

**IN THE THIRD SESSION OF THE SEVENTH
PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA**

**REPORT OF THE
COMMITTEE ON EDUCATION**

ON THE

**UNIVERSITY OF TECHNOLOGY AND
APPLIED SCIENCES BILL, 2018**

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1.0 INTRODUCTION

1.1 The University of Technology and Applied Sciences Bill, 2018 was presented to the House and read the first time on Monday, 10th December, 2018.

Pursuant to Article 106 (4) and (5) of the 1992 Constitution of the Republic of Ghana and Order 186 of the Standing Orders of the House, the Rt. Hon Speaker referred the Bill to the Committee on Education for consideration and report.

1.2 To Consider the Bill, the Committee on Education met with the Hon. Minister of State in charge of Tertiary Education, Professor Kwesi Yankah, officials of the Ministry of Education, the National Council for Tertiary Education (NCTE), Attorney-General's Department and representatives of the following stakeholders among others:

- i. Senior Members (Academic and Administrative), University for Development Studies, Navrongo Campus.
- ii. University Teachers' Association of Ghana, University for Development Studies, Wa Campus.
- iii. Navrongo Traditional Council.
- iv. Senior Staff Association, Universities of Ghana (SSA-UoG).
- v. The Dagbon Forum.

1.3 The Committee expresses its appreciation to the Hon. Minister of State, his technical team, and the stakeholders for their input.

2.0 REFERENCE DOCUMENTS

The Committee referred to the following documents during its deliberations:

- i. The 1992 Constitution of Ghana.
- ii. The Standing Orders of the Parliament of Ghana.
- iii. The University for Development Studies Act, 1992 (P.N.D.C.L. 279).
- iv. The University of Environment and Sustainable Development Act, 2015 (Act 898).
- v. The University of Health and Allied Sciences Act, 2011 (Act 828).
- vi. The National Pensions Act, 2008 (Act 766).

3.0 BACKGROUND

University education plays a critical role in the development of every nation. Universities are conduits that propel the social, political and economic development of the community in which they are established. Apart from training and producing the required manpower for industries in the country, universities also serve as a platform to conduct research and propose innovative solutions to existing and emerging problems.

Against this backdrop, the University for Development Studies (UDS) was established in May 1992 by the Provisional National Defence Council. Its establishment was driven by the need to improve access to higher education in the northern part of the country. In addition to its main campus in Tamale/Nyankpala (Northern Region), UDS established campuses in Navrongo (Upper East Region) and Wa (Upper West Region).

The current Government, in its quest to improve access to tertiary education, and absorb a greater number of students who apply to tertiary institutions, has come out with a policy to establish tertiary institutions, particularly universities, in each region of the country. In line with this policy, the UDS is to be converted into three autonomous universities. The Navrongo campus, following the conversion, would gain full university status and be known as the University of Technology and Applied Sciences.

4.0 PURPOSE OF THE BILL

The purpose of the Bill is to establish the University of Technology and Applied Sciences to be an outstanding internationally acclaimed applied research and practical-oriented educational institution, dedicated to the development of integrated technology and applied sciences to be located in Navrongo.

5.0 CONTENT OF THE BILL

The Bill is made up of forty-one clauses and divided into five sections under the following headings:

- Establishment of the University of Technology and Applied Sciences (*Clauses 1 to 4*).
- Governance of the University (*Clauses 5 to 12*).
- Administration of the University (*Clauses 13 to 26*).
- Financial Matters (*Clauses 27 to 31*).
- Miscellaneous Matters (*Clauses 32 to 41*).

Clause 1 establishes the University of Technology and Applied Sciences as a body corporate with perpetual succession. Clause 2 specifies the aims of the University. Clause 3 allows the University to establish other campuses in Navrongo and any other place that the Council

determines. Clause 4 empowers the University to award its own degrees and other certificates.

Clause 5 establishes the governing body of the University which is a Council consisting of eleven persons who will be appointed by the President in accordance with Article 70 of the 1992 Constitution. Clause 6 deals with the functions of the University which is to ensure among others, the implementation of the aims of the University, the proper allocation and use of resources as well as the determination of the strategic direction of the University.

Clauses 7, 8 and 9 provide for the tenure of office of members of the Council, meetings of the Council, and the disclosure of any interest in a matter under consideration. Clause 10 deals with the establishment of Committees by the Council while the allowances of members of the Council are provided for in Clause 11. Clause 12 stipulates the general powers of the Council.

