

**UNIVERSITY OF TECHNOLOGY, MAURITIUS ACT**

Act 2 of 2000 – 21 June 2000

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**UNIVERSITY OF TECHNOLOGY, MAURITIUS ACT**

**PART I – PRELIMINARY**

**1. Short title**

This Act may be cited as the University of Technology, Mauritius Act.

**2. Interpretation**

In this Act—

“Academic Council” means the Academic Council referred to in section 13;

“academic staff” means persons who hold office at the University of Technology to teach, do research or do both;

“Board” means the Board of Governors constituted in accordance with section 7;

“Committee” means a Committee set up in accordance with section 11;

“Consultative Committee” means the Consultative Committee referred to in section 11A;

“Convocation” means a Convocation referred to in section 15;

“Department” means a Department of a School;

“Director-General” means the person referred to in section 16;

“general staff” means persons who hold office at the University of Technology to perform administrative, secretarial, clerical or manual work;

“Head of Finance” means the person referred to in section 19;

“Head of Information Services” means the person referred to in section 20;

“Head of School” means the Head of a School;

“Manager of Consultancy and Technology Transfer” means the person referred to in section 21;

“Minister” means the Minister to whom responsibility for the subject of education is assigned;

“Planning and Finance Committee” means the Planning and Finance Committee referred to in section 11;

“President” means the President of the Board;

“Registrar” means the person referred to in section 18;

“School” means a School of the University of Technology set up in accordance with section 14;

“School Board” means a School Board referred to in section 14;

“Staff Committee” means the Staff Committee referred to in section 11;

“student” means a person admitted to the University of Technology to follow a course of study or research;

“Tertiary Education Commission” means the Tertiary Education Commission established under the Tertiary Education Commission Act;

“tertiary education institution” has the same meaning as in the Tertiary Education Commission Act;

“regulations” means regulations made by the Academic Council in accordance with section 26;

“Statutes” means the Statutes of the University of Technology set out in the Schedule;

“University of Technology” means the University of Technology, Mauritius established under section 3.

[S. 2 amended by s. 31 (a) of Act 27 of 2012 w.e.f. 22 December 2012.]

## **PART II — ESTABLISHMENT AND CONSTITUTION**

### **3. Establishment of University of Technology**

(1) There is established for the purposes of this Act the University of Technology, Mauritius which shall—

- (a) be a body corporate;
- (b) have a common seal; and
- (c) operate in accordance with this Act, the Statutes and the regulations.

(2) The common seal referred to in subsection (1) (b) shall be—

- (a) kept in such custody as the Board may direct and be used only with the approval of the Board; and
- (b) judicially noticed by every Court and, until the contrary is proved, be presumed to have been duly affixed to any document.

### **4. Objects, functions and powers**

(1) The objects and functions of the University of Technology shall be to—

- (a) provide multi-level tertiary education, including continuing professional education, in such disciplines as it thinks appropriate to meet the needs of Mauritius, with emphasis on technology, sustainable development science and public sector policy and management, while making provision for the recognition of prior learning and flexibility of transition between programmes;
- (b) foster and encourage the advancement and development of knowledge and skills, and their application to research and other means, through industry, the services sector, commerce and the public sector;
- (c) provide research, development, consultancy and other services for industrial or commercial organisations, public bodies or individuals;
- (d) exploit commercially for its benefit the services and resources of the University of Technology;
- (e) serve as a centre for fostering cooperation, partnership and exchange of ideas between the academic community on the one hand and the public and private sectors on the other;
- (f) promote entrepreneurship among its students;

- (g) give a regional and international dimension to its teaching, research, consultancy, development, service and other activities; and
  - (h) develop into an institution of excellence in teaching, training, scholarship, research, consultancy, service and other services and products, with emphasis on its areas of operation.
- (2) For the purposes of subsection (1), the University of Technology may—
- (a) hold examinations and grant degrees, including honorary degrees, diplomas, certificates and other awards acting on its own or jointly with any other tertiary education institution;
  - (b) fix, demand and receive fees and other charges;
  - (c) manage any property belonging to or vested in it in such manner as it thinks fit;
  - (d) engage in the commercial development of any intellectual property in which it has a right or interest;
  - (e) receive gifts, grants and donations;
  - (f) co-operate with any local or overseas institution which has objects that are wholly or partly similar to its own;
  - (g) institute and award prizes and medals; and
  - (h) do all such things as may be necessary for, or incidental or conducive to, the attainment of its objects and the performance of its functions, including such other functions as may be assigned to it pursuant to any other enactment.

