

REPUBLIC OF GHANA

TECHNICAL UNIVERSITIES ACT, 2016

(ACT 922)

ARRANGEMENT OF SECTIONS

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REPUBLIC OF GHANA

THE NINE HUNDRED AND TWENTY-SECOND

ACT

OF THE PARLIAMENT OF THE REPUBLIC OF GHANA
ENTITLED

TECHNICAL UNIVERSITIES ACT, 2016

An Act to provide for the establishment of Technical Universities; to provide for the conversion of polytechnics to Technical Universities and to provide for related matters.

DATE OF ASSENT: *31st August, 2016.*

PASSED by Parliament and assented to by the President:

Technical Universities

Establishment of Technical Universities

1. (1) The institutions specified in the First Schedule are established as Technical Universities.

(2) A Technical University established under this Act is a body corporate with perpetual succession.

(3) Where there is a hindrance to the acquisition of property, the property may be acquired for the Technical University under the State Lands Act, 1962 (Act 125) and the cost shall be borne by the Technical University.

Requirements for conversion of a polytechnic to a Technical University

2. (1) The Council of a polytechnic listed in Part 2 of the First Schedule that intends to be converted to a Technical University and meets the requirements set out in the Second Schedule, shall apply in writing to the Minister through the National Council for Tertiary Education.

(2) A Technical University that may be established after the coming into force of this Act that is not covered by this Act shall meet the requirements set out in the Second Schedule.

Aims of a Technical University

3. (1) The aims of a Technical University are to provide higher education in engineering, science and technology based disciplines, technical and vocational education and training, applied arts and related disciplines as the Council of the Technical University may, in consultation with the National Council for Tertiary Education determine in accordance with the following principles:

(a) higher education shall be made equally accessible to all persons suitably qualified and capable of benefiting from education and training offered at a Technical University;

(b) programmes of study shall take into consideration the multiplicity of scientific theories and methodologies;

(c) use competency based and practice oriented approach in teaching, organisation and delivery of courses;

(d) develop strong linkages and collaboration with relevant industries, businesses, professional bodies and technical experts in the design and delivery of programmes;

(e) offer programmes and courses within the mandate of a Technical University; and

(f) provide opportunities for technical and professional skills development, applied research and publication of research findings.

(2) A Technical University, for the purpose of achieving its aims, shall have schools, faculties, institutes, departments and centers approved and accredited by institutions responsible for tertiary education and accreditation.

Powers of a Technical University

4. (1) A Technical University may

(a) award degrees including honorary degress, diplomas, certificates and other qualifications agreed upon by the Council established under section 5;

(b) offer Higher National Diploma programmes

(i) approved by the National Council for Tertiary Education;

(ii) accredited by the National Accreditation Board; and

(iii) examined and certified by the National Board for Professional and Technician Examinations.

(c) provide for the general welfare, recreational and social needs of staff and students of a Technical University; and

(d) exercise powers that are incidental to the achievement of the aims of a Technical University.

(2) A Technical University may withdraw a degree, diploma or certificate it has awarded if it has evidence that proves that

(a) the degree, diploma or certificate was obtained through fraud, academic malpractice; or

(b) the process of acquiring the degree, diploma or certificate was tainted by an act that in the opinion of the Technical University undermines the integrity of the award.

Administrative Provisions

Council of a Technical University

5. (1) The governing body of a Technical University is a Council consisting of

(a) a chairperson, with expertise or experience in higher education, nominated by the President;

(b) the Vice-Chancellor of the Technical University;

(c) three persons nominated by the President taking into consideration

(i) the need for gender balance;

(ii) scientific qualification, or professional experience relevant to the degree programmes offered by the Technical University;

(iii) expertise in management and finance; and

(iv) expertise in skills development at the tertiary level;

(d) one representative of the National Council for Tertiary Education;
(e) one representative of the Council for Technical and Vocational Education and Training;
(f) one representative of the Association of Ghana Industries;
(g) one representative elected by the Conference of Heads of Assisted Senior High Schools;
(h) two representatives of the Convocation elected by the Convocation one of whom is a non-teaching staff;
(i) one representative of the teaching staff elected by the Teaching Staff Association;
(j) one elected representative of the Senior Staff Association;
(k) one elected representative of the Junior Staff Association;
(l) one representative of the undergraduate students of the Technical University elected by the Students' Representative Council;
(m) one representative of the graduate students of the Technical University elected by the Graduate Students Association;
(n) one representative of the alumni of the Technical University elected by the Alumni Association;
(o) one representative of the Ghana Employers Association; and
(p) one representative of the Association of Principals of Technical Intitutes.

