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THE REPUBLIC OF UGANDA

THE MBARARA UNIVERSITY OF SCIENCE AND
TECHNOLOGY STATUTE, 1989.



THE REPUBLIC OF UGANDA

I HEREBY SIGNIFY my Assent to the Statute.

M. M. A. Obote II
President

3/7/90.
Date of Assent

Mbarara University of Science
Statute and Technology Statute 1989

THE MBARARA UNIVERSITY OF SCIENCE AND
TECHNOLOGY STATUTE, 1989.

ARRANGEMENT OF SECTIONS.

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Statute

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THE REPUBLIC OF UGANDA

THE MBARARA UNIVERSITY OF SCIENCE AND
TECHNOLOGY STATUTE, 1989.

A Statute To Establish Mbarara University Of Science And Technology, To Provide For Its Constitution, Functions And Administration And For Other Matters Connected Therewith.

BE IT ENACTED by the President and the National Resistance Council as follows:—

PRELIMINARY.

1. This Statute may be cited as the Mbarara University Short title of Science and Technology Statute, 1989 and shall be deemed to have come into operation on the 1st day of October, 1988.
2. In this Statute unless the context otherwise requires,
"Appointments Board" means the Appointments Inter-
pretation Board provided in section 24;
"Bursar" means the Bursar of the University;

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"Chancellor" means the Chancellor of the University;

"convocation" means the Convocation of the University established by or under section 22;

"Council" means the University Council established by or under section 11;

"dean" means the dean for each faculty appointed in accordance with the provisions of section 14;

"faculty" means any Faculty established by the Council under section 13;

"financial year" in respect of the first accounting period, means the period beginning with the 1st day of October, 1988 and ending on the 30th day of June, 1989 and in respect of any subsequent period, a period of twelve months ending on the 30th day of June;

"functions" includes powers and duties;

"Graduate" means a person upon whom a degree has been conferred by the University;

"Minister" means the Minister responsible for education;

"Registrar" means the Registrar of the University;

"Secretary" means the Secretary of the University;

"Senate" means the Senate of the University established by or under section 18;

"statute" means statutes made by the Council under section 34;

"Students' Association" means Students' Association established by or under section 23;

"University Authority" includes the Council, the Senate and any Committee thereof, the Vice-Chancellor and the Deputy Vice-Chancellor;

"University" means the Mbarara University of Science and Technology established by section 3;

"Vice-Chancellor" means the Vice-Chancellor of the University.

Establish-
ment of
Mbarara
University.

3. There is hereby established a University to be known as Mbarara University of Science and Technology which shall be a body corporate with perpetual succession and a common seal and with power to sue and to be sued in its corporate name and, subject to this Statute, to do all such other things as a body corporate may lawfully do.

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Objects and
functions
of the
University.

4. Subject to the declared policies of the Government to promote the political, economic and social development of Uganda and the needs and aspirations of the Republic of Uganda, the objects and functions of the University shall include authority,

- (a) to provide instruction to all those admitted to the University and to make provision for the advancement, transmission and preservation of knowledge, and to stimulate intellectual life in Uganda;
- (b) to preserve and foster the right of the University to determine the qualifications of who may teach, what may be taught, how it may be taught and the requirements to be fulfilled in order to be admitted to study therein;
- (c) to impart University education within Uganda with particular emphasis on scientific and technological education and their application to rural development and for this purpose to work with other appropriate bodies in the planned development of higher education and in particular, to examine and make proposals to the Government for new faculties, new departments, new degree courses or new subjects of study;
- (d) to conduct examinations for and to grant degrees, diplomas, certificates and other awards of the University and the revocation of such degrees, diplomas, certificates and other awards in the manner provided for by the statutes;
- (e) to confer the degree of Doctor honoris causa which the University may wish to confer upon any person who has rendered distinguished service in the advancement of any branch of learning or who has otherwise rendered himself worthy of such a degree;
- (f) to admit to the University candidates for degrees, diplomas, certificates or other awards of the University.

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Statute

*Seal of the
University.*

5. (1) The seal of the University shall be authenticated by the signature of the Secretary to the Council or of any other two members of the Council authorised by resolution of the Council either generally or specially to act in that behalf.

(2) The signature of the Secretary of the Council or of the two members of the Council shall be independent of the signing by any other person as witness.

(3) A certificate signed by the Council that any instrument purporting to be made or issued by or on behalf of the University was so made or issued shall be conclusive evidence of that fact.