## **5. Admission of students**

(1) Subject to section 4 (2) (b) and to subsection (2), the University of Technology shall be open to all persons.

(2) Nothing in subsection (1) shall require the University of Technology to—

- (a) admit to any course of study or research any person who does not possess the prescribed academic qualification or standard;
- (b) retain on its roll a student whose academic record is below the minimum standard required for the award of a degree, or other academic qualification; or
- (c) admit or retain any student whose conduct is prejudicial to its interests or the rights and privileges of other students or of the staff.

## **6. Inquiries**

(1) (a) Subject to paragraph (b), the Prime Minister may, in respect of any matter connected with the University of Technology, institute an inquiry to be made by such person as he may appoint.

(b) The Prime Minister shall, in every case, give notice to the President of the Board of his intention to cause an inquiry to be made and the Board shall be entitled to be represented at such inquiry.

(2) The Prime Minister—

- (a) shall communicate to the Board his views with reference to the result of any such inquiry; and
- (b) may, after ascertaining the opinion of the Board thereon, advise the University of Technology regarding the action to be taken and fix a time limit for taking such action.

(3) The Board shall, within the time limit so fixed, report to the Prime Minister the action taken or proposed to be taken on any advice tendered in accordance with subsection (2).

(4) Where the Board does not take action within the time fixed or the action taken by the Board is, in the opinion of the Prime Minister, not satisfactory, the Prime Minister may, after considering any explanation offered or representation made by the Board, issue such directions as he may deem fit and the Board shall comply with any such directions.

### **PART III — ADMINISTRATION**

#### **7. Board of Governors**

(1) There shall be a Board of Governors of the University of Technology which shall consist of—

- (a) a President, to be appointed by the Prime Minister;
- (b) the Director-General, to be appointed by the Prime Minister on the recommendation of the Minister;
- (c) 5 persons to be appointed by the Prime Minister on the recommendation of the Minister, out of whom 3 shall come from the private sector;
- (d) one person elected by and from the academic staff;
- (e) one person elected by and from the general staff;
- (f) one person elected by and from the students.

(2) The persons appointed under subsection (1) (c) shall include—

- (a) one person with substantial industrial experience;
- (b) one person with qualifications and experience in financial matters; and
- (c) one person who has substantial knowledge and experience of tertiary education and training.

## **8. President of Board**

The President shall—

- (a) preside at every meeting of the Board and any Convocation, and confer degrees, diplomas and other academic distinctions, awards or prizes upon persons entitled to receive them;
- (b) ensure that the decisions taken by the Board are implemented; and
- (c) exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes.

## **9. Term of office of members of Board**

(1) The term of office of every appointed or elected member of the Board shall be 3 years, and the member shall be eligible for a further appointment or election for not more than one term of 3 years.

(2) Where a member of the Board elected—

- (a) by the academic staff ceases to be a member of the academic staff;
- (b) by the general staff ceases to be a member of the general staff; or
- (c) by the students ceases to be a student,

that member's office shall become vacant and, subject to subsection (5), shall be filled by means of a fresh election.

(3) (a) The President may resign his office by writing to the Prime Minister.

(b) Any other appointed or elected member of the Board may resign his office by writing to the President.

(c) Any vacancy caused by the resignation of a member of the Board shall, subject to subsection (5), be filled by a fresh appointment, or election, as the case may be.

(4) The term of office of a member appointed or elected to fill a vacancy shall continue for the remainder of the term of the member in whose place he has been appointed or elected.

