

UNIVERSITY OF CAPE COAST LAW, 1992

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SCHEDULE

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In pursuance of the Provisional National Defence Council (Establishment) Proclamation 1981, this Law is hereby made:

University of Cape Coast continued in existence.

1. (1) The University of Cape Coast established under section 1 of the University of Cape Coast Act, 1971 (Act 390) and in existence immediately before the commencement of this Law is hereby continued in existence subject to the provisions of this Law.

(2) The University shall continue to be a body corporate and shall have perpetual succession and its common seal and may sue and be sued in its corporate name.

(3) The University shall have power to award its own degrees including honorary degrees, diplomas, certificates and other academic distinctions.

Aims of the University.

2. The aims of the University are—

- (a) to provide higher education to persons suitably qualified and capable of benefiting from such education;
- (b) to train students in methods of critical and independent thought; making them aware of their responsibility to use their education for the general good of Ghanaian society; and
- (c) to provide facilities for and engage in teaching and research for the purpose of promoting the advancement and dissemination of learning and knowledge with particular reference to the needs and aspirations of the people of Ghana and the furtherance of co-operation between African States.

Functions and powers of the University.

3. (1) The University shall provide instruction and undertake research for the advancement of knowledge in such branches of learning and study for persons whether members of the University or not and in such manner as it shall determine; except that the University shall give emphasis to the preparation of teachers both graduates and non-graduates for secondary schools, teacher training colleges, polytechnics and technical institutions as well as the training and retraining of such specialised personnel as may be required for the effective provision of education service in the country.

(2) Subject to the provisions of this Law, the University shall perform such functions and exercise such powers that are necessary to effectively further the aims of the University and maintain its efficiency as an academic community.

(3) The University may enter into an agreement or relationship with another institution whether—

- (a) academic or non-academic; and

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(b) inside or outside Ghana

and may incorporate within the University another institution or body taking over the property, rights, privileges and liabilities of that other Institution or body.

(4) The University may —

- (a) acquire property by purchase or gift;
- (b) hold and manage movable and immovable property;
- (c) sell, lease and mortgage property;
- (d) enter into any other transaction which is necessary or expedient for the furtherance of its aims.

4. There shall be no discrimination against a suitably qualified person on account of religion, political opinion, ethnic origin or gender to determine whether that person is to —

No discrimination of staff and students.

- (a) be appointed as an academic staff or other staff member;
- (b) be registered as a student of the University;
- (c) be permitted to graduate from the University; or
- (d) have any advantage or privilege.

5. (1) The Head of State shall hold office as Chancellor and shall be the head of the University. The Chancellor.

(2) In the absence of the Head of State the person acting as Head of State shall be the Chancellor.

(3) The Chancellor shall confer degrees, diplomas and honorary degrees of the University in accordance with procedures prescribed by statutes.

(4) The Chancellor shall preside at any ceremony of the University at which he is present.

(5) The Chancellor shall once in every five years appoint a visiting committee to inspect the work of the University and report to him.

6. (1) There shall be a chairman of the University Council who shall be appointed by the P.N.D.C. Chairman of University Council.

(2) The chairman of the University Council shall hold office for two years but shall be eligible for re-appointment.

7. (1) There shall be a Vice-Chancellor of the University who shall be appointed by the P.N.D.C. on the recommendation of the University Council. Vice-Chancellor.

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(2) The Vice-Chancellor shall hold office on such terms and conditions as may be specified in his instrument of appointment.

(3) The Vice-Chancellor shall under the direction of the University Council be the academic and administrative head and the chief disciplinary officer of the University.

(4) The Vice-Chancellor shall be responsible to the University Council for maintaining and promoting the good order and efficiency of the University.

(5) The Vice-Chancellor shall have such other functions as are prescribed by statutes.

Pro-Vice-Chancellor.

8. (1) There shall be a Pro-Vice-Chancellor of the University who shall be appointed by the University Council in accordance with the statutes of the University and who shall be a member of the academic staff.