(4) Every document purporting,

(a) to be an instrument made or issued by or on behalf of the University and to be sealed with the seal of the University authenticated in the manner provided by subsection (1) of this section or to be signed or executed by the Secretary of the Council or any other person authorised by the Council to act in that behalf; or

(b) to be a certificate such as is mentioned in subsection (3) of this section, shall be received in evidence and be deemed without further proof to be so made or to be such a certificate, unless the contrary is shown.

(5) The Common Seal of the University shall be kept in the custody of a person appointed by the Council, and shall not be used or affixed to any instrument except in pursuance of a resolution duly adopted by the Council in accordance with the provisions of this section.

(6) Notwithstanding the provision of subsection (1) of this section for purposes of degrees, diplomas, certificates and other awards of the University, the seal of the University shall be authenticated by the signatures of the Vice-Chancellor and the Registrar.

6. (1) The members of the University shall be,

- (a) the Chancellor;
- (b) the Vice-Chancellor;
- (c) the Deputy Vice-Chancellor;

*Membership
of the
University.*

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- (d) the members of the Council;
- (e) the members of the Senate;
- (f) the Professors and Lecturers of the University;
- (g) the Librarian, Secretary, Registrar and Bursar;
- (h) the students of the University;
- (i) the members of the Convocation; and
- (j) such other members of the staff of the University or of anybody formally admitted into association with the University as the Council may, from time to time, determine.

(2) Admission to the University shall be open to all citizens of Uganda accepted by the Admissions Committee as being qualified for admission without distinction of either origin, sect or creed.

(3) It shall be lawful to admit to the University any person qualified for admission who is not a citizen of Uganda.

Constituent Colleges.

7. (1) The Minister may, after consultation with the Council and the Senate, by statutory order,

Establish-
ment of
constituent
colleges.

- (a) establish any college as a constituent college of the University;
- (b) declare any college or institution of learning as a constituent college or institution of the University.

(2) Where the Minister establishes a constituent college or declares any institution of the University,

- (a) the Chancellor shall appoint a Principal;
- (b) the Appointments Board shall appoint, in accordance with the provision of section 24 of this Statute, the members of the academic and administrative staff and other employees, of such constituent college or institution.

(3) Where the Minister makes an order under subsection (1) of this section, he shall, by the same or subsequent order, make provision,

- (a) for the administration of the constituent college or institution as he considers appropriate including any provision for the representation of such college or institution on the Council or the Senate and may for that purpose modify any provision of this Statute or any other written law;
- (b) for the vesting of the property of the college or institution in the University;
- (c) for the transfer of the academic or administrative staff or employees of the college or institution whose services are not transferred to the University;
- (d) for the retiring benefits of the academic and administrative staff or employees of the college or institution whose services are not transferred to the University.

(4) Where provision is made in an order made under this section for the vesting of any property of the college or institution in the University, the property to which that order relates shall by virtue of that order and without further assurance, vest in the University.

Officers of the University.

The
Chancellor.

8. (1) The President of the Republic of Uganda shall be the Chancellor of the University.

(2) The Chancellor shall exercise the powers and perform the functions conferred on him by this Statute and the statutes.

(3) The Chancellor,

(a) shall be the head of the University and shall, in that capacity, confer all degrees in the name of the University;

(b) shall have the power to arrange for a visitation of any part of the University in the manner provided for by the statutes; and

(c) shall enjoy the privileges provided for by this Statute and the statutes.

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(4) In the absence of the Chancellor, the Chairman of the Council shall deputise for the Chancellor but shall not perform the functions of the Chancellor under paragraph (a) of subsection (3) of this section which shall, in the absence of the Chancellor, be performed by the Vice-Chancellor.

9. (1) There shall be a Vice-Chancellor who,

- (a) shall be the chief academic and administrative officer of the University; and
- (b) shall exercise such powers and perform such duties as may be conferred on him by the statutes.

Appoint-
ment of
Vice-
Chancellor
and Deputy
Vice-
Chancellor.

(2) The Vice-Chancellor shall be appointed by the President of the Republic of Uganda on such terms and conditions and for such period as the President may determine.

(3) There shall be a Deputy Vice-Chancellor who,

- (a) shall be a full-time member of the University staff;
- (b) shall be appointed in the like manner as the Vice-Chancellor;
- (c) shall deputise for the Vice-Chancellor.