(5) Where a vacancy occurs less than 3 months before the expiry of a member's term of office, the Board may determine that the office shall be left vacant for the remainder of the term.

## **10. Functions and powers of Board**

(1) The Board shall be the governing body having the direction and superintendence of the University of Technology and its principal responsibilities shall include—

- (a) devising or approving strategic plans and major policies for the University of Technology;

- (b) overseeing its management and development;
- (c) monitoring and reviewing its operations; and
- (d) providing rigorous and accountable standards in its various operations.

(2) The Board may—

- (a) do all such things as may be necessary for, or incidental or conducive to, the performance of its functions under subsection (1); and
- (b) on behalf of the University of Technology—
  - (i) confer honorary degrees;
  - (ii) appoint the academic and general staff;
  - (iii) manage and control its affairs, property and finance;
  - (iv) enter into any contract or other arrangement;
  - (v) with the Minister's approval, amend the Statutes by regulations;
  - (vi) institute courses of study; and
  - (vii) take any decision on a question of policy relating to its administration and working.

(3) The procedure to be observed for the convening and holding of meetings of the Board shall be as specified in the Statutes.

## **11. Committees**

(1) The Board shall set up a Planning and Finance Committee, a Staff Committee and such other committees as it thinks necessary to assist the Board in the performance of its functions.

(2) The composition, functions and the procedure for the convening and holding of meetings of every such committee shall be as specified in the Statutes.

### **11A. Consultative Committee**

(1) There shall be for the purposes of this Act a Consultative Committee which shall ensure ongoing collaboration between the University of Technology and the private sector.

(2) The Consultative Committee shall also be responsible for advising the University of Technology on—

- (a) the development of programmes of study and research, in line with the needs of the labour market;
- (b) the relevance of the curricula of programmes of study to the labour market needs;
- (c) effective quality assurance of the programmes of study; and
- (d) placements, internships and research.

(3) The composition and the procedure for the convening and holding of meetings of the Consultative Committee shall be as specified in the Statutes.

[S. 11A inserted by s. 31 (b) of Act 27 of 2012 w.e.f. 22 December 2012.]

## **12. Legal proceedings and execution of documents**

(1) The University of Technology shall act, sue and be sued, implead or be impleaded under its corporate name and service of any judicial process shall be effected by or on the Registrar.

(2) Every deed, act or document relating to the University of Technology shall be signed by the President and one other person authorised in that behalf by the Board.

## **PART IV – ACADEMIC STRUCTURE**

### **13. Academic Council**

(1) There shall be an Academic Council which shall—

- (a) be the principal academic body of the University of Technology;
- (b) have control and general regulation of teaching, examination, and research; and
- (c) be responsible for the maintenance of the appropriate standards in such matters.

(2) The constitution of the Academic Council, the term of office of its members, its powers and functions and the procedure to be observed for the convening and holding of its meetings shall be as specified in the Statutes.

### **14. Schools**

(1) The University of Technology shall comprise—

- (a) a School of Sustainable Development Science;
- (b) a School of Business Informatics and Software Engineering;
- (c) a School of Industrial Systems Engineering;
- (d) a School of Public Sector Policy and Management; and
- (e) such other Schools or other academic units as may be specified in the Statutes.

(2) (a) The School of Sustainable Development Science shall consist of—

- (i) a Department of Environmental Planning;
- (ii) a Department of Oceanography and Coastal Zone Management; and
- (iii) a Department of Tourism, Leisure and Hospitality Management.

(b) The School of Business Informatics and Software Engineering shall consist of—

- (i) a Department of Business Information Systems; and
- (ii) a Department of Software Engineering.



- (c) The School of Industrial Systems Engineering shall consist of—
  - (i) a Department of Maintenance and Industrial Automation; and
  - (ii) a Department of Industrial Informatics, Telecommunications and Electronics.

(3) The Statutes may provide that—

- (a) other Departments of teaching and research, with appropriate assignment of subjects, shall be set up in any School or other academic unit;
- (b) subsection (2) shall be amended.