Clause 13 states the principal officers of the University who are the Chancellor, the Vice-Chancellor and Chairperson of the governing body. Clause 14 makes provision for the appointment and functions of the Chancellor. Clause 15 provides for vacancy in the office of the Chancellor. The appointment and functions of the Vice-Chancellor are provided for in Clause 16 while Clause 17 deals with the appointment and functions of the Pro Vice-Chancellor.

Clause 18 establishes the Academic Board. Clause 19 deals with the composition of the Academic Board. Clause 20 empowers the Academic Board to establish standing and ad-hoc committees for the purpose of carrying out the functions of the Board. The functions of the Board are provided for in Clause 21. Clause 22 deals with the appointment of a Registrar of the University. The Finance Director and other staff are appointed under Clauses 23 and 24. Clause 25 enjoins the

University to have an Internal Audit Unit while Clause 26 authorises the Council to make arrangements for the internal organisation of the University.

Clauses 27, 28, 29 and 30 deal with the sources of funds for the University, borrowing powers of the University, standard provisions on Accounts, Audit, Annual Reports and other Reports. Clause 31 exempts the University from the payment of taxes, duties and other charges that the Minister responsible for Finance may determine with the prior approval of Parliament.

Clause 32 provides for the Statutes of the University. The Convocation of the University is established under Clause 33. Clause 34 deals with matriculation.

The Congregation of the University is provided for under Clause 35. Clauses 36 and 37 deal with matters on the governance of students, and Intellectual property. Provisions relating to anti-discrimination are specified in Clause 38. Clause 39 provides for dispute resolution mechanisms.

Clause 40 deals with the interpretation of words and phrases used in the Bill while transitional matters are addressed in Clause 41.

The Bill also has a Schedule which provides for the Oath of Office.

6.0 **OBSERVATIONS**

The Committee made the following observations during its deliberations:

a. Establishment of the University

The Committee observed that the upgrade of the Navrongo Campus of the University of Development Studies into a fully-fledged University of

Technology and Applied Sciences would ensure the realisation of government's policy of establishing tertiary institutions in each region of the country.

The Committee further observed that the establishment of the University would foster development in Navrongo and other parts of the Upper East Region of the country, as well as the West African sub-region considering its proximity to the northern part of Togo and the southern part of Burkina Faso.

The Committee acknowledges that training and equipping personnel with the requisite skills and knowledge in technology and applied and research sciences is pivotal to promoting the socio-economic development of the nation. The Committee therefore considers the proposed establishment of a University dedicated to technology and applied sciences, a step in the right direction.

However, taking cognisance of the tendency for public universities to deviate from their core mandate, and pursue unrelated programmes, the Committee underscored the need for the NCTE to ensure that the University of Technology and Applied Sciences focuses on its core mandate, when established.

b. Aims of the University of Technology and Applied Sciences

The Committee observed that the aims of the proposed University of Technology and Applied Sciences are to provide higher education, disseminate knowledge related to development in integrated technology and applied sciences, undertake research and foster relations with persons outside the institution in accordance with laid down principles. These principles among others are:

- i. Higher education shall be made equally accessible to each person qualified and capable of benefiting from that education.

- ii. In determining the subjects to be taught, consideration shall be given to courses of special relevance to the needs and aspirations of the country particularly, in the north-eastern part of the country.
- iii. The use of critical tools that include information and communication technology for teaching, research, dissemination of knowledge and administration.

The Committee further observed that for the University to achieve its aims, emphasis would be placed on studies in integrated technology and applied sciences and shall have the underlisted schools:

- a. School of Health, Environmental and Life Sciences;
- b. School of Physical and Biochemical Sciences;
- c. School of Engineering;
- d. School of Medicine; and
- e. any other integrated technology and applied sciences related schools, faculties, institutes and centres as the Council may determine.

The Committee noted that currently, the Navrongo Campus of UDS has three (3) Faculties – the Faculty of Applied Sciences, Faculty of Mathematical Sciences and the Faculty of Earth and Environmental Sciences.