(2) The chairperson and other members of the Council shall be appointed by the President in accordance with article 70 of the Constitution.

Functions of a Council

6. The Council of a Technical University shall
(a) ensure the attainment of the aims of that Technical University;
(b) determine the strategic direction of the Technical University;
(c) be responsible for the management and administration of finances and properties of the Technical University and determine the allocation and proper use of funds;
(d) promote income-generating activities as part of the programmes of that Technical University;

(e) promote applied research including provision of technology innovations and solutions to firms and businesses as part of the outreach activities of that Technical University;

(f) foster linkages and collaboration with relevant national and international industries and institutions in furtherance of the mission of that Technical University;

(g) ensure the conservation and augmentation of resources of the Technical University, specifically in relation to matters affecting income or expenditure;

(h) ensure coherence of programmes and courses of the Technical University with the other sub-sectors of the educational system;

(i) ensure relevance of the programmes and courses of that Technical University to the employment and productive sectors of the economy;

(j) ensure the creation of an environment of equal opportunities for members of that Technical University without regard to ethnicity, sex, race, religious belief or political affiliation;

(k) approve the terms and conditions for the admission of persons selected for courses of study on the recommendation of the Academic Board of that Technical University;

(l) be responsible for discipline in the Technical University;

(m) make appointments to academic, senior administrative and senior professional staff positions on the recommendations of the Appointments Committee of the Academic Board of the Technical University in accordance with the Statutes of that Technical University;

(n) ensure that the academic staff have relevant industry experience; and

(o) perform any other function that are ancillary to the aims of that Technical University.

Establishment of committees

7. (1) For the purpose of achieving the aims of a Technical University, the Council may establish standing or ad-hoc committees made up of members or non-members of the Council and assign to the committee functions that the Council considers appropriate.

(2) A committee of the Council comprising both members and non-members shall be chaired by a member of the Council.

(3) A committee comprised entirely of non-members shall be advisory.

Tenure of office of members of the Council

8. (1) A member of the Council other than the Vice-Chancellor shall hold office for a term of three years and is eligible for re-appointment for another term only.

(2) Where a member of the Council is absent from three consecutive meetings without reasonable cause, the office of that member shall become vacant.

(3) A member of the Council other than the Vice-Chancellor may at any time resign from office in writing addressed to the President through the Minister.

(4) Where the office of a member becomes vacant

(a) under subsection (2), (3) or section 10(2); or

(b) by reason of the death of a member,

another person nominated by the relevant body shall be appointed by the President for the unexpired term of the office.

Meetings of the Council

9. (1) The Council shall meet at least three times in each academic year for the despatch of business at the time and in the place determined by the chairperson.

(2) The quorum at a meeting of the Council is eleven members of that Council, including at least four external members to the Technical University.

(3) The chairperson of the Council shall preside at each meeting of that Council and in the absence of the chairperson, members of that Council shall elect one external member present to preside.

(4) Matters before the Council shall be decided by a simple majority of the members present and voting and in the event of an equality of votes the person presiding shall have a casting vote.

(5) The Council may co-opt a person to attend a Council meeting in an advisory capacity but the person shall not vote on a matter for decision at the meeting and the presence of that person shall not count in the constitution of a quorum.

(6) The Pro Vice-Chancellor, the Registrar, and the Director of Finance of a Technical University shall attend meetings of the Council but are not entitled to vote.

(7) The proceedings of a Council are not invalidated by reason of a vacancy among the members or by a defect in the appointment or qualification of a member.

Disclosure of interest

10. (1) A member of the Council who has an interest in a matter for consideration at a meeting of that Council shall

(a) disclose the nature of the interest and the disclosure shall form part of the record of the consideration of that matter;

(b) request to be recused from the meeting; and

(c) not participate in the deliberations of the Council in respect of the matter.

(2) A member ceases to be a member of the Council, if that member has an interest in a matter before that Council and

(a) fails to disclose that interest, or

(b) fails to request to be recused and participates in the deliberations of that matter.

Allowances

11. Members of a Council and members of a committee of that Council shall be paid allowances approved by the Minister in consultation with the Minister responsible for Finance.

