to serve under the Polytechnic.

Retirement of Staff

22. (1) Subject to the provisions of this Act as specified in the Statutes, Academic Staff shall retire from the Polytechnic on attaining the age of sixty-five and administrative staff shall retire from the Polytechnic on attaining the age of sixty.
- (2) An academic staff member may, on or at any time after attaining the age of fifty-five years and subject to three months notice being given, retire or be required to retire.
- (3) An administrative staff member may, on or at any time after attaining the age of fifty years and subject to three months notice being given, retire or be required to retire.
- (4) If, in the opinion of the Council it is in the public interest to retain an academic or administrative staff member in his post beyond the age of sixty-five years or sixty years respectively, that member of staff may, if willing, be retained for such a period as the Council may determine.

PART III - FINANCE

Funds

23. The funds available for the purpose of enabling the Polytechnic to perform its functions under this Act consist of -
- (a) all moneys or property that may from time to time-
 - (i) be appropriated by Parliament;
 - (ii) be donated, lent or granted to the Polytechnic by any Government or by a person or an international organisation;
 - (b) all moneys borrowed by the Polytechnic under this Act;
 - (c) fees paid by students of the Polytechnic;
 - (d) all moneys derived from the disposal of, or dealing with, movable or immovable property vested in or acquired by the Polytechnic, or derived as income from investment by the Polytechnic; and
 - (e) all moneys received by the Polytechnic for goods or services provided under the authority of this Act.

Application of revenue by the Polytechnic

24. (1) All fees and all other moneys received by the Council shall be applied by the Council solely for the purposes of the Polytechnic.
- (2) For the purposes of this section, the application of moneys by the Council for the purpose of -
- (a) enabling a member of staff of the Polytechnic to pursue study. or research at any University or elsewhere;
 - (b) the advancement of learning generally; or
 - (c) assisting any affiliation, association or connection with another institution,
- shall be deemed to be an application of those moneys for the purposes of the Polytechnic.

Borrowing power

25. Subject to the Loans (Statutory Bodies) Act, 1975³, the Polytechnic may with the consent of the Minister, raise or borrow money with or without interest and on such terms as may be agreed upon between the lender and the Polytechnic.

Budget

26. (1) The Council shall in each financial year adopt for the next financial year, a budget for all funds of the Polytechnic other than those specified in subsection (2) and shall control the expenditure of the Polytechnic so that it conforms as nearly as practicable to the approved budget.
- (2) The Council shall review annually funds available to the Polytechnic by way of bequest, donation, or special grant, and must subject to the terms of any trust and before any expenditure is made, approve the proposed disposition of these funds.
- (3) The entire budget (including the subvention, required from the public funds) shall be submitted to the Minister for the Minister's approval.

Accounts and audit

27. (1) The Council shall correctly keep accounting and associated records that correctly record and explain all transactions.

- (2) The accounts and records of financial transactions of the Polytechnic shall be audited each year in accordance with the Audit Act, 1973⁴.
- (3) The Auditor-General, or any officer authorised by him, has a right of access to the accounting and associated records of the Polytechnic and is entitled to require from any officer or employee of the Polytechnic information necessary for the purposes of the audit, and that officer or employee must comply with any reasonable requirement.
- (3) The Auditor-General shall report to the Council the results of the audit and, if he deems necessary, shall make recommendations to the Council in regard to the conduct of the financial transactions of the Polytechnic and the manner of operating and maintaining the accounts. The Auditor-General shall certify whether or not the statements of accounts submitted exhibit a true and fair view of the financial transactions of the Polytechnic for the period to which they relate.
- (5) The Council shall, as soon as practicable after the thirty first day of March, and in any event, not later than one month after the receipt of the certificate of the Auditor-General referred to in subsection (4) prepare and give to the Minister statements of accounts in the form approved by the Auditor-General and Auditor's report.