(4) In the absence of both the Vice-Chancellor and the Deputy Vice-Chancellor from Uganda, or in the event of the incapacity of both of them for any reason to exercise the powers and perform the functions of their offices, the Minister, after consultation with the Chairman of the Council, may recommend to the President the appointment of a member of the staff to exercise the powers and perform the functions of the Vice-Chancellor.

10. (1) In the administration of the University, the Vice-Chancellor shall be assisted by,

Secretary
and
Registrar.

(a) the Deputy Vice-Chancellor;

(b) the Secretary who shall be,

- (i) responsible for the general administration of the University including the administration of the funds and other assets thereof;

(ii) responsible for the provision of secretarial services to all the Committees of the Council;

(c) the Registrar who shall be the Chief Co-ordinator for all academic matters pertaining to the academic organisation of the University, examinations, research, postgraduate studies and syllabus.

(2) The Secretary and the Registrar shall be appointed by the Council on the advice of the Appointments Board on such terms and conditions as the Council may determine.

(3) In their day-to-day functions, the Secretary and the Registrar shall be responsible to the Vice-Chancellor.

The University Council.

11. (1) There shall be a Council to be known as the University Council which shall consist of the following,

(a) *ex-officio* members, namely,

(i) the Chancellor;

(ii) the Vice-Chancellor;

(iii) the Deputy Vice-Chancellor;

(iv) the Minister responsible for education;

(v) the Minister responsible for finance;

(vi) the Minister responsible for planning, development and manpower;

(vii) the Chairman of the National Research Council;

(viii) the Chairman of the Uganda National Council for Science and Technology.

(b) appointed or elected members, namely,

(i) nine members appointed by the Government;

- (ii) one member of the Convocation elected by the Convocation;
- (iii) three members of the University elected by the Senate;
- (iv) two members elected from amongst themselves jointly by the academic staff and the senior administrative staff of the University;
- (v) two members of the Students' Association elected by the Students' Association;
- (vi) three members to be elected in accordance with the provisions of subsection (3) of this section.

(2) For the purposes of sub-paragraph (iv) of paragraph (b) of subsection (1) of this section, senior administrative staff shall consist of such members of the administrative staff of the University as the Minister may, by statutory order specify.

(3) At its first meeting after the coming into force of this Statute, the Council shall elect three persons as members of the Council who shall hold office for a period of three years, but who shall, on the expiration of their term, be eligible for re-election.

(4) Notwithstanding anything contained in subsection (1) of this section, for the purposes of subsection (3), the Council shall consist of members other than members mentioned in sub-paragraph (iv) of paragraph (b) of subsection (1).

(5) A member,

- (a) appointed or elected under sub-paragraphs (i) to (iv) of paragraph (b) of subsection (1) of this section shall hold office for a period of three years; and
- (b) elected under sub-paragraph (v) of paragraph (b) of subsection (1) of this section shall hold office for a period of one year, so long as he continues to be a member of the Students

Association but shall, on the expiration of his term of office, be eligible for re-appointment or, as the case may be, re-election.

(6) Any vacancy created by the retirement of any member under this section shall be notified by the Secretary to the appropriate authority which appointed or elected the member, and the authority may fill the vacancy in the manner provided for the filling of that vacancy by this section.

(7) The Chairman of the Council shall be appointed by the Chancellor and shall exercise such powers and perform such duties as may be conferred on him by the statutes.

(8) There shall be a Vice-Chairman who shall be appointed by the Chancellor upon such terms as the Council may determine; whenever necessary, the Vice-Chairman shall deputise for the Chairman of the Council.

(9) The Secretary shall be *ex-officio* Secretary of the Council but shall not vote on any matter at any meeting of the Council.

Powers and functions of the Council
12. (1) Subject to the provisions of this Statute, the government, control and administration of the University shall be vested in the Council.

(2) Without derogating from the generality of the provisions of subsection (1) of this section or of any other provision of this Statute, the Council,

(a) shall administer the property of the University, both movable and immovable;

(b) shall administer the funds and other assets of the University;

(c) shall, on behalf of the University, prosecute and defend all suits by and against the University;

(d) shall, on behalf of the University, receive gifts, donations, grants or other moneys and shall make disbursements therefrom to persons and other bodies as may be required;

(e) shall fix scales of fees and boarding charges;

- (f) on behalf of the University, shall in consultation with the Senate, make statutes in accordance with the provisions of section 34 of this Statute providing for the terms and conditions of service, including the appointments, dismissals, remunerations and retiring benefits of the members of the academic staff and of the administrative staff;
- (g) shall establish faculties, departments, institutions, boards and courses of study;
- (h) shall provide for the welfare and discipline of the students;
- (i) shall make and interpret statutes.