General Powers of the Council

12. (1) Subject to the provisions of this Act, the Council of a Technical University shall have power to do or provide for any matter in relation to that Technical University which the Council considers necessary or expedient.

(2) The conferment of particular powers on the Council by other provisions of this Act shall not be taken to limit the generality of this section.

Principal Officers of a Technical University

13. (1) The Principal Officers of a Technical University are

(a) the Chancellor,

(b) the chairperson of the Council of the Technical University; and

(c) the Vice-Chancellor of that Technical University.

(2) Before assuming office, the Principal Officers of the Technical University shall take and subscribe to the oath of office specified in the Third Schedule.

Chancellor of a Technical University

14. (1) A Technical University shall have a Chancellor who is appointed by the Council and takes precedence over the other officers of the Technical University.

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

(3) The Chancellor shall hold office for a term of five years and is eligible for re-appointment for another term only.

(4) The Chancellor shall preside at Congregation, meetings and ceremonies of the Technical University at which the Chancellor is present.

(5) The Chancellor shall be served with the summons, minutes and other documents related to meetings of the Council and may attend the meetings.

(6) The Chancellor shall confer on qualified persons degrees, diplomas and certificates awarded by the Technical University in accordance with this Act and procedures prescribed by the Statutes of the Technical University.

(7) The Chancellor may delegate functions under subsection (6) by directions in writing to the Council.

Vacancy in office of the Chancellor

15. (1) The Office of the Chancellor shall become vacant on

(a) resignation;

(b) death;

(c) removal from office; or

(d) expiry of the term.

(2) The grounds and procedures for the removal from office of the Chancellor shall be contained in the Statutes of a Technical University.

(3) Without limiting the functions of the Chancellor, where the integrity and welfare of a Technical University are threatened by any matter, the Chancellor may in consultation with that Council intervene.

Vice-Chancellor of a Technical University

16. (1) A Technical University shall have a Vice-Chancellor appointed by the Council in accordance with the Statutes of the Technical University.

(2) The Council shall, in making the appointment under subsection (1) take into consideration relevant industry experience.

(3) The Vice-Chancellor shall hold office on the terms and conditions specified in the letter of appointment.

(4) The Vice-Chancellor shall hold office for a term of four years and is eligible for re-appointment for another term only.

(5) The Vice-Chancellor is the academic and administrative head and chief disciplinary officer of the Technical University.

(6) The Vice-Chancellor is responsible to the Council for maintaining order and ensuring the efficient administration of the Technical University.

(7) The Vice-Chancellor shall perform such other functions as may be prescribed by the Statutes of the Technical University.

Pro Vice-Chancellor of a technical university

17. (1) The Council shall appoint a Pro Vice-Chancellor of the Technical University in accordance with the Statutes of the Technical University.

(2) The Pro Vice-Chancellor shall hold office for a term of three years and is eligible for re-appointment for another term only.

(3) The Pro Vice-Chancellor shall attend the Council meeting but shall not vote at the meeting.

(4) The Pro Vice-Chancellor shall be assigned duties as the Council of the Technical University or the Vice-Chancellor of that Technical University shall determine.

(5) The Pro Vice-Chancellor shall perform the functions of the Vice-Chancellor in the absence of the Vice-Chancellor.

(6) The Pro Vice-Chancellor shall, before assuming office, take and subscribe to the oath of office specified in the Third Schedule.

Academic Board of a Technical University

18. There is established by this Act for each Technical University an Academic Board which is answerable to the Council of the Technical University.

Functions of the Academic Board

19. The Academic Board shall, subject to the powers of the Council of a Technical University,

(a) formulate and implement the academic policies of the Technical University;

(b) devise and regulate courses of instruction and programmes of study, subject to approval by the National Council for Tertiary Education and the National Accreditation Board;

(c) regulate

(i) the conduct of examinations; and

(ii) the award of degrees, diplomas, certificates and other qualifications;

(d) advise the Council on the appointment and capacity building of academic staff;

(e) advise the Council on the establishment of academic linkages and collaborations with similar institutions in the country and abroad;

(f) advise the Council on the admission of students and the award of scholarships and bursaries;

(g) promote collaboration, linkages, joint research and teaching activities with industry;

(h) report on matters that are referred to the Academic Board by the Council;

(i) make representations to the Council on any matter connected with the Technical University; and

(j) perform other functions specified in the Statutes of the Technical University.

Composition of the Academic Board

20. (1) The Academic Board of a Technical University shall consist of

(a) the Vice-Chancellor who is the chairperson,

(b) the Pro Vice-Chancellor,

(c) Deans,

(d) Directors of Schools, Faculties, Institutes, Departments and Centres,

(e) Heads of Academic Departments,

(f) Professors and Associate Professors,
(g) the Librarian,
(h) the Registrar who is the Secretary, and
(i) three members, two of whom are non-teaching staff, elected by the Convocation in accordance with the Statutes of the Technical University.

(2) The Academic Board may establish standing and ad-hoc committees for the purpose of carrying out its functions under this Act and as may be determined by the Statutes enacted by the Council.

(3) A committee comprising entirely of non-members shall be advisory.

(4) A person who is an ex-officio member of the Board may be represented at a meeting by a person designated by that member.

Registrar of a Technical University

21. (1) The Council shall appoint the Registrar of a Technical University.

(2) A Registrar shall hold office on the terms and conditions specified in the letter of appointment in accordance with the Statutes of the Technical University.

(3) A Registrar is the secretary to the
(a) Office of the Chancellor;
(b) Council; and
(c) Academic Board.

(4) The Registrar is responsible to the Vice-Chancellor for the day-to-day administration of the affairs of that Technical University.

(5) The Registrar may perform any other functions provided for in the Statutes of the respective Technical University.

(6) The Registrar shall before assuming office take and subscribe to the oath of office specified in the Third Schedule.

Director of Finance

22. (1) The Council shall appoint a Director of Finance for the Technical University.

(2) The Director of Finance shall perform functions as prescribed in the Statutes of the Technical University.

(3) The Director of finance is responsible to the Vice-Chancellor in the performance of the functions of the Director of Finance.

Appointment of other staff of a Technical University

23. (1) The Council may appoint other staff as may be necessary for the effective performance of the functions of the Technical University.

(2) The Council may delegate to the Vice-Chancellor of a Technical University the power of appointment under subsection (1) in respect of non-academic, senior administrative and senior professional members of staff.

Internal organisation of a Technical University

24. (1) Subject to this Act, the Council may make arrangements that it considers appropriate for the internal organisation of a Technical University including

(a) establishment, variation and supervision of academic divisions, Schools, Faculties, Institutes, Departments, Centres and hostels of that Technical University;

(b) appointment of academic and administrative staff;

(c) promotion of academic and administrative staff; and

(d) award of fellowships, bursaries, scholarships and prizes.

(2) A Technical University may

(a) enter into an agreement or relationship with another institution whether academic or non-academic and within or outside the country; and

(b) incorporate within that Technical University another institution or body, taking over the property, rights, privileges and liabilities of that other institution or body.

(3) The Council shall exercise the powers referred to in subsection (1), only after consultation with the Academic Board on matters which in the opinion of that Council are academic.

Student governance

25. (1) A Technical University shall have a Students' Representative Council.

(2) The Students' Representative Council is responsible for representing students duly admitted and registered to study at that Technical University.

(3) The constitution and other governing instruments of the Students' Representative Council shall

(a) be drawn up by the students subject to the approval of the Academic Board, and

(b) conform to this Act, the Statutes of the Technical University and any other rules, regulations, directives and edicts duly issued by the Technical University.

(4) A constitution or a governing instrument drawn up by the Students' Representative Council which is inconsistent with paragraph *(b)* of subsection (3) shall to the extent of the inconsistency be void.

(5) The Statutes of a Technical University may grant the Students' Representative Council representation on appropriate bodies and organs of that Technical University.

Statutes of a Technical University

26. A Council shall ensure the implementation of this Act by Statutes which shall, in particular

(a) regulate the

(i) appointment,

(ii) conditions of service,

(iii) termination of appointment, and

(iv) retirement benefits of the employees of a Technical University;

(b) determine the persons who form the academic staff of that Technical University;

(c) determine the persons who are authorised to sign contracts, cheques and other documents on behalf of that Technical University and to regulate the procedure in relation to transactions entered into by that Technical University;

(d) fix the academic calendar of a Technical University;

(e) determine the rules and procedures relating to discipline of students and employees of that Technical University;

(f) ensure that the seal of a Technical University is kept under proper custody and is used only on the authority of the Council; and

(g) provide for any matter required by this Act to be prescribed by the Statutes of a Technical University.

Procedure for enacting Statutes of a Technical University

27. (1) To enact Statutes under this Act, a draft of the Statutes shall be circulated to the members of the Council of a Technical University concerned, at least fourteen days before the date of the meeting at which the Statutes are to be considered.

(2) The Council shall consider the draft Statutes and may approve the draft provisionally with or without amendment.

(3) Where the draft Statutes have been amended, written notice of the amendment shall be circulated to members of the Council at least three days before the meeting at which the Statutes are to be considered.

(4) The Statutes as provisionally approved, shall be circulated to the members of the Council and where in the opinion of the Council, the Statutes affects academic matters, the Statutes shall be circulated to the Academic Board of the Technical University at least seven days before the meeting at which the Statutes are intended to be confirmed.

(5) The provisional Statutes shall, without amendment, be confirmed by the Council at a meeting of the Council which shall be held not less than one month or more than six months after the meeting at which the Statutes were provisionally approved.

(6) A Statute shall not be enacted if it is inconsistent with this Act.

Procedure for conduct of business of a Technical University

28. Subject to the provisions of this Act, the Council of a Technical University may by Statutes regulate its own procedure.

Convocation

29. (1) There shall be a Convocation of a Technical University with the membership prescribed by the Statutes of the Technical University.

(2) The Registrar shall compile a register of the members of the Convocation which shall be published each academic year.

(3) The persons whose names appear on the register shall be entitled to vote at the Convocation.

(4) The Convocation shall meet at least once each academic year at the time and place determined by the Vice-Chancellor of the Technical University.

(5) Despite subsection (4), the Convocation shall meet upon a request made by a number of members as prescribed in the Statutes of the Technical University.

(6) The main function of the Convocation is to receive and discuss a report from the Vice-Chancellor on the state and future plans of the Technical University.

(7) The Convocation may express an opinion on any matter that affects the Technical University and may refer the matter to the Council or that Academic Board of the Technical University.

Congregation

30. A Technical University may hold a Congregation composed of the persons prescribed by Statutes for the purpose of conferring degrees and awarding diplomas and certificates.

Property and contracts of a Technical University

31. (1) A Technical University may, for

(a) the purpose of the performance of the functions of that Technical University, or

(b) any purpose which that Technical University considers necessary or expedient,

acquire and hold movable or immovable property, sell, lease, mortgage or otherwise alienate or dispose of that property and enter into any other transaction.

(2) The halls, hostels and residential facilities for students, lecture halls, libraries, hospitals, staff quarters, bungalows, guest houses, recreation grounds and any other tenements of a Technical University shall be exempt from the assessments and rates levied by a local authority.

(3) The intellectual property right in a work, research or other intellectual enterprise funded or otherwise undertaken with resources of a Technical University shall vest in that Technical University.

(4) The Council shall enact Statutes in accordance with the laws on intellectual property to govern the creation, ownership and use of intellectual property including copyright, patents, trademarks, trade names and industrial designs by the employees of that Technical University.

(5) The Council may borrow money on behalf of the Technical University and may for this purpose use the property of the Technical University as security.

(7) The Council may in enacting the Statutes under subsections (4) determine the incentives for persons who undertake any work, research or other intellectual enterprise funded or otherwise undertaken with resources of that Technical University to enable those persons benefit from their work, research or intellectual enterprise.

Financial Provisions

Funds of a Technical University

32. (1) The funds of a Technical University include

(a) funds approved by Parliament;

(b) moneys that accrue to that Technical University in the performance of its functions consisting of

(i) fees paid by students duly registered by that Technical University;

(ii) fees, charges and dues in respect of services rendered by or through the Technical University;

(iii) proceeds from the sale of publications of that Technical University; and

(iv) grants, subscriptions, rents and royalties;

(c) returns on investments;

(d) endowments, donations and gifts; and

(e) moneys from any other source approved by the Council of that Technical University.

(2) Any sum of money received by or on behalf of the Technical University shall be paid into a bank account of a Technical University opened by or on the authority of the Council of the Technical University.

(3) Any moneys received by or standing to the credit of a school, faculty, institute, department, centre or any other unit of that Technical University shall form part of the funds of that Technical University as defined under this Act.