(4) There shall be a School Board for each School, the constitution and functions of which shall be as specified in the Statutes.

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**15. Convocation**

There shall be a Convocation of the University of Technology, the procedure for which shall be as specified in the Statutes.

**PART V – OFFICERS OF THE UNIVERSITY**

**16. Director-General**

There shall be a Director-General who shall be—

- (a) the principal executive and academic officer of the University of Technology; and
- (b) appointed and hold office on such terms and conditions as are specified in the Statutes.

**17. Heads of Schools**

There shall, for each School or other academic unit, be a Head who shall be appointed and hold office on such terms and conditions as are specified in the Statutes.

**18. Registrar**

There shall be a Registrar who shall be—

- (a) the principal administrative officer of the University of Technology; and
- (b) appointed and hold office on such terms and conditions as are specified in the Statutes.

**19. Head of Finance**

There shall be a Head of Finance who shall be appointed and hold office on such terms and conditions as are specified in the Statutes.

**20. Head of Information Services**

There shall be a Head of Information Services who shall be appointed and hold office on such terms and conditions specified in the Statutes.

**21. Manager of Consultancy and Technology Transfer Centre**

There shall be a Manager of Consultancy and Technology Transfer Centre who shall be appointed and hold office on such terms and conditions as are specified in the Statutes.

**PART VI – FINANCE**

**22. General Fund**

(1) The University of Technology shall set up and operate a General Fund to which shall be credited—

- (a) its income from fees, grants, donations, loans, and gifts;

(b) endowments and other receipts.

(2) The amounts credited to the General Fund pursuant to subsection (1) shall be applied towards meeting the expenses incurred by or on behalf of the University of Technology in the exercise of its powers and the discharge of its duties.

### **23. Accounts and audit**

(1) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including a balance sheet, in such form and manner as may be required by the Tertiary Education Commission, which may demand the production of books, accounts, connected vouchers and other documents and papers and inspect the offices of the University of Technology.

(2) The accounts referred to in subsection (1) shall be audited annually by the Director of Audit who shall forward a report thereon to the Minister.

(3) The Minister shall cause a copy of those accounts, together with the report referred to in subsection (2), to be laid on the table of the Assembly.

### **24. Exemptions**

Notwithstanding any other enactment—

- (a) the University of Technology shall be exempted from payment of any—
  - (i) licence duty;
  - (ii) rate or charge leviable on immovable property; or
  - (iii) tax leviable on income;
- (b) no registration duty shall be payable in respect of any document signed or executed by or on behalf of the University of Technology under which it is a beneficiary; and
- (c) article 910 of the Code Civil Mauricien shall not apply to the University of Technology.

## **PART VII — STATUTES AND REGULATIONS**

### **25. Statutes**

The Statutes may provide for all or any of the following matters—

- (a) the holding of a Convocation to confer degrees;
- (b) the conferment of honorary degrees;
- (c) the establishment of Schools or other academic units;
- (d) the fees to be charged for courses of study and for admission to examinations for degrees, diplomas and certificates;
- (e) the institution of fellowships, scholarships, medals, and awards;

- (f) the manner of appointment and the terms and conditions of office of staff other than the Director-General;
- (g) the constitution, powers and duties, and the procedure at meetings of, the Board, the Academic Council, the Planning and Finance Committee, and the Staff Committee and other Committees, the quorum at such meetings and the procedure to be followed in the conduct of their business;
- (h) affiliation with other institutions that would assist in attaining any of the object of the University of Technology;
- (i) the operation of associations of students;
- (j) the conduct of a ballot for the election of members of the Board;
- (k) the manner in which the Statutes may be amended;
- (l) any other matter which, by this Act, is to be or may be specified in the Statutes.

## **26. Regulations**

(1) Subject to subsection (2), the Academic Council may, for the purposes of this Act, make regulations which shall come into operation on such date as may be fixed by the Academic Council.

