

Passed in Parliament this *th day of July*, in the year of our Lord two thousand and twenty one.

PARAN UMAR TARAWALLY,
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

PARAN UMAR TARAWALLY,
Clerk of Parliament.

THE UNIVERSITIES ACT, 2021
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CONSTITUENT CAMPUSES OF UNIVERSITIES

1. University of Sierra Leone

- (a) Fourah Bay College.
- (b) College of Medicine and Allied Health Sciences, incorporating the Nursing Education Centre (National School of Nursing) and the Pharmacy Technicians School.
- (c) Institute of Public Administration and Management.
- (d) any other institution that may, on the advice of the Commission, be constituted, as a Campus by statutory instrument made by the Minister.

2. Njala University

- (a) Njala University Campus;
- (b) Bo Campus, consisting of Bo Teachers' College and School of Community Health Sciences, constituted from the School of Hygiene and Paramedical School.
- (c) Bonthe Technical Institute.
- (d) any other institution that may, on the advice of the Commission, be constituted, as a Campus by statutory instrument made by the Minister.

3. The Ernest Bai Koroma University of Science and Technology

- (a) Magburaka Campus;
- (b) Makeni Campus;
- (c) Port Loko Campus;
- (d) any other institution that may, on the advice of the Commission, be constituted, as a Campus by statutory instrument made by the Minister.

DR. JULIUS MAADA BIO,
President.

LS



Sierra Leone

No.

2021

The Universities Act, 2021

Short title.

Being an Act to repeal and replace the Universities Act, 2005 (Act No. 1 of 2005) including its amendments, to provide for the continuation of the University of Sierra Leone, Njala University, the Ernest Bai Koroma University of Science and Technology and the establishment of the Milton Margai Technical University, the Eastern Technical University of Sierra Leone and the Kono University of Science and Technology, to provide for the appointment of Chancellors of Universities by the President, to provide for the establishment of other public universities and private universities and to provide for other related matters.

[] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

PART I – PRELIMINARY

Interpretation. 1. In this Act, unless the context otherwise requires -

"academic staff" means all persons holding appointments as the case may be as professors, associate professors, senior lecturers, lecturers, assistant lecturers or teaching and research assistants of a University or in other posts so designated by the Senate;

"Campus" means a constituent institution of a University as set out in the Schedule;

"Commission" means the Tertiary Education Commission established under section 2 of the Tertiary Education Commission Act, 2001;

"Court" means the Court of a University constituted under section 11, as the highest administrative authority of the University;

"Disciplinary Committee" means the Committee constituted in subsection (3) of section 50;

"distinction" means an academic award granted by a University with the approval of the Court;

"extension" in relation to work, means work done by a University outside its walls;

"faculty, school or institution" includes a group of departments or units of a University;

"good cause" include evidence of -

50. (1) A Vice-Chancellor and Principal may, for good cause shown, exclude a student from a part of the University or its precincts, and may suspend a student from class or classes, but such exclusion or suspension shall be reported by the Vice-Chancellor and Principal to the Senate at its next meeting.

Student discipline.

(2) Without prejudice to the power of the Vice-Chancellor and Principal to exclude or suspend a student under subparagraph(1), the procedures governing the exclusion, suspension, expulsion or other punishment of students by the Senate for infractions of discipline shall be prescribed by Rules, a copy of which shall be deposited with the Commission:

Provided that punishments may include reprimand, monetary fine and the cost of making good any damage.

(3) The powers of a Senate with regard to punishment may be delegated to a Discipline Committee consisting of the Vice-Chancellor and Principal, the Pro Vice-Chancellor, the Deputy Vice-Chancellor, the Deans of Faculties, the Campus or College Librarian and the Wardens of the Halls of Residence and the Campus Standing Committees.

(4) The procedure for reporting an exclusion, suspension or expulsion of a student by the Vice-Chancellor and Principal, or in the exercise of delegated powers, to the Senate shall be prescribed by the Rules, and the procedure for reporting to the Vice-Chancellor and Principal of punishment imposed in the exercise of delegated powers of limited punishment shall be prescribed by Rules.

(5) The procedure governing the right of a student to defend himself in the exercise of any of the disciplinary powers as defined in subsection (1) and (2) of this section, shall be consistent with the laws of natural justice; and a student shall be entitled to be represented, to call witnesses in his own defence, to cross-examine adverse witnesses and to adduce such evidence as he may deem necessary for his defence; and if the decision is that he is to be expelled, suspended or otherwise punished, he may appeal to the Court, which shall set up an Independent Committee to examine the evidence, and if that Committee so advises, the Court may reverse the original decision or conduct further inquiries or confirm the original decision.

(2) A Congregation for the conferment of degrees shall be held at least once every year at such time and place as shall be decided by the Court; and the degrees and other academic awards shall be presented by the person presiding.

(3) A Congregation shall include the Minister and shall be presided over by the Chancellor or in the absence of the Chancellor, the Vice-Chancellor and Principal shall preside; in the absence of the Vice-Chancellor and Principal, the Pro Vice-Chancellor shall preside and in the absence of the Pro Vice-Chancellor a Deputy Vice-Chancellor, nominated by the Court, shall preside.

(4) The procedure for summoning a Congregation and for the presentation of graduands for conferring degrees in and for all other matters relating to Congregations shall be determined by the Court.

PART IX-MISCELLANEOUS

Regulations. **47.** Subject to this Act, the Senate may by statutory instrument make regulations relating to teