

**KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI  
ACT, 1961 (ACT 80)**

As amended by

UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI (AMENDMENT) ACT, 1990  
(PNDCL 240)1

UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI (AMENDMENT) ACT, 1998  
(ACT 559)2

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REPUBLIC OF GHANA

**THE EIGHTIETH  
ACT  
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA  
ENTITLED**

**THE KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TECHNOLOGY, KUMASI  
ACT, 1961**

**AN ACT** to establish the Kwame Nkrumah University of Science and Technology, Kumasi in place of the Kumasi College of Technology.

**DATE OF ASSENT:** 22nd August, 1961

**BE IT ENACTED** by the President and the National Assembly in this present Parliament assembled as follows:—

Section 1—Establishment of University.

- (1) There is hereby established a university under the name of the Kwame Nkrumah University of Science and Technology, Kumasi (in this Act referred to as the University).[As inserted by The University of Science and Technology, Kumasi (Amendment) Act, 1998 (Act 559) s. (c) ]
- (2) The University is a body corporate, and shall have perpetual succession and a common seal.
- (3) Without prejudice to its other powers, the University shall have power to award its own degrees.

Section 2—Aims.

The aims of the University shall be to provide higher education, to undertake research, to disseminate knowledge and to foster relationships with outside persons and bodies; and to do so in accordance with the following principles—

- (a) that in determining the subjects to be taught emphasis should be placed on those which are of special relevance to the needs and aspirations of Ghanaians, including the furtherance of African unity;

(b) that higher education should be available to all Ghanaians who are capable of benefiting from it;

(c) that so far as practicable students should be given an understanding of world affairs, and in particular of the histories, institutions and cultures of African civilisations;

(d) that students should be taught methods of critical and independent thought, while being made aware that they have a responsibility to use their education for the general benefit;

(e) that research should be undertaken in all subjects which are taught in the University, but with special attention to subjects which relate to the social, cultural, economic, scientific, technical and other problems which exist in Ghana or elsewhere in Africa;

(f) that opportunities for higher education and research should be provided for students from other countries, particularly countries in Africa;

(g) that the fruits of research, and knowledge generally, should be spread abroad by the publication of books and papers and by any other suitable means;

(h) that the University should develop close relationships with the people of Ghana and with other cultural institutions, whether within Ghana or outside.

#### Section 3—Principal Officers.

The principal officers of the University shall be the Chancellor, the Chairman of the University Council and the Vice-Chancellor.

#### Section 4—Chancellor.

(1) The Head of State shall hold the office of Chancellor and as such shall be the head of the University. [As substituted by University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240) s. 1(a)]

(2) In the absence of the Head of State the person acting as the Head of State shall be the Chancellor. [As substituted by University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240) s. 1(a)]

#### Section 5—Chairman of University Council.

(1) The Chairman of the University Council shall be appointed by the PNDC. [As substituted by University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240) s. 1(a)]

(2) The Chairman of the University Council shall hold office for two years but shall be eligible for re-appointment. [As substituted by University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240) s. 1(a)]

#### Section 6—Vice-Chancellor.

(1) The Vice-Chancellor shall be appointed by the PNDC on the recommendation of the University Council and shall hold office upon such terms and conditions as may be specified in his instrument of appointment. [As substituted by University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240), s.1 (b).]

(2) The Vice-Chancellor shall, under the direction of the Council, be the academic and administrative head and chief disciplinary officer of the University.[As substituted by University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240), s.1(b).]

(3) A Pro-Vice-Chancellor shall be appointed by the University Council in accordance with a statute in that behalf enacted by the Council, and shall act as Vice-Chancellor when the post of Vice-Chancellor is vacant or the Vice-Chancellor is absent or unable to act.

#### Section 7—University Council.

(1) The governing body of the University shall be the University Council which shall consist of the following members appointed by the PNDC—

- (a) the Chairman;
- (b) the Vice-Chancellor;
- (c) two representatives of Convocation (one of professorial status and one of non-professorial status);
- (d) one representative of the University Teachers Association;
- (e) a representative of the under-graduate students of the University;
- (f) a representative of the post-graduate students of the University;
- (g) a representative of the Committee for the Defence of the Revolution of the University;
- (h) a representative of the Teachers and Education Workers Union;
- (i) a representative of the Education Commission;
- (j) a representative of the Conference of Heads of Assisted Secondary Schools;
- (k) a representative of the Alumni Association of the University; and
- (l) three other persons including at least one woman. [As substituted by the University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240), s. 1(c).]