(2) (a) Any regulations made pursuant to subsection (1) shall be—

- (i) submitted as soon as they are made to the Board; and
- (ii) considered by the Board at its next meeting.

(b) The Board may, by resolution passed by a majority of not less than two thirds of the members present at that meeting, modify or cancel any such regulations and those regulations shall, from the date of such resolution, have effect in such modified form or be of no effect, as the case may be.

(3) The regulations may provide for all or any of the following matters—

- (a) the admission of students;
- (b) the courses of study including industrial training leading to degrees, diplomas and other academic qualifications;
- (c) the conditions on which students shall be admitted to courses of study leading to degrees, diplomas and other academic qualifications;
- (d) the conduct of examinations and the conditions on which students shall be admitted to such examinations;
- (e) the manner in which exemptions relating to the admission of students to examinations may be given;
- (f) the conditions and mode of appointment and duties of examining bodies and examiners;

- (g) the equivalence of examinations and qualifications of any other institution or examination board for the purpose of admitting a student;
- (h) the assessment, evaluation and grading of students' performance;
- (i) the award of degrees, diplomas and other academic qualifications;
- (j) the maintenance of discipline among the academic staff and the students;
- (k) the fees to be charged for courses of study, research and practical training and for admission to the examinations for degrees, diplomas and other academic qualifications;
- (l) the use of and access to any place of learning or research of resource centre;
- (m) academic dress; and
- (n) any other matter which, by this Act or the Statutes, is to be or may be specified in the regulations.

## PART VIII —

27. – 30. —

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### SCHEDULE

[Section 2]

#### THE STATUTES OF THE UNIVERSITY OF TECHNOLOGY, MAURITIUS

##### 1. Amendment of Statutes

(1) Subject to this paragraph, the Board may amend the Statutes.

(2) Any amendment to the Statutes shall require the prior approval of the Minister who may give or withhold his approval or remit the matter to the Board for further consideration.

(3) Where an amendment to the Statutes has been approved by the Minister, the Board shall cause it to be published in the *Gazette* and it shall come into operation on the day of its publication or on such later day as may be specified in the amendment.

##### 2. Meetings of Board

(1) In the absence of the President at a meeting of the Board, a member of the Board elected by the members present shall preside.

(2) Where a member of the Board has an interest in a matter being considered or about to be considered by the Board, he shall—

- (a) as soon as practicable after the relevant facts have come to his knowledge, declare the nature of the interest; and

(b) not be present during any deliberation with respect to that matter and not be entitled to vote on that matter.

(3) A quorum is constituted by 6 members of the Board and no business may be transacted at a meeting of the Board unless there is a quorum.

(4) Each member present at a meeting of the Board shall be entitled to one vote on a matter arising for decision at the meeting, and the person presiding at the meeting shall, in the event of an equality of votes, have a casting vote.

(5) The Board shall meet at least once a month.

(6) Subject to section 25 of this Act, a decision carried by a majority of the votes cast by the members present and voting at a meeting shall be a decision of the Board.

(7) The Board may otherwise regulate its proceedings as it thinks fit.

### **3. The Academic Council**

(1) The Academic Council shall consist of—

- (a) the Director-General;
- (b) the Heads of Schools;
- (c) the Head of Information Services;
- (d) the Executive Director of the Tertiary Education Commission or his representative;
- (da) the Executive Director of the Quality Assurance Authority or his representative;
- (e) the Head of every other tertiary education institution or his representative;
- (f) 3 persons appointed by the Board;
- (g) one person elected by and from the academic staff of each School;
- (h) one person elected by and from the students; and
- (i) one member of the Board, other than the President, appointed by the Board.

(2) The Director-General shall be the Chairperson, and the Registrar shall be the Secretary, of the Academic Council.

(3) The term of office of the members of the Academic Council referred to in subparagraph (1) (f) to (i) shall be 2 years and every such member shall be eligible for a fresh appointment or election for one more term of 2 years.