(4) The Council may invest the funds of the Technical University that are not required for immediate use as the Council of the Technical University considers appropriate.

Internal Audit Unit

33. (1) There is established by this Act for each Technical University an Internal Audit Unit which shall constitute a part of a Technical University.

(2) The Council shall appoint personnel required to ensure an effective and efficient internal audit of a Technical University.

(3) The Unit shall establish standards and procedures to carry out an internal audit of that Technical University in accordance with the Internal Audit Agency Act, 2003 (Act 658).

(4) The Audit Report Implementation Committee of the Technical University as established under section 30 (1) of the Audit Service Act, 2000 (Act 584) is responsible for the implementation of the recommendations of the internal audit reports.

(5) The Audit Report Implementation Committee may co-opt a senior member of that Technical University to serve on the Committee.

Accounts and audit

34. (1) The Council shall ensure that the Technical University keeps books of account and proper records in relation to them in the form approved by the Auditor-General.

(2) The Council shall submit the annual accounts of that Technical University to the Auditor-General for audit within three months after the end of the financial year and cause the accounts to be published at the time and in the manner that that Council considers appropriate.

(3) The accounts shall be under the signature of the Vice Chancellor and Director of Finance of the Technical University.

(4) The Auditor-General shall, within six months after the end of the immediately preceding financial year, audit the accounts and forward the audit report to Parliament with a copy to the Minister.

Annual report and other reports

35. (1) The Council shall within three months after the end of each academic year submit a report to the Minister through the National Council for Tertiary Education covering the activities of the Technical University for the year to which the report relates and make that report available to the public.

(2) The report shall cover the operations, admissions, sources and use of the funds, challenges, significant events and major policies of the respective Technical University and shall include the annual account for the year to which the report relates.

(3) The Minister shall within one month after the receipt of the annual report, submit the report to Parliament with a statement that the Minister considers necessary.

(4) The Council shall also submit to the Minister any other reports which the Minister may require in writing.

Exemption from taxes, duties and other charges

36. A Technical University is exempt from the payment of taxes, duties and other charges that the Minister responsible for Finance may determine with the prior approval of Parliament.

Miscellaneous Provisions

Anti-discrimination

37. (1) Without limiting the power of a Technical University to adopt affirmative action policies, a Technical University or an officer of a Technical University shall not discriminate against a person on the basis of the race, ethnic origin, political opinion, colour, gender, occupation, religion, or creed, disability, social or economic status of that person to determine whether that person is to be

(a) admitted as a student of a Technical University;
(b) registered as a student of a Technical University;
(c) permitted to graduate from a Technical University;
(d) appointed as an academic staff or other staff member;
(e) promoted as an academic staff or other member; or
(f) granted any advantage, privilege or other benefit accorded all other persons.

(2) For the purpose of subsection (1), "an officer of a Technical University" includes a principal officer, staff or other employee, an agent, servant or any other person performing or acting in an official capacity for or on behalf of the Technical University.

(3) For the purpose of this section, "discriminate" means to give different treatment to different persons attributable only or mainly on the grounds stated in subsection (1).

Matriculation

38. (1) A student admitted to a Technical University shall take the Matriculation Oath and sign the Matriculation Register.

(2) A student who fails to sign the Matriculation Register may be prevented by the Technical University from graduating.

Dispute settlement

39. (1) There is established by this Act for each Technical University a body to be known as a Technical University Appeals Board.

(2) The Council shall appoint the Members of the Appeals Board.

(3) The Appeals Board shall consist of

(a) a chairperson who is a retired justice of the Superior Court of Judicature or a lawyer qualified to be so appointed;

(b) two lawyers of at least ten years standing at the Bar who are persons of high moral integrity, one of whom is a woman; and

(c) two persons who are not lawyers or employees of the Technical University who are persons of high moral integrity, one of whom is a woman.

(4) The Appeals Board shall hear and determine on appeal, matters on

(a) acts or omissions in contravention of this Act or the Statutes enacted by the Council of the Technical University;

(b) breach of employment contracts by the Technical University;

(c) the promotion of persons duly employed by the Technical University;

(d) grievances by students against the Technical University on matters related to welfare and discipline; or

(e) any other matter or dispute referred to the Appeals Board by the Council of that Technical University.

(5) The chairperson and two other members of the Appeals Board, constitute a panel for the hearing and determination of a case or matter before the Appeals Board.