The Committee is of the view that the introduction of the new schools in addition to the existing Faculties would no doubt help train and produce the needed human resources for both the national and international markets in the field of technology and applied sciences.

c. *Transitional Provisions*

The Committee took note of the fact that pending the establishment of the University Council, provision has been made in the Bill for an Interim Council under Clause 41 to oversee the smooth operations of the University.

Provisions have also been made in the Bill to ensure that a continuing student of UDS before the commencement of the Act shall upon the coming into force of the Act, graduate as a student of UDS. All ongoing accredited programmes of UDS before the commencement of the Act shall upon the coming into force of the Act, remain a programme of the proposed university. All assets and liabilities of UDS at the Navrongo Campus shall also be transferred to the proposed University upon the coming into force of the Act.

d. *Oath of Secrecy*

The Committee observed that provision was made in the Schedule to the Bill to allow Principal Officers of the proposed University subscribe to the Oath of Office. However, no provision was made for Principal Officers to subscribe to the Oath of Secrecy. This, in the opinion of the Committee, is inconsistent with Bills passed by the House.

The Committee therefore proposes an inclusion of an Oath of Secrecy to the Schedule of the Bill to conform to standard practice.

e. *Provision of Resources*

The Committee observed that unlike recent established universities such as the University of Health and Allied Sciences and the University of Environment and Sustainable Development, which were provided a

base capital to support their smooth take-off, no such provision was made in the Bill.

Inasmuch as the Committee takes cognisance of the fact that the proposed University is an upgrade of an existing campus of UDS which already has some infrastructural facilities in place, the Committee is of the view that establishing a fully-fledged science based University would require adequate funding for the needed facilities and infrastructure.

The Committee therefore urges Government to provide adequate funds for the proposed University of Technology and Applied Sciences.

7.0 PROPOSED AMENDMENTS

The Committee, pursuant to the observations made during its deliberations, proposes the amendments in the attached Appendix for consideration and adoption by the House.

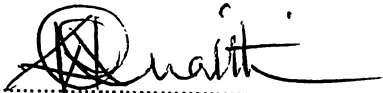
8.0 CONCLUSION AND RECOMMENDATION

The significance of the University of Technology and Applied Sciences Bill, 2018 cannot be overemphasised. The Bill seeks not only to create and enhance access to tertiary education but also, train the needed specialists in the area of technology and applied sciences in general, which is critical in nation building.

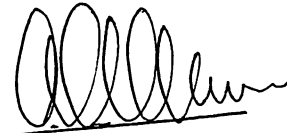
The Committee, having regard to the intent and the purpose of the Bill, strongly recommends that the NCTE ensures that the University stays focus on its mandate, when established.

The Committee hereby recommends to the House to adopt its Report on the University of Technology and Applied Sciences Bill, 2018.

Respectfully submitted.



.....
WILLIAM AGYAPONG QUAITTOO (HON.)
(CHAIRMAN, COMMITTEE ON
EDUCATION)



.....
ABIGAIL ABA ANSO
(CLERK TO THE COMMITTEE)

JULY 2019

APPENDIX

PROPOSED AMENDMENTS

- i. **Clause 1** - **Amendment proposed** - Sub-clause (1), *delete* and *insert* the following:
- “There is established by this Act the University of Technology and Applied Sciences as a body corporate with perpetual succession”.
- ii. **Clause 1** - **Amendment proposed** - Sub-clause (2), line 2, *delete* “movable or immovable”.
- iii. **Clause 1** - **Amendment proposed** - Sub-clause (3), line 1, *delete* “property” and *insert* “land”.
- iv. **Clause 1** - **Amendment proposed** - Sub-clause (3), line 2, *delete* “immovable property” and *insert* “land”.
- v. **Clause 2** - **Amendment proposed** - Sub-clause (1), paragraph (b), line 3, *delete* “North-Eastern” and *insert* “north-eastern”.
- vi. **Clause 2** - **Amendment proposed** - Sub-clause (2), line (1), *delete* “its aims under” and *insert* “the aims of”
- vii. **Clause 2** - **Amendment proposed** - Sub-clause (2), paragraph (e), line 2, *delete* “centres and institutes” and *insert* “faculties, institutes and centres”.
- viii. **Clause 3** - **Amendment proposed** - *Delete* and *insert* the following:
- “The University is established in Navrongo with campuses in any other place that the Council may determine”.