13. The Council may, after consultation with the Senate by statutes, group full-time and part-time teaching members of academic staff and students into faculties according to their academic subjects.

Determination of Faculties.

14. (1) There shall be a Dean for each Faculty who shall be appointed by the Council acting on the advice of the Appointments Board. The Dean shall hold office for such term as the Council may specify in the instrument of his appointment.

Appointment of Deans, Professors and Directors.

(2) The Council may, acting on the advice of the Appointments Board, appoint a fit person to be a Professor or a Director of an Institute of the University or to hold any other office equivalent to such post.

15. The Council may, after consultation with the Senate, by Statute, determine whether any professional school or any research Institute desiring association with the University shall be connected with the University and, in such case, the nature of such association.

Determination of schools, etc., desiring association with the University.

16. (1) Unless the Council otherwise determines, a meeting of the Council shall be held at least once in each University term at such time and place as the Chairman of the Council may appoint.

Meetings of the Council.

(2) The Chairman of the Council may at any time call a meeting of the Council and shall call a meeting within

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(b) co-opt any person on any committee appointed under this section as the committee thinks fit, and may appoint one of the persons appointed to any committee to be the Chairman of that committee.

(2) The Council may, subject to such limitations as it may think fit, delegate any of its functions to any committee appointed under this section, but the Council shall not delegate to any committee the power to approve, without further reference to it, the annual estimates of income and expenditure.

(3) The Council may authorise any committee appointed under this section to act with any other committee appointed by the Senate.

(4) Any Ministry or Department of the Government which is directly connected with any matter to be discussed by any committee shall be represented on the Committee by a person or persons nominated by the Ministry or Department for this purpose.

(5) The Chairman of the Council shall be an *ex-officio* member of every committee appointed under this section, and in default of a specific appointment of a Chairman for any committee by the Council, he shall be the Chairman of that committee.

(6) In the absence of both the Chairman of the Committee and the Chairman of the Council, the members present and constituting a quorum shall elect a temporary Chairman from among their number.

The Senate.

18. (1) There shall be a Senate which shall consist of:- *The Senate*.

- (a) the Vice-Chancellor, as Chairman;
- (b) the Deputy Vice-Chancellor;
- (c) the Deans and Directors of all the Faculties and Institutes of the University, the Dean of Students;
- (d) all Academic Heads of Departments;
- (e) the Librarian;
- (f) one member elected by the Wardens of the halls

of residence from among themselves who shall hold office for a term of two years;

(g) two members elected by the academic staff of the University in accordance with such procedure as may be laid down in the statutes, who shall hold office for a term of two years;

(h) such members of associated schools or institutions as may be determined by statutes;

(i) not more than five members appointed by the Minister.

(2) The Registrar shall be the Secretary of the Senate but shall not vote on any matter at any meeting of the Senate.

19. (1) Unless the Senate determines otherwise, meetings of the Senate shall be held at least once in each University term at such time and place as the Chairman of the Senate may appoint.

(2) The Chairman of the Senate may at any time call a meeting of the Senate and shall call a meeting within ten days of receipt of a requisition for that purpose addressed to him and signed by ten members of the Senate.

(3) The Chairman of the Senate or, in his absence, the Deputy Vice-Chancellor, shall preside at all meetings of the Senate and in the absence of both the Chairman of the Senate and the Deputy Vice-Chancellor, the members present and constituting a quorum shall elect a temporary Chairman from among their number.

(4) At any meeting of the Senate, one-third of the total membership of the Senate shall constitute a quorum.

(5) The Chairman of the meeting of the Senate shall have an original and casting vote.

(6) The Senate may,

(a) appoint any committee consisting of members of the Senate and members of academic staff other than those who are members of the Senate;

(b) co-opt any person on any committee as it may think fit; and may, subject to such limitations

as it may impose delegate any of its functions to any such committee.

(7) The Senate may authorise any Committee appointed under this section to act jointly with any Committee appointed by the Council.

(8) Subject to the provisions of this section, the Senate may regulate its own procedure and the procedure of any Committee appointed under this section.