(4) A person shall cease to be member of the Academic Council upon—

- (a) the completion of his term of office;
- (b) his resignation; or
- (c) his ceasing to be a member of the academic staff of a School, a student or a member of the Board, as the case may be.

(5) Where a vacancy occurs in the membership of the Academic Council not later than 3 months before the end of the member's term of office, the vacancy shall be filled by a person who shall hold office for the remainder of the term of office of the member in whose place he has been appointed or elected.

(6) Half of the members of the Academic Council shall form a quorum.

(7) The member of the Academic Council elected by and from the students shall not participate in the deliberations of the Academic Council on any matter pertaining to—

- (a) examinations; or
- (b) staffing.

(8) The Academic Council may otherwise regulate its proceedings as it thinks fit.

(9) The powers and duties of the Academic Council shall, in addition to those set out in this Act, be to—

- (a) advise the Board on—
  - (i) all academic matters including the control, general direction and management of any research or resource centre or other teaching and research facility; and
  - (ii) the institution, alteration, suspension or suppression of teaching posts and the qualifications and experience of the academic staff;
- (b) formulate, modify or revise schemes for the constitution or reconstitution of Schools and Departments;
- (c) make recommendations to the Board regarding—
  - (i) postgraduate teaching and research;
  - (ii) the qualifications to be presented for teaching;
  - (iii) the conferment of honorary degrees or other distinctions;
  - (iv) the institution and award of fellowships, scholarships, prizes and medals; and
  - (v) the promotion of collaboration between the economic and public sectors and the University of Technology;
- (d) review and act upon the proposals of a School Board in formulating rules, regulations, syllabi and methods of evaluation, introducing new courses and modifying existing ones;
- (e) assess and make recommendations relating to standards of facilities, equipment, apparatus and maintenance required for each School and Department;
- (f) appoint external examiners;
- (g) issue instructions to examiners;
- (h) approve the results of examinations and the award of degrees, diplomas and other academic qualifications in accordance with the Statutes and the regulations; and
- (i) report to the Board on any matter referred to it by the Board.

#### **4. Planning and Finance Committee**

(1) The Planning and Finance Committee shall consist of—

- (a) a Chairperson and 3 other members, other than the President, chosen by the Board from among its members;
- (b) the Director-General; and
- (c) the Head of Finance, who shall be the Secretary.



(2) The Planning and Finance Committee shall make recommendations to the Board on—

- (a) the financial position of the University of Technology from time to time;
- (b) immediate, medium and long term plans of the University of Technology taking into account the present and future needs of the country;
- (c) all other matters relating to planning and finance; and
- (d) such other matters on which it may be requested by the Board to report.

(3) The Planning and Finance Committee shall meet at least 3 times a year.

#### **5. Staff Committee**

(1) The Staff Committee shall consist of—

- (a) a Chairperson and 3 other members, other than the President, chosen by the Board from among its members;
- (b) the Director-General;
- (c) such other persons, as may, in the opinion of the Staff Committee, be co-opted to assist in its deliberations.

(2) The Staff Committee shall make recommendations to the Board for appointments to any office in the University of Technology other than that of Director-General.

(3) The Staff Committee shall, in addition—

- (a) be responsible for staff matters, including conditions of service, criteria for the appointment, promotion, transfer of staff, discipline, welfare, staff development and training programmes; and
- (b) appoint a Disciplinary Committee.

#### **6. Convocation Procedure**

(1) Degrees, diplomas and other academic qualifications upon persons entitled to receive them shall be conferred by the President at a Convocation.

(2) A Convocation may be held on such date and time as the Board may determine.

(3) The President or, in his absence, the Director-General shall declare each Convocation open and closed.

(4) The proceedings of any Convocation shall otherwise be determined by the Board on the recommendation of the Academic Council.

#### **7. Schools**

(1) The Board may, on the recommendation of the Academic Council, set up such Schools or other academic units as it thinks fit in addition to those provided for in this Act.

(2) Every School or other academic unit referred to in subsection (1) shall comprise such Departments or other units as the School Board may determine to which such course of study as may be deemed appropriate shall be allocated.