PART IV MISCELLANEOUS

Statutes and Ordinances

28. (1) The Council may make Statutes not inconsistent with this Act with respect to all or any of the following matters-
- (a) the use and custody of the common seal;
 - (b) the manner and time of convening, holding and adjourning the meetings of the Council and Academic Board;
 - (c) the quorum and voting at meetings of the Council and the Academic Board;
 - (d) the powers and duties of the presiding officers at meetings of Council and Academic Board;
 - (e) the appointment, quorum and duties of committees of the Council and Academic Board;
 - (f) the appointment, termination of appointment, discipline (including the dismissal, suspension and imposition of disciplinary punishments) and the salaries or wages of academic and administrative staff of the Polytechnic;
 - (g) the admission of students to the Polytechnic;
 - (h) the promotion and extension of Polytechnic teaching and research;
 - (i) the granting, withholding and cancellation of certificates, diplomas and degrees;
 - (j) the granting of fellowships, scholarships, exhibitions, bursaries and prizes;
 - (k) the establishment, management and control of libraries in connection with the Polytechnic;

- (1) the affiliation, association or connection with any educational institution or research establishment;
 - (m) the control and investment of the property of the Polytechnic including any property held in trust or subject to a condition;
 - (n) the regulation and control of access to and the use of land and buildings and the property under the control of the Polytechnic and of the conduct of persons thereon; and
 - (o) such other matters as are necessary or convenient to be prescribed by Statutes.
- (2) The making, amending, repealing or otherwise modifying of any Statutes or any part of a Statute shall require a special resolution.
 - (3) Every Statute made by the Council shall be sealed with the common seal of the Polytechnic and transmitted to the Minister for approval.
 - (4) Statutes shall have no force and effect unless and until they have been approved by the Minister.
 - (5) The Council may make Ordinances for the carrying into effect the provisions of this Act.

Students' Union

- 29. (1) There is established a union to be known as the Lerotholi Polytechnic Students' Union, which shall have such powers and be subject to such obligations as may be prescribed by or under the Statutes.
- (2) All students of the Polytechnic shall be members of the Students Union.
- (3) The Students' Union shall conduct its affairs under the supervision and direction of the Director.
- (4) The constitution of the Students' Union and all amendments shall be submitted to the Council through the Academic Board and shall have no force or effect unless approved by the Council.

Annual report

- 30. The Council shall, not later than six months after the end of each academic year, prepare a report of the proceedings and activities of the Polytechnic during the preceding academic year and submit it to the Minister.

Special Resolution Meeting

- 31. Notice of a meeting requiring a special resolution shall be given at least a month before the date of such a meeting.

Property and assets

- 32. (1) Any property or asset which immediately before the coming into operation of this Act was vested in the Government of Lesotho for the purposes of the Lerotholi Technical Institute, Technician Training School or Commercial Training Institute, shall, from the coming into operation of this Act, vest in the Polytechnic subject to any conditions, liabilities or obligations upon or under which it was vested immediately prior to the coming into

operation of the Act.

- (2) Where, immediately before the coming into operation of this Act, any person holds any property or assets in trust of the Government of Lesotho for the purposes of the Lerotholi Technical Institute, Technician Training School or the Commercial Training Institute, that person shall, from the coming into operation of this Act, hold such property or assets of the like trust for the Polytechnic.

Rights, liabilities and obligations

33. All rights, liabilities and obligations of the Government of Lesotho in respect of the Lerotholi Technical Institute, Technician Training School or the Commercial Training Institute shall be, from the coming into operation of this Act, rights, liabilities and obligations of the Polytechnic and enforceable by or against the Polytechnic accordingly.

Legal proceedings pending

34. Legal proceedings pending immediately before the coming into operation of this Act by or against the Government in relation to the Lerotholi Technical Institute, Technician Training School or the Commercial Training Institute may be continued on or after the coming into operation of this Act by or against the Polytechnic as the party to the proceedings.

Regulations

35. The Minister may make Regulations not inconsistent with the Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

NOTE

1. Law No. 7 of 1964
2. Proclamation No. 4 of 1964
3. Act No. 15 of 1967
4. Act No. 12 of 1973