- ix. **Clause 4** - **Amendment proposed** - Sub-clause (1), line 2, *delete* “including”.
- x. **Clause 4** - **Amendment proposed** - Sub-clause (2), line 1, after “degree” *insert* “honorary degree”.
- xi. **Clause 4** - **Amendment proposed** - Sub-clause (2), paragraph (a), after “degree” *insert* “honorary degree”.
- xii. **Clause 4** - **Amendment proposed** - Sub-clause (2), paragraph (b), after “degree” *insert* “honorary degree”.
- xiii. **Clause 5** - **Amendment proposed** - Sub-clause (1), paragraph (c), after “President” *insert* “at least”.
- xiv. **Clause 5** - **Amendment proposed** - Sub-clause (1), paragraph (e), *delete* and *insert* the following:

“one representative of the University Senior Staff Association of Ghana elected by the Association”.
- xv. **Clause 5** - **Amendment proposed** - Sub-clause (1), paragraph (i), *delete* “expert” and *insert* “an alumni with expertise in”.
- xvi. **Clause 5** - **Amendment proposed** - Sub-clause (1), paragraph (i), after “industry” *insert* “nominated by the Alumni Association of the University”.
- xvii. **Clause 8** - **Amendment proposed** - Sub-clause (1), line 2, after “for” *delete* “the”.
- xviii. **Clause 8** - **Amendment proposed** - Sub-clause (1), line 2, after “at” *delete* “the” and *insert* “a”.
- xix. **Clause 8** - **Amendment proposed** - Sub-clause (1), line 2, after “in” *delete* “the” and *insert* “a”.

- xx. **Clause 13** - **Amendment proposed** - Sub-clause (2), line 2, after “office” *insert* “and oath of secrecy”.

- xxi. **Clause 16** - **Amendment proposed** - Sub-clause (2), after “University” *insert* “in accordance with the Statutes of the University”.

- xxii. **Clause 16** - **Amendment proposed**- *Add* a new sub-clause as follows:

“*The Vice-Chancellor shall, before assuming office, take and subscribe to the oath of office and oath of secrecy as specified in the Schedule.*”

- xxiii. **Clause 17** - **Amendment proposed**- Sub-clause (7), line 2, after “office” *insert* “and oath of secrecy”.

- xxiv. **Clause 19** - **Amendment proposed** - Sub-clause (1), paragraph (g), *add* a new subparagraph as follows:

“a Faculty”.

- xxv. **Clause 20** - **Amendment proposed**- Sub-clause (1), line 2, after “and” *insert* “as”.

- xxvi. **Clause 21** - **Amendment proposed**- Paragraph (d), subparagraph (ii), after “degrees” *insert* “diplomas and certificates”.

- xxvii. **Clause 22** - **Amendment proposed** - Sub-clause (2), *delete* “a” and *insert* “the”.

- xxviii. **Clause 22** - **Amendment proposed** - Sub-clause (2), after “University” *insert* “in accordance with the Statutes of the University”.

- xxix. **Clause 22** - **Amendment proposed** - Sub-clause (3), *delete* and *insert* the following:
- “The Registrar shall hold office
- (a) for a term of four years and is eligible for re-appointment for another term only; and
- (b) on the conditions specified in the letter of appointment in accordance with the Statutes of the University.”
- xxx. **Clause 22** - **Amendment proposed** - Sub-clause (6), line 1, *delete* “operating” and *insert* “administrative”.
- xxxi. **Clause 22** - **Amendment proposed** - Sub-clause (8), line 2, after “office” *insert* “and oath of secrecy”.
- xxxii. **Clause 23** - **Amendment proposed** - Sub-clause (1), line 1, *delete* “the” and *insert* “a”.
- xxxiii. **Clause 23** - **Amendment proposed** - Sub-clause (1), line 2, after “University” *insert* “in accordance with the Statutes of the University”.
- xxxiv. **Clause 23** - **Amendment proposed** - Sub-clause (3), line 2, after “of” *delete* “the duties of the Director of Finance” and *insert* “his functions”.
- xxxv. **Clause 23** - **Amendment proposed** - *Add* a new sub-clause as follows:
- “The Director of Finance shall hold office
- (a) for a term of four years and is eligible for re-appointment for another term only; and
- (b) on the conditions specified in the letter of appointment in accordance with the Statutes of the University.”