20. (1) The functions of the Senate shall, subject to the provisions of this Statute, consist of, Functions
of the
Senate.

- (a) the initiation of proposals relating to the conduct of the University generally and discussion of any matter relating to the University and the making of submissions thereon to the Council;
- (b) the submission to the Council, whether with or without prior request by the Council, of all draft regulations relating generally to the management of the University;
- (c) the submission to the Council, whether with or without prior request by the Council, of requests for the final interpretation of any provision of a Statute, or regulations made under any Statute;
- (d) the making of regulations under any power conferred on it by the Senate;
- (e) the making of recommendations to the Council for the creation of academic posts.

(2) In addition to the functions specified in subsection (1) of this section, it shall be the duty of the Senate,

- (a) to satisfy itself regarding the content and academic standard of any course of study in respect of a degree, diploma, certificate or other award of the University;
- (b) to make regulations regarding the eligibility of persons for admission to courses leading to the award of a degree, diploma, certificate or other award of the University;

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- (c) to make regulations with regard to the standard of proficiency to be attained in each examination for a degree, diploma, certificate or any other award by the University;
- (d) to decide which persons have reached the standard of proficiency referred to in paragraph (c) of this subsection and are otherwise fit for the award of any degree, diploma, certificate or other award by the University.

(3) Notwithstanding any other provision of this Statute, the Council may at any time, require the Senate to re-examine or revise any matter relating to any of the actions which the Senate is under this section required to perform.

The Faculty Board of Studies.

Faculty
Board of
Studies

21. (1) There shall be a Faculty Board of Studies in each Faculty of the University of which the Dean of the Faculty shall be the Chairman.

(2) The Faculty Board shall be constituted in the manner determined by the Faculty with the prior approval of the Senate.

(3) The Faculty Board may make recommendations or representations to the Senate on any academic matter, with or without prior request therefor by the Senate.

Convocation.

Convocation 22. (1) There shall be a Convocation which shall consist of graduates of the University and members of the academic staff and such other persons as may be provided for in the statutes.

(2) The Convocation shall exercise such powers and perform such functions as may be conferred on it by the statutes and, in particular, may meet and discuss any matter within the sphere of competence of the University and transmit recommendations arising out of such discussions to the Council or Senate.

Students' Association.

23. (1) There shall be a Students' Association, by whatever name called, which shall be constituted in accordance with statutes made for that purpose by the Council. Students'
Association

(2) The Council may, in consultation with the Students Association, by statute, prescribe the constitution, functions, privileges and other matters relating to the Students' Association.

Provisions relating to Staff.

24. (1) There shall be an Appointments Board consisting of nine members appointed by the Chancellor on such terms and conditions as the Chancellor may determine. The Appointments Board shall, except as is otherwise provided by this Statute, be responsible to the Council for the appointment, promotion, removal from service and discipline of all officers of the academic and administrative staff in the service of the University. Appoint-
ment and
control
of academic
staff.

(2) Subject to the provisions of section 14 of this Statute, the academic staff of the University shall be appointed by the Appointments Board in accordance with such procedure as laid down by statutes.

(3) The Academic Staff shall consist of,

(a) all members appointed on a full-time basis for teaching and research;

(b) the Librarian, Deputy Librarian and Assistant Librarian; and

(c) such other persons as may be declared by the Council on the recommendations of the Senate to be engaged in any work connected with the University in an honorary, associate or part-time capacity.

(4) Subject to the provisions of section 14 of this Statute, all members of the academic staff shall be appointed by the Appointments Board, either,

(a) on such terms and conditions as may be determined by the Council; or

(b) in the case of a member seconded to the service of the University, on such terms and conditions as may be agreed between the Council and the seconding body.

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(5) The administrative staff of the University shall, subject to the provisions of this Statute, be appointed by the Appointments Board in accordance with such procedure as may be laid down by statutes.

(6) Subject to the provisions of section 14 of this Statute, all members of the administrative staff shall be appointed by the Appointments Board, either,

(a) on such terms and conditions as may be determined by the Council; or

(b) in the case of a member seconded to the service of the University, on such terms and conditions as may be agreed between the Council and the seconding body.

(7) Any other employee of the University shall be appointed by the Appointments Board, either,

(a) on such terms and conditions as may be determined by the Council; or

(b) in the case of a member seconded to the service of the University, on such terms and conditions as may be agreed between the Council and the seconding body.