(2) The Pro-Vice-Chancellor shall be assigned such duties as the University Council or the Vice-Chancellor may determine.

(3) In the absence of the Vice-Chancellor, the Pro-Vice-Chancellor shall perform the functions of the Vice-Chancellor.

The University Council.

9. (1) There shall be a Council of the University which shall be the governing body of the University.

(2) The University Council in this Law referred to as "the Council" shall consist of the following members appointed by the P.N.D.C.—

- (a) the Chairman;
- (b) the Vice-Chancellor;
- (c) two representatives of Convocation (one of professorial status and one of non-professorial status);
- (d) a representative of 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 or body of equivalent status;
- (j) a representative of the Conference of the Heads of Assisted Secondary Schools;

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(k) a representative of the Alumni Association of the University; and

(l) three other persons including at least one woman.

(3) Members of the Council other than the Vice-Chancellor shall hold office for a period of two years but shall be eligible for re-appointment.

(4) The Schedule to this Law shall apply to the members and the meetings of the Council.

10. The Council shall be responsible for the management and administration of the finances and properties of the University and shall have general control over the affairs and public relations of the University including the use of the common seal of the University. Functions of the Council.

11. (1) There shall be an Academic Board of the University which shall, subject to the powers of the Council— Academic Board.

(a) formulate and carry out the academic policy of the University;

(b) be responsible for regulating the academic work of the University both in teaching and research, the award of degrees except honorary degrees, and the award of diplomas and certificates;

✓ (c) advise the Council on the appointment of academic staff, admission of students and the award of bursaries and scholarships;

(d) report to the University Council on matters which may be referred to it by the Council; and

(e) perform such other functions as may be specified in the University statutes.

(2) The composition and terms of membership of the Academic Board shall be prescribed by statutes, however the Vice-Chancellor shall be the Chairman of the Academic Board.

(3) The Academic Board may make representations to the University Council on matters connected with the University and shall have such additional functions as may be prescribed by statutes enacted by the Council.

12. Without prejudice to committees established under this Law, the University Council may establish committees and boards by statutes as it considers necessary for the effective discharge of the aims of the University. Other committees and boards of the University.

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- The Registrar.** 13. There shall be a Registrar of the University who shall be the Secretary of the Council and the Academic Board and shall be responsible to the Vice-Chancellor for the general administration of the University and for providing the secretarial services for bodies and committees prescribed by statute.
- Other staff of the University.** 14. The Council may, in accordance with procedures prescribed by statutes engage the services of suitable persons as officers or members of the academic, administrative and other staff of the University as the Council considers necessary for the achievement of the aims of the University.
- Internal organisation of the University.** 15. Subject to the provisions of this Law, the Council may make such further arrangements as it thinks fit regarding the internal organisation of the University except that in respect of organisation in relation to academic matters, the Council shall make the arrangements on the recommendation of the Academic Board.
- Statutes.** 16. The Council may enact statutes to prescribe or regulate as the case may be—
- (a) any matter which is required by this Law to be prescribed by statutes;
 - (b) the power and functions, constitution and terms of membership of such bodies as the Council or the Academic Board may think proper to establish;
 - (c) the functions, duties and terms of office of such officers as the Council may think appropriate to engage; and
 - (d) all procedural and other matters in furtherance of the objectives of the University.
- Procedure for enacting Statutes.** 17. (1) For the purpose of enacting a University statute under this Law, a draft of the statute shall be circulated to the members of the University Council at least fourteen days before the date of the meeting at which the statute is to be considered.
- (2) The Council shall on the appointed date or any other date consider the draft statute and may approve the draft provisionally either with or without amendment of which written notice has been circulated to the members at least three days before the date of the meeting.
- (3) The statute as provisionally approved shall be circulated to the members of the Council, and where in the opinion of the Council it affects academic matters, to the Academic Board as well, at least seven days before the meeting at which it is intended to confirm the statutes.