(3) Every School Board shall consist of—

- (a) the Head of School;

- (b) the Head of Information Services or a person nominated by him;
  - (c) the Heads of Departments of the School;
  - (d) such other members of the academic staff as may be co-opted for such period as the School Board may in each case determine;
  - (e) one person elected by and from the students of the School; and
  - (f) 3 persons appointed by the Board from outside the University of Technology with experience in the areas of operation of the School.
- (4) The functions of a School Board shall be to—
- (a) coordinate the teaching and research work in the School;
  - (b) recommend to the Academic Council—
    - (i) regulations for schemes of instruction, study and research allocated to the School;
    - (ii) names of external examiners; and
    - (iii) students for the award of degrees, diplomas and other academic qualifications in the subjects of the School;
  - (c) consider schemes for the advancement of the standards of teaching and research, and submit such proposals to the Academic Council;
  - (d) promote research within the School and submit reports on research to the Academic Council; and
  - (e) perform such other functions which may be provided for in this Act, the Statutes or the regulations and consider all such matters as may be referred to it by the Academic Council or the Director-General.
- (5) Half the members of the School Board shall form a quorum.
- (6) (a) Meetings of a School Board shall be Ordinary or Special.
- (b) Ordinary meetings shall be held at least once monthly.
- (c) Special meetings may be called by the Head of School or shall be called at the suggestion of the Director-General or on a written request from at least one fifth of the members of the School Board.
- (7) The minutes of proceedings of each School Board shall be circulated to the members of the Academic Council for information.

## **8. The Director General**

- (1) The Director-General shall—
- (a) hold office for a period of 5 years renewable for any further period and on such terms and conditions as the Board may determine;
  - (b) in the absence of the President, preside at a Convocation and confer degrees, diplomas or other academic qualifications upon persons entitled to receive them;
  - (c) exercise control over the affairs of the University of Technology; and
  - (d) ensure the faithful observance of the provisions of this Act, the Statutes and the regulations.
- (2) The Director-General may delegate any of his powers and duties, other than this power of delegation, to any person or body of persons.

(3) In the absence of the Director-General, the Board may appoint a person (whether or not a member of the Board) to act as Director-General.

(4) The Acting Director-General shall have all the powers and duties of the Director-General.

#### **9. Heads of School**

(1) Every Head of School shall be appointed by the Board on the recommendation of the Staff Committee for a period of 3 years and he may be eligible for reappointment on such terms and conditions as the Board may determine.

(2) A Head of School shall—

- (a) be the Chairperson of the School Board;
- (b) coordinate and generally supervise the teaching and research work in the School through Heads of the Departments;
- (c) maintain discipline through the Heads of Departments;
- (d) arrange for examinations in respect of the students of the School in accordance with such directions as may be given by the Academic Council;
- (e) select persons to be registered as students for following schemes of instruction, study or research allocated to the School;
- (f) have the right to be present and to speak at any meeting of any committees of the School, but shall not have the right to vote unless he is a member thereof; and
- (g) perform such other academic or administrative duties as may be assigned to him by the Board, the Academic Council or the Director-General.

#### **10. Registrar**

(1) The Board shall appoint a Registrar on the recommendation of the Staff Committee on such terms and conditions as it thinks fit.

(2) The duties of the Registrar shall be to—

- (a) act as Secretary to the Board, the Staff Committee, the Academic Council and the School Boards and shall keep minutes of their meetings, but he shall not be deemed to be a member of any of these bodies;
- (b) be the custodian of the records, the common seal, and such other property of the University of Technology as the Board shall commit to his charge;
- (c) arrange for the conduct of examinations;
- (d) issue all advices convening meetings of the Board, the Staff Committee, the Academic Council, the School Boards, Boards of Examiners and of any committees appointed by the authorities of the University of Technology;
- (e) conduct the official correspondence of the Board and the Academic Council; and
- (f) perform such other duties as may be specified in the Statutes or the regulations or may be required from time to time by the Board or the Director-General.