(2) The Schedule to this Act shall apply with respect to the members and meetings of the University Council.

#### Section 8—Academic Board.

(1) There shall be an Academic Board, which shall be responsible under the University Council for—

- (a) formulating and carrying out the academic policy of the University;
- (b) devising and regulating courses of instruction and study, and supervising research;
- (c) regulating the conduct of examinations and the award of degrees, diplomas and certificates;
- (d) advising the University Council on the admission of students and the award of scholarships;
- (e) reporting on such matters as may be referred to it by the University Council.

(2) The Academic Board may make representations to the University Council on any matter connected with the University, and shall have such additional functions as may be conferred on it by statutes enacted by the University Council.

(3) The Academic Board shall consist of the Vice-Chancellor and at least nine other persons drawn from the academic staff in accordance with a statute in that behalf enacted by the University Council.

#### Section 9—Registrar.

There shall be a Registrar to the University, who shall be appointed by, and act as secretary to, the University Council.

#### Section 10—General Powers of University Council.

Subject to the provisions of this Act, the University Council shall have power to do or provide for any act or thing in relation to the University which it considers necessary or expedient in its capacity as the governing body, and the conferring of particular powers on the Council by other provisions of this Act shall not be taken to limit the generality on this section.

#### Section 11—Internal Organisation of University.

(1) Subject to the provisions of this Act, the University Council may make such arrangements as it thinks fit regarding the internal organisation of the University, including the establishment, variation and suppression of —

(a) halls of residence, faculties, institutes, schools, departments and other bodies, whether in Kumasi or elsewhere;

(b) professorships, lectureships and other posts, whether academic, administrative or otherwise;

(c) fellowships, bursaries, exhibitions, scholarships, prizes, honorary degrees and other awards.

(2) In so far as they relate to matters which in the opinion of the Council are academic matters, the Council shall exercise the powers referred to in the preceding subsection only after consultation with the Academic Board.

#### Section 12—Property and Contracts.

(1) The University shall have power, for any purpose which in the opinion of the University Council is necessary or expedient for or in connection with the exercise of the functions of the University, to acquire and hold any moveable or immovable property, to sell, lease, mortgage or otherwise alienate or dispose of any such property, and to enter into any other transaction.

(2) Where the University Council have resolved that it is necessary or expedient to acquire any property under the preceding subsection the property may be treated as property required for the Public Service, and the State Property and Contracts Act, 1960 (C.A.6) shall apply accordingly, so however that the provisions of that Act shall apply with such modifications as are necessary to provide for the vesting of property acquired thereunder in the University and for the cost of acquisition to be defrayed by the University.

#### Section 13—Accounts.

The University Council shall cause the accounts of the University to be drawn up, audited and published annually at such times and in such manner as the Minister responsible for finance may direct.

#### Section 14—Annual Report.

Within six months after the end of each academic year the University Council shall cause a report of the activities of the University during that year to be drawn up and made available to the public.

#### Section 15—University Statutes.

(1) The University Council may enact statutes for carrying into effect the provisions of this Act, and in particular for—

(a) regulating the appointment, conditions of service, termination of appointment and retirement benefits of the staff of the University, and for determining the persons who form the academic staff for the purposes of this Act;

(b) determining the persons who are authorised to sign contracts, cheques and other documents on behalf of the University, and otherwise regulating procedure in relation to transactions entered into by the University;

(c) fixing the academic year of the University;

(d) securing that the seal of the University is kept in proper custody and is used only by authority of the University Council.

(2) A statute shall be taken to be enacted if, but only if—

(a) a draft of the statute has been circulated to the members of the Council at least fourteen days before the meeting at which it is to be considered; and

(b) after consideration by the meeting the draft has been provisionally approved either without amendment or only with amendments of which notice in writing was circulated to the members at least three days before the meeting; and

(c) the statute as provisionally approved has been circulated to the members of the Council, and (where in the opinion of the Council it affects academic matters) to the members of the Academic Board, at least seven days before the meeting at which it is proposed to confirm the statute; and

(d) the statute is confirmed without amendment at a meeting of the Council held not less than one month nor more than six months after the meeting at which it was provisionally approved.

#### Section 16—Abolition of Kumasi College of Technology.

(1) The Kumasi College of Technology is hereby abolished and the body corporate styled the Council of the Kumasi College of Technology is hereby dissolved.

(2) Subject to the provisions of this Act, all property which at the commencement of this Act was vested in the Council of the Kumasi College of Technology or was in any other manner held on behalf of, or for the purposes of, the Kumasi College of Technology, shall by virtue of this Act similarly vest in or be held on behalf of, or for the purposes of, the University.

