

TECHNICAL UNIVERSITIES (AMENDMENT) ACT, 2018 (ACT 974)

ARRANGEMENT OF SECTIONS

Section

1. Section 14 of Act 922 amended
2. Section 21 of Act 922 amended
3. Section 22 of Act 922 amended
4. Section 24 of Act 922 amended
5. Section 26 of Act 922 amended
6. Section 27 of Act 922 amended
7. Section 27A of Act 922 inserted
8. Section 31 of Act 922 amended
9. Section 40 of Act 922 amended
10. Section 42 of Act 922 amended
11. Section 41 of Act 922 amended
12. First Schedule to Act 922 amended



REPUBLIC OF GHANA

REPUBLIC OF GHANA
THE NINE HUNDRED AND SEVENTY-FOURTH
ACT
OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED
TECHNICAL UNIVERSITIES (AMENDMENT) ACT, 2018

AN ACT to amend the Technical Universities Act, 2016 (Act 922) to convert Cape Coast Polytechnic and Tamale Polytechnic to Technical Universities; to provide for standardised Statutes and Scheme of Service for the Technical Universities; to provide for a fixed tenure for the Registrar and Director of Finance; to provide for the enactment of Statutes; to apply the requirements of the standardised Statutes and Scheme of Service to persons deemed to have been employed by the Technical Universities and to provide for related matters.

DATE OF ASSENT: 24th August, 2018.

PASSED by Parliament and assented to by the President:

Section 1—Section 14 of Act 922 amended

Section 14 of the Technical Universities Act, 2016 (Act 922) referred to in this Act as the "principal enactment" is amended by the substitution for subsection (2) of

“(2) The criteria and modalities for the nomination and election of the Chancellor shall be prescribed by the Statutes of the Technical University.”.

Section 2—Section 21 of Act 922 amended

Section 21 of the principal enactment is amended by the substitution for subsection (2) of

“(2) 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 Technical University.”.

Section 3—Section 22 of Act 922 amended

The principal enactment is amended in section 22 by the insertion after subsection (1) of

“(1A) 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 Technical University.”.

Section 4—Section 24 of Act 922 amended

Section 24 of the principal enactment is amended by

(a) the insertion of "the" at the end of line 3 of subsection (1);

(b) the substitution for paragraph (a) of subsection (1) of

“(a) establishment, variation and supervision of academic divisions, Schools, Faculties, Institutes, Departments, Centres and hostels of that Technical University, subject to approval by the National Council for Tertiary Education;”; and

(c) the substitution for paragraph (b) of subsection (2) of

“(b) enter into an agreement or a relationship with another institution whether academic or non-academic and within or outside the country, subject to approval by the National Council for Tertiary Education;”.

Section 5—Section 26 of Act 922 amended

Section 26 of the principal enactment is amended by the substitution for subparagraph (ii) of paragraph (a) of

“(ii) terms and conditions of service as determined by the Fair Wages and Salaries Commission,”.

Section 6—Section 27 of Act 922 amended

The principal enactment is amended by the substitution for section 27, of

27. “Procedure for enacting Statutes for Technical Universities

(1) A Technical University established under this Act shall operate with standardized Statutes.

(2) To enact the standardised Statutes under this Act, a draft Statutes shall be compiled by the National Council for Tertiary Education and circulated to members of the Council of each Technical University, at least fourteen days before the date of the meeting at which the draft standardised Statutes are to be considered.

(3) The Council of a Technical University shall consider the draft standardised Statutes and may approve the draft standardised Statutes provisionally with or without amendment.

(4) The draft standardised Statutes as provisionally approved, shall be circulated to the members of the Council and where in the opinion of the Council, the draft standardised

Statutes affects academic or other matters, the draft standardised Statutes shall be circulated to

(a) the Academic Board; or

(b) any other relevant body

of the Technical University at least seven days before the meeting at which the draft standardised Statutes, with or without amendments, are intended to be validated.

(5) Where the Council confirms any proposed amendment to the draft standardised Statutes, the Council shall forward the proposed amendments to the National Council for Tertiary Education for validation.

(6) The draft standardised Statutes shall be validated by the National Council for Tertiary Education at a meeting of the Council to be held not less than one month and not more than six months after the meeting at which the draft standardised Statutes were previously approved.

“(7) A Statute or a provision of a Statute enacted by a Technical University which is inconsistent with any provision of this Act, shall, to the extent of the inconsistency, be void.”

Section 7—Section 27A of Act 922 inserted

The principal enactment is amended by the insertion of a new section 27A

27A. “Scheme of Service

A Technical University established under this Act shall operate in accordance with the Scheme of Service approved by the National Council for Tertiary Education.”,

Section 8—Section 31 of Act 922 amended

Section 31 of the principal enactment is amended by the substitution for subsection (1) of

“(1) Despite subsection (2) and (3) of section 1, a Technical University shall not acquire, hold movable and immovable property, sell, lease, mortgage or otherwise alienate or dispose of that property without the approval of the Minister given in consultation with the National Council for Tertiary Education.”.

Section 9—Section 40 of Act 922 amended

The principal enactment is amended by the substitution for section 40, of

40. “Regulations

The Minister may, on the advice of the National Council for Tertiary Education given in consultation with the National Accreditation Board, by legislative instrument, make Regulations

(a) to amend the First Schedule to convert a qualified Polytechnic in Part 2 to a Technical University in Part 1;

(b) to amend the Second Schedule in respect of the requirements for the conversion of a Polytechnic to a Technical University; and

(c) for carrying out and giving effect to this Act.”.

Section 10—Section 42 of Act 922 amended

Section 42 of the principal enactment is amended by the substitution for subsection (6) of

“(6) A person in the employment of a polytechnic in existence immediately before the coming into force of this Act, shall; subject to the requirements of the standardised Statutes and Scheme of Service for the Technical University, be deemed to have been duly employed by the respective Technical University established under this Act.

(6A) Despite subsection (6), a Key Officer of a Polytechnic whose appointment is based on the Statutes of a Polytechnic shall be deemed to be an employee, subject to the

(a) standardised Statutes for the Technical University; and

(b) appointment of substantive officers by the Council of the Technical University in accordance with the standardised Statutes.”.

Section 11—Section 41 of Act 922 amended

Section 41 of the principal enactment is amended by the insertion in alphabetical order of the following new definitions:

“Key Officer” includes the Vice-Chancellor, the Pro Vice-Chancellor, the Registrar and the Director of Finance;

“Scheme of Service” means a policy document outlining staffing positions, the duties and responsibilities at each level or designated post, the qualifications required for the post and the requirements for appointment or promotion to each post;

“Standardised Statutes” means guidelines of general application to all technical universities.”

Section 12—First Schedule to Act 922 amended

The principal enactment is amended by the substitution for the First Schedule of

“FIRST SCHEDULE

Part 1

(Section 1)

Technical Universities

- | | | |
|---------------------------|---|---------------------------------|
| 1. Accra Polytechnic | - | Accra Technical University |
| 2. Ho Polytechnic | - | Ho Technical University |
| 3. Koforidua Polytechnic | - | Koforidua Technical University |
| 4. Kumasi Polytechnic | - | Kumasi Technical University |
| 5. Sunyani Polytechnic | - | Sunyani Technical University |
| 6. Takoradi Polytechnic | - | Takoradi Technical University |
| 7. Cape Coast Polytechnic | - | Cape Coast Technical University |
| 8. Tamale Polytechnic | - | Tamale Technical University” |

Part 2

(Section 2)

Polytechnics to be converted

1. Bolgatanga Polytechnic
2. Wa Polytechnic”.

Date of Gazette Notification: 30th August, 2018