(3) The Registrar may delegate any of the duties of the Registrar, other than this power of delegation, to any other member of the staff.

#### **11. The Head of Finance**

(1) The Board shall appoint a Head of Finance on the recommendation of the Staff Committee on such terms and conditions as it thinks fit.

(2) The duties of the Head of Finance shall be to—

- (a) prepare for the consideration of the Board the estimates of income and expenditure of the University of Technology for each financial year;
- (b) collect all fees, and other monies due to the University of Technology, give receipts for the same and account for all sums so received in such form as the Board may from time to time direct;
- (c) exercise general supervision over the funds and advise the Board as regards its financial policy;
- (d) arrange for the annual and any special auditing of the accounts;
- (e) call for explanations for any unauthorised expenditure or other financial irregularity and suggest disciplinary action against persons at fault;
- (f) call from any office or unit any information or return that he may consider necessary for the performance of his duties; and
- (g) perform such other financial functions as may be assigned to him by the Board, the Director-General or as may be specified in the Statutes.

#### **12. The Head of Information Services**

(1) The Board shall appoint a Head of Information Services on the recommendation of the Staff Committee on such terms and conditions as it thinks fit.

(2) The duties of the Head of Information Services shall include responsibility for—

- (a) the provision of information resources in printed and electronic form to support the staff and students in teaching, learning, research and consultancy;
- (b) the provision of an information technology infrastructure to support the staff and students in teaching, learning, research and consultancy;
- (c) the provision of appropriate methods of access to the information resources and the information technology infrastructure by the staff and students;
- (d) the security of the information resources and the information technology infrastructure; and
- (e) advising the Board on—
  - (i) appropriate rules and regulations to govern access to the information resources and the information technology infrastructure by the staff and students; and
  - (ii) appropriate technical standards to be adopted for the information technology infrastructure.

### 13. Manager of Consultancy and Technology Transfer

(1) The Board shall appoint a Manager of Consultancy and Technology Transfer on the recommendation of the Staff Committee on such terms and conditions as it thinks fit.

(2) The duties of the Manager of Consultancy and Technology Transfer shall be to—

- (a) implement and assist in the development of the consultancy and technology transfer policy of the University of Technology;
- (b) work closely with the academic and other units for the marketing of the skills and expertise of the University of Technology; and
- (c) communicate the skills and expertise of the University of Technology to industry, commerce and public sector agencies.

### 14. Conduct of ballots

(1) The elections to membership on any of the bodies referred to in this Act or the Statutes shall be carried out at an appropriate time fixed by the Registrar during semester time.

(2) For each election, a returning officer shall be designated by the Registrar.

(3) Any person entitled to be nominated and to vote in any election referred to in subparagraph (1) shall be an eligible person.

(4) (a) Not less than 4 weeks before the date of an election, the Registrar shall invite persons entitled to vote in that election to submit nominations of person eligible to stand for election in writing.

(b) Nominations shall be in the hands of the Registrar not less than 3 weeks before the date of the election.

(5) If the number of valid nominations exceeds the number of vacancies, there shall be an election. Voting shall be by secret ballot and shall be organised by the Registrar.

(6) Electors shall vote by placing the same number of crosses on the ballot paper as there are vacancies. Ballot papers with more or fewer crosses shall be invalid. Counting shall be done by the returning officer who shall also announce the result.

(7) In the event of a tie, the returning officer shall decide by lot between the candidates tying, without disclosing that there has been a tie. The returning officer shall not disclose the number of votes cast, either in whole or for any candidate.

### 15. Association of students

(1) Where the students wish to form an association which is to be recognised by the Board as representative of their interests, they shall be required to forward to the Board a copy of the proposed rules of the association for approval.

(2) Where any rules referred to in subparagraph (1) have been approved, every amendment shall also be required to be forwarded to the Board for approval.

[Sch. amended by s. 53 (23) (d) (ii) of Act 23 of 2017 w.e.f. 15 November 2018.]