(8) All members of the staff whether academic or administrative and any other category of employee of the University,

(a) shall be subject to the general authority of the Council and Vice-Chancellor;

(b) save where it is otherwise expressly provided in relation to any other category of employees shall be deemed to be employed on a whotetime basis.

Financial Provisions.

Management of the property of the University.

25. (1) All the funds, assets and property, movable and immovable of the University shall be managed and utilised by the Council in accordance with the provisions of this Statute, in such manner and for such purposes as, in the opinion of the Council, would promote the best interests of the University.

fourteen days from the date of receipt of a requisition for that purpose addressed to him and signed by ten members of the Council.

(3) The Chairman of the Council may at any time call a special meeting of the Council if, in his opinion, a situation has arisen requiring the Council to meet and take decision.

(4) The Chairman or, in his absence, the Vice-Chairman shall preside at all meetings of the Council, and in the absence of both the Chairman and the Vice-Chairman, the members present and constituting a quorum shall elect a temporary Chairman from the members of the Council other than the members specified in sub-paragraphs (iii) to (vi) of paragraph (b) of subsection (1) of section 11.

(5) At any meeting of the Council, one-third of the total membership of the Council, including the Chairman, shall constitute a quorum.

(6) Every question before the meeting shall be decided by the simple majority of the votes of the members present and voting thereon; no question shall be decided at any meeting of the Council unless ten members, including the Chairman, vote thereon; but any abstention from voting shall not be counted as a vote for the purposes of this section.

(7) The Chairman shall have an original and a casting vote.

(8) The Council may transact any business by the circulation of papers, and any decision so taken and approved by all the members of the Council in writing shall be as valid as if it had been taken at a meeting of the Council.

(9) The Secretary shall keep or cause to be kept minutes of the proceedings of the Council and such minutes shall be confirmed, subject to the necessary amendments, and signed by the Chairman of the Council at a subsequent meeting of the Council.

(10) Subject to the provisions of this section, the Council may regulate its own procedure and the procedure of any committee appointed by the Council.

17. (1) The Council may,

(a) appoint committees and boards consisting of such number of its members and such other persons as it thinks fit;

(2) The Council may, with the prior approval of the Minister and subject to such conditions, if any, as the Minister may think fit to impose, charge or dispose of immovable property of the University vested in it.

26. The Council may, with the prior approval of the Minister, borrow either by way of overdraft from a banker or any other person, such sums as it may from time to time, require for the administration of the University.

Borrowing power.

27. The Council may, with the prior approval of the Minister, invest any of the funds of the University in such securities as it may think fit, or may place such funds on deposit at such bank as it may determine.

Investment of Funds.

28. (1) Estimates shall be approved by the Council before the commencement of the financial year.

Estimates.

(2) The Council shall, in respect of every financial year, prepare or cause to be prepared estimates of the income and expenditure of the Council and shall furnish to the Government and to such other bodies as the Council may from time to time, determine, copies of such estimates.

29. (1) The Council shall keep or cause to be kept books Audit of account of all income and expenditure and proper records in relation thereto.

(2) The Council shall cause to be prepared at the end of every financial year,

(a) a statement of income and expenditure during the financial year;

(b) a statement of the assets and liabilities of the University on the last day of the financial year; and

(c) a report upon the progress of the University during the financial year,

and shall submit such statements and reports to the Minister and to such other bodies as the Council may determine.

(3) The statements referred to in paragraphs (a) and (b) of subsection (2) of this section shall be submitted by the Bursar to, and be audited by the Auditor-General or an auditor appointed by him within six months after the end of every financial year who shall be entitled to have access to all books of account, vouchers and other financial records of the University and to require such information and explanation thereon as he thinks fit.

(4) Copies of the report of the Auditor-General on the statements submitted to him under subsection (2) of this section shall be furnished to the Minister and to such other person as the Council may determine.

(5) The Auditor-General's report shall state whether in his opinion,

(a) proper books of account have been kept by the Council;

(b) the financial statement of the Council,

(i) was prepared on a basis consistent with that of the preceding year and is in agreement with the books of account.

(ii) in the case of the income and expenditure gives a true and fair view of the income and expenditure of the University for the financial year.

General Provisions.

Contracts.