(3) Subject to the provisions of this Act, every contract entered into by the Council of the Kumasi College of Technology shall have effect as if entered into by the University, and all obligations subsisting against the said Council shall continue to subsist against the University.

(4) The Minister responsible for Finance may make a scheme for safeguarding pension rights of the staff of the Kumasi College of Technology.

(5) Except where otherwise provided by this Act, and until otherwise provided in the exercise of functions conferred by this Act, all other matters and things relating to the Kumasi College of Technology shall continue as nearly as may be in relation to the University.

#### Section 17—Transitional Provisions.

(1) Until the date of the first meeting of the University Council, the body appointed by the President and known as the Interim Council of the University of Science and Technology, Kumasi shall have and exercise all the functions conferred by this Act on the University Council, and any act done by the said Interim Council before that date (whether before or after the commencement of this Act) shall have the like effect as if done by the University Council.

(2) For the purpose of determining the composition of the University Council in the first instance, paragraph (g) of section 7 of this Act shall not apply and the four members therein referred to shall be elected before the first meeting of the University Council in accordance with arrangements made by the Interim Council and, notwithstanding anything in the Schedule to this Act, shall hold office for one year only, but shall be eligible for re-election.

(3) Notwithstanding anything in the Schedule to this Act, the term of office of the first members of the University Council to be appointed or elected under section 7 of this Act shall be one year only in the case of the following, who shall nevertheless be eligible for reappointment or re-election—

(i) two persons nominated by the Chancellor out of the four appointed by him;

(ii) the person elected by a body representative of heads of secondary schools;

(iii) the two persons with the lowest number of votes out of the four elected by members of the staff of the University, the choice being by lot in the case of equal votes.

(4) The University Council—

(a) shall enact the statute referred to in section 7 (1) (g) of this Act within one year after the commencement thereof;

(b) shall enact the statutes referred to in sections 6 (3) and 8 (3) of this Act within three months after the commencement thereof.

#### Section 17A—Interpretation

In this law PNDC means the Provisional National Defence Council. [Inserted and to be cited as University of Science and Technology, Kumasi (Amendment) Law, 1990, PNDC 240), s. 2].

#### Section 18—Commencement.

This Act shall come into operation on such date as the President may by legislative instrument appoint.

## SCHEDULE

### SCHEDULE—UNIVERSITY COUNCIL

#### Members

1. The term of office of a person who is a member of the Council other than the Vice-Chancellor shall be two years but such a person shall be eligible for re-appointment. [As substituted by the University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240) s. 1(d)(i).]
2. If an appointed or elected member (other than a member elected by the Council) is absent from Ghana for a continuous period of twelve months his office shall become vacant at the end of that period.
3. Where the office of an appointed or elected member becomes vacant on his death or resignation, or by virtue of the preceding paragraph, a successor shall be appointed or elected in the same manner to serve for the remainder of the term of office.
4. Where an appointed or elected member is temporarily absent from Ghana a substitute may be appointed or elected in the same manner to act for him during his absence.
5. An appointment or election may be made in anticipation of the vacation of office or temporary absence of a member.
6. A member whose office has or will become vacant shall be eligible for re-appointment or re-election.
7. No member shall hold office under more than one provision of section 7 of this Act, and if a person is appointed or elected under more than one provision he shall notify the Council under which provision he chooses to hold office and another person shall thereupon be appointed or elected under the other provision.
8. No act of the Council shall be invalidated by vacancies in its membership or defects in the appointment or election of any of its members.
9. No member of the Council shall be entitled to remuneration in respect of his membership, but members shall be entitled to such travelling and subsistence allowances (if any) as the Council may determine.

#### Meetings

10. The Council shall meet at least three times in every academic year.
11. A meeting may be convened by any of the principal officers of the University, and shall be convened if eight members of the Council sign a requisition to that effect.
12. If the Chancellor is present at a meeting of the Council he shall act as chairman, but if the Chancellor is not present the Chairman of the Council shall act as chairman unless he also is absent, in which case the members present shall elect a chairman.



13. The quorum at meetings of the Council shall be eight.
14. Questions shall be decided by a simple majority of votes cast.
15. The chairman shall have an original vote and a casting vote.
16. The Pro-Vice-Chancellor, the Registrar and a representative of Ministry of Education shall attend meetings of the Council but shall not vote on any matter before the Council. [As inserted by the University of Science and Technology, Kumasi (Amendment) Law, 1990 (PNDCL 240) s.