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(4) Within a period of not less than one month and not more than six months from the date of the meeting at which the statute was provisionally approved, the Council shall hold a meeting and confirm the statute without amendment.

✓ (5) No statute shall be enacted which is inconsistent with this Law.

18. The Academic Board may make regulations relating to—

- (a) teaching schemes of instruction;
- (b) study and research;
- (c) the condition under which a person may be permitted to follow and continue to follow schemes of instruction;
- (d) the conduct and discipline of students;
- (e) the use of the Library;
- (f) the conduct of examinations;
- (g) the award of degrees, diplomas, certificates and other academic distinctions; and
- (h) any other matter that falls within its functions and powers.

Regulations
by the
Academic
Board.

19. (1) The Council shall consider recommendations made by the Academic Board for the making of statutes and for taking any other action within the Council's powers, and the Council may accept, reject or refer back any recommendation made by the Academic Board.

Relationship
between the
Council and
the Academic
Board.

(2) The Council shall refer to the Academic Board any matter before it which Council considers to have academic implications and which has not been previously considered by the Academic Board.

20. There shall be a Convocation of the University with a membership prescribed by statute which, subject to the provisions of this Law, shall receive an annual report from the Vice-Chancellor on the working of the University and shall have other powers and functions which may be prescribed by statute.

Convocation.

21. For the purpose of conferring degrees of the University and awarding diplomas and certificates, there shall be held from time to time a Congregation of the University which shall consist of the Council, the Academic Board, members of Convocation, graduates of the University and other persons prescribed by statutes.

Congregation.

✓ 22. There shall be a Students' Representative Council whose constitution and functions shall be prescribed by statutes.

Students'
Representative.

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Annual
Report.

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

Funds.

24. (1) The funds of the University shall consist of subventions from the Government of Ghana, tuition and boarding fees, gifts, endowments, grants, investments, and monies from other sources approved by the Council.

(2) The University Council shall control the finances of the University and shall have power to finally determine questions of finance arising out of the administration of the University or the execution of a trust by the University; except that, before determining questions of finance which directly affect the educational policy of the University, the Council shall invite the opinion of the Academic Board and shall take into consideration any recommendation or report by it.

(3) The University Council shall be responsible for all measures necessary or desirable for the conservation and augmentation of the resources of the University, and for this purpose may from time to time specify matters affecting the income or expenditure of the University in respect of which the consent of the Council shall be obtained before action is taken or liability is incurred.

(4) The Council shall determine the allocation of all funds at the disposal of the University.

The Council
to keep
proper books
of accounts.

25. (1) The Council shall keep books of accounts and proper records in relation to them and the accounts books and records shall be in a form approved by the Auditor-General.

(2) The University's financial year shall be the same as the financial year of Government.

Audit.

26. (1) The books and accounts of the University shall be audited each year by the Auditor-General or an auditor appointed by him.

(2) The Council shall pay in respect of the audit such fees (if any) as the Auditor-General and the Council may agree, or in case of failure to agree such fees as the Chancellor may determine.

(3) It shall be the duty of the Council, as soon as possible, upon receiving the report of the Auditor-General under this section, to forward a copy of the report to the Government through the Secretary for Education.

(4) The Secretary for Education shall as soon as practicable upon receipt of the report cause a copy of the report of the Auditor-General to be laid before the P.N.D.C.