30. (1) Contracts on behalf of the University may be made in the following manner,

(a) a contract which, if made between private persons would be by law required to be in writing, and if made according to any law for the time being in force in Uganda is required to be under seal, may be made on behalf of the University under the common seal of the University;

(b) a contract which, if made between private persons, would be by law required to be made in writing, signed by the parties to be charged therewith, may be made on behalf of the University in writing, signed by any person acting under its

authority, express or implied.

(2) A contract made according to and under the provisions of the preceding subsection shall be effectual in law and shall bind the University and its successors and all other parties thereto.

(3) A contract made in accordance with the provisions of this section may be varied or discharged in the same manner in which it is authorised in this section to be made.

31. Any document may be served on the University by leaving it at the office of or by sending it by registered post to the Secretary of the Council.

Service
of
Documents.

32. The University shall be exempted from,

(a) the payment of stamp duties under the Stamps Act; and

Exemptions
Cap. 172.

(b) the payment of import duties, sales tax or any other tax or duty that is, or may be specifically, imposed under any written law on any goods imported by the University in furtherance of its objects and which are not for resale to the public.

33. The provisions of the Companies Act or any statutory modification or re-enactment thereof shall not apply to the University.

Non-
application
of
Companies
Act
Cap. 85.

34. (1) The Council may, by Statutory Instrument, with the approval of the Minister, make statutes, for the government, control and administration of the University.

Statutes.

(2) Without derogating from the generality of the provisions of subsection (1) of this section, statutes made by the Council under this section may provide for,

- (a) the powers, functions and privileges of the Chancellor and Vice-Chancellor;
- (b) the establishment of Faculties of the University;
- (c) the description of degrees;
- (d) the requirements for the award of degrees;
- (e) the description and requirements for the award of honorary degrees;

- (f) the conduct of examinations;
- (g) the recognition of connected institutes;
- (h) the scales of fees and boarding charges;
- (i) the membership, powers and functions of the Convocation;
- (j) the constitution, functions and privileges of the Students' Association;
- (k) procedure for appointment of staff, the terms and conditions of service, including discipline, dismissal, salary and retiring benefits,
 - (i) of members of the academic staff of the University;
 - (ii) of members of the administrative staff of the University;
 - (iii) of any other employee of the University;
- (l) the membership, powers and functions of the Committees and Boards established by the Council in accordance with the provisions of this Statute;
- (m) any other function which it is required or permitted to perform;
- (n) generally for the better carrying into effect the purposes of this Statute.

(3) The Council may, after consultation with the Senate, make statutes providing for,

- (a) the academic organisation of the University and in particular, admission to the University, the courses of instruction, the duration and number of University terms, and granting or revocation of degrees, diplomas, certificates or other awards of the University;
- (b) the grant of scholarship and studentships, and the revocation of any such grant; and
- (c) the making of provisions for connection with the University or other institutions.

35. Any person who, without the written approval of the Council, assumes, registers, or uses for the purpose of his business a name which includes the word "University" and "Mbarara" together commits an offence and shall be liable to a fine not exceeding twenty thousand shillings or to a term of imprisonment not exceeding six months or both.

Unauthorised use of
the name of
University.

36. Until statutes and regulations are made under this Statute, the statutes, degrees and administrative directions made or given under the Makerere University Act, 1970, shall continue to have effect subject to such modifications, and adaptations, qualifications and exemptions as may be necessary to bring them in conformity with this Statute.

Existing
Statutes,
etc.

37. The Minister may, if in his opinion it is in the public interest so to do, give directions on any matter to a University authority as to the exercise of any powers and performance of any functions under this Statute, and the authority shall comply with such directions.

Minister's
powers of
directions.

38. (1) This section applies only to an office which a person holds and to which he was appointed, elected or otherwise holds in the same or substantially similar manner as provided for in the Makerere University Act, 1970, in relation to the corresponding office in the University.

Validation
of previous
appointments.

(2) A person who, immediately before the date of commencement of this Statute, holds any of the offices set out in subsection (3) shall, on and after that date, continue to hold such office and be deemed to have held office by virtue of this Statute unless otherwise specified either generally or in the instrument of his appointment.

(3) The following are the offices referred to in subsection (2),

(a) Chancellor, Vice-Chancellor, Deputy Vice-Chancellor, Registrar, University Secretary and Bursar;

(b) Chairman or member of the University Council;

(c) Chairman or Member of the University Senate;

(d) Chairman or Member of the Appointments Board;
and

(e) any other office held by a person appointed to it by the Appointments Board.