- xxxvi. **Clause 26** - **Amendment proposed** - Sub-clause (1), paragraph (a), lines 2 and 3, after “Institutes”, *insert* “Halls of Residence”.
- xxxvii. **Clause 27** - **Amendment proposed** - Sub-clause (1), paragraph (b), sub-paragraph (i), line 1, *delete* “duly registered by” and *insert* “of”.
- xxxviii. **Clause 27** - **Amendment proposed** - Sub-clause (1), paragraph (b), sub-paragraph (v), after “grants” *insert* “loans”.
- xxxix. **Clause 27** - **Amendment proposed** - Sub-clause (2), line 1, after “received” *delete* “by or”.
- xl. **Clause 27** - **Amendment proposed** - Sub-clause (2), line 2, after “opened” *delete* “by or”.
- xli. **Clause 30** - **Amendment proposed** - Sub-clause (1), line 1, *delete* “one month” and *insert* “thirty days”.
- xlii. **Clause 30** - **Amendment proposed** - Sub-clause (1), line 3, *delete* “relate” and *insert* “relates and make a copy of that report available to the regulatory body responsible for regulating tertiary education”.
- xliii. **Clause 30** - **Amendment proposed** - Sub-clause (3), line 1, *delete* “one month” and *insert* “thirty days”.
- xliv. **Clause 32** - **Amendment proposed** - Paragraph (a), sub-paragraph (iv) *delete* “of the employees of the University”.
- xlv. **Clause 32** - **Amendment proposed** - Paragraph (b), line 2, after “University” *insert* “in consultation with the regulatory body responsible for regulating tertiary education”.

- xlvi. **Clause 33** - **Amendment proposed** - Sub-clause (2), line 2, before “Convocation” *insert* “the”.

- xlvii. **Clause 33** - **Amendment proposed** - Sub-clause (3), line 1, *delete* “names” and *insert* “name”.

- xlviii. **Clause 34** - **Amendment proposed** - Sub-clause (1), line 2, after “Register” *insert* “as provided in the Statutes of the University ”.

- xlix. **Clause 37** - **Amendment proposed** - After Clause 37, *delete* the Group of Sections Caption.

- 1. **Clause 38** - **Amendment proposed** - Sub-clause (1), line 1, *delete* “Without limiting the power” and *insert* “Any policy”.

- li. **Clause 38** - **Amendment proposed** - Sub-clause (1), line 2, *delete* “policies”.

- lii. **Clause 38** - **Amendment proposed** - Sub-clause (1), paragraph (e), *delete* “members” and *insert* “staff member”.

- liii. **Clause 39** - **Amendment proposed** –Headnote, *delete* “Dispute settlement” and *insert* “Appeals”.

- liv. **Clause 39** - **Amendment proposed** – Sub-clause (1), line 1, *delete* “a body to be known as”.

- lv. **Clause 39** - **Amendment proposed** - Sub-clause (6), line 2, after “specified” *delete* “in”.

- lvi. **Clause 40** - **Amendment proposed** – Definition of “Appeals Board”, line 3, *delete* “39” and *insert* “39 (1)”

lvii. **Clause 41** - **Amendment proposed** – Sub-clause (1), line 3, *delete* “two years” and *insert* “one year”.

lviii. **Clause 41** - **Amendment proposed** – Sub-clause (5), line 1, *delete* “continuing”.

lix. **Clause 41** - **Amendment proposed** – Sub-clause (8), line 3, *delete* “two years” and *insert* “one year”.

lx. **Clause 41** - **Amendment proposed** – *Add* a new sub-clause as follows:

“In furtherance of subsection (7), the Minister and the Regulatory Body responsible for tertiary education shall ensure the equitable transfer of assets and liabilities.”

lxi. **New Clause** - **Amendment proposed** - *Add* a new Clause as follows:

“Remuneration and Pension of Staff of the University

(1) Subject to the Act, the Council shall determine the remuneration of academic, administrative and other staff of the University in accordance with government policy.

(2) The National Pensions Act, 2008 (Act 766) shall apply to the academic, administrative and other staff of the University.”

lxii. **Schedule** - **Amendment proposed** - *Add* the following:

“Oath of Secrecy

I....., holding the office of.....do (in the name of the Almighty God)(solemnly affirm) that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall come to my

knowledge in the discharge of my official duties
except as may be required for the discharge of my
official duties or as may be specifically permitted by
law (So help me God).”