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27. The University shall be exempted from the payment of such taxes, duties and rates as the Secretary responsible for Finance may with the prior approval of the P.N.D.C. direct. Exemption from taxes, etc.
28. Where the Council has resolved and the Government has agreed that it is necessary to acquire land or rights over land, the land may be acquired for the University under the State Lands Act, 1962 (Act 125) and that Act shall apply with any modification that may be necessary to provide for the vesting of the land in the University and for the cost to be defrayed by the University. Acquisition of land.
29. (1) The following enactments are hereby repealed— Repeal and savings.
- (a) the University of Cape Coast Act, 1971 (Act 390);
 - (b) the University of Cape Coast (Amendment) Law, 1990 (P.N.D.C.L. 241); and
 - (c) the University of Cape Coast (Interim Administration Committee) Law, 1990 (P.N.D.C.L. 243).
- (2) Notwithstanding the repeal of the enactments specified in subsection (1) of this section, any statutes, orders, regulations, bye-laws enacted under the repealed enactments and in force immediately before the commencement of this Law shall continue in force as if made under this Law until amended, repealed or revoked.
- (3) For the removal of doubts, all assets, rights, obligations and liabilities of the University of Cape Coast in existence immediately before the commencement of this Law shall after the commencement of this Law become the assets, rights, obligations and liabilities of the University under this Law.
30. No person shall bring or institute before any court, and no court shall entertain any action against the Interim Administration Committee or a member of it for an act or omission in connection with or arising out of the administration of the University by the Committee. Indemnity for Interim Administration Committee and members.
31. In this Law unless the context otherwise requires— Interpretation.
- “the Council” means the University Council established under this Law;
 - “P.N.D.C.” means the Provisional National Defence Council;
 - “Secretary” means the P.N.D.C. Secretary responsible for Education.
32. This Law shall be deemed to have come into force on 1st day of November 1991. Commencement.

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SCHEDULE

TERMS OF MEMBERS AND MEETING OF UNIVERSITY COUNCIL

1. The term of office of a person who is a member of the Council of the University by appointment or election shall be two years.

2. If a member of the Council is absent from Ghana for a minimum period of twelve months, his office shall become vacant at the end of that period except that this provision shall not apply to an *ex-officio* member.

3. Where the office of a member becomes vacant on resignation or death or by virtue of paragraph 2 of this Schedule, a successor shall be appointed, nominated or elected in the same manner to serve for the remainder of the term of office.

4. Subject to paragraph 2 of this Schedule, where a member of the Council is incapacitated by temporary absence from Ghana or by illness or any sufficient cause from performing the duties of his office a substitute may be appointed in the manner referred to, to act for him, until the incapacity of that person has terminated or until the term of such member expires, whichever first occurs.

5. An appointment, election or nomination may be made in anticipation of a vacation of office or temporary absence of a member.

6. No member shall hold office under more than one provision of section 9 (2) of this Law; and if a person is appointed under more than one provision he shall notify the Council under which provision he chooses to hold office and another person shall be appointed under the other provision.

7. No act of the Council shall be invalidated by vacancies in its membership or defect in the appointment of any of its members.

8. No member of the Council shall be entitled to remuneration in respect of his membership but members shall receive such travelling and subsistence allowance (if any) as the Council may determine.

9. The Council shall meet at such times and places as the chairman may determine but shall meet at least three times in each academic year.

10. A special meeting of the Council may be called at any time by the Chairman of the Council, or, in his absence or incapacity, by the Vice-Chancellor.

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11. A special meeting of the Council shall only be conducted in accordance with the Statutes, where five members of the Council sign a request to that effect.

12. Unless the Chancellor is present and presides, the Chairman shall preside at every meeting of the Council at which he is present and in his absence, a non-university member of the Council appointed by the members present shall preside.

13. The quorum for a meeting of the Council shall be eight including at least three members who are not members of the academic staff of the University.

14. The Pro-Vice-Chancellor, the Registrar and a representative of the Ministry of Education shall attend meetings of the Council but shall not have the right to vote on a matter before the Council.

15. The Council may co-opt any person to attend and participate in any of its meetings but no person so co-opted shall be entitled to vote on any issue for decision by the Council.

16. At a meeting of the Council, matters for decision, shall be determined by a simple majority of members present and voting.

17. Subject to the provisions of this Law, the Council shall regulate its own procedure.

Made this 14th day of January 1992.

FLT.-LT. JERRY JOHN RAWLINGS
Chairman of the Provisional National Defence Council

Date of *Gazette* notification: 15th May, 1992.