(6) In the absence of the chairperson, one of the two lawyers as provided for in paragraph *(b)* of subsection (3) shall act as chairperson.

(7) The Council shall establish the rules and procedure which govern

(a) the operation of the Appeals Board;

(b) the appointment and remuneration of the members of the Appeals Board;

(c) the establishment of the Secretariat of the Appeals Board; and

(d) any other relevant matter.

Regulations

40. 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 Schedules; and

(b) for carrying out or giving effect to this Act.

Interpretation

41. In this Act, unless the context otherwise requires,

"Appeals Board" means a Technical University Appeals Board established under section 38 (1);

"Applied Arts" includes subjects that consist of technical applications or physical products or outcomes different from pure arts, fine arts or regular humanities;

"Board" means the Academic Board established under section 18;

"Convocation" means the Principal Officers of a Technical University and all other senior members of that Technical University appointed by the Council of that Technical University and who are registered as members of the Convocation by the Registrar;

"Council" means the governing body of a Technical University Council established under section 5.

"disclosure of interest" includes pecuniary, material, academic and relational interest in a matter being deliberated upon or decided upon by the Technical University;

"external member" means a member who is not an employee of the respective Technical University;

"Institute" means a multidisciplinary research or service establishment which focuses primarily on multi-disciplinary research and on the provision of extension services;

"Minister" means the Minister responsible for Education;

"National Accreditation Board" means the National Accreditation Board established under the National Accreditation Board Act, 2007 (Act 744) or a successor institution;

"National Council for Tertiary Education" means the National

Council for Tertiary Education established under the National Council for Tertiary Education Act, 1993 (Act 454); and

"Statutes" means administrative guidelines enacted by the Council of a Technical University in accordance with this Act to govern the internal operations of a technical university.

Transitional provisions

42. (1) Until the establishment of a Council of a Technical University under section 5, the Council of a polytechnic converted to a Technical University shall be an Interim Council of each Technical University which shall function for a period of not more than one year.

(2) The President may revise the composition of the Interim Council on the recommendation of the Minister given in consultation with the National Council for Tertiary Education.

(3) The Interim Council shall perform the functions specified under section 6.

(4) Any action taken by the Interim Council before the first meeting of the Council of a Technical University shall have the same effect as if done by the Council.

(5) The assets, rights, obligations, liabilities and properties of a polytechnic in existence immediately before the coming into force of this Act are transferred to the respective Technical University established under this Act.

(6) A person in the employment of a polytechnic in existence immediately before the coming into force of this Act, shall be deemed to have been duly employed by the respective Technical University established under this Act on the terms and conditions attached to the post held by that person before the coming into force of this Act.

(7) A Technical University shall in its operations enter into partnership with accredited Universities in the country or abroad relevant to the mission of a Technical University for a period of five years or as may be determined by the National Council for Tertiary Education.

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

Part 2

(section 1)

Polytechnics to be Converted

1. Bolgatanga	-	Polytechnic
2. Cape Coast	-	Polytechnic
3. Tamale	-	Polytechnic
4. Wa	-	Polytechnic

SECOND SCHEDULE

(section 2)

Requirements for the Conversion of a Polytechnic to a Technical University

Institutional requirements

1. A polytechnic seeking to be converted to a Technical University shall

(a) satisfy the existing norms, guidelines and requirements of the National Council for Tertiary Education and the National Accreditation Board for accreditation as a Technical University; and

(b) offer a minimum of four Bachelor of Technology degree programmes in science and technology based disciplines.

Academic staff requirements

2. A polytechnic seeking to be converted to a Technical University shall have

(a) academic departments headed by at least a Senior Lecturer with a PhD and professional experience; and

(b) at least three full–time lecturers with relevant research master's degree, at least one of whom shall have industry experience.

Collaboration with industry

3. A polytechnic seeking to be converted to a Technical University shall provide evidence of signed training and partnership agreements or memorandum of understanding with collaborating industry partners.

THIRD SCHEDULE

(sections 13 (2), 17 (6) and 21 (6))

OATH OF OFFICE

I.....do (in the name of the Almighty God swear) (solemnly affirm) that I will at all times, well and truly serve the Technical University of .....and the Republic of Ghana in the office..... and that I will uphold, preserve, protect and defend the Technical University as by law established (so help me God).

(To be sworn before the President or such other person as the President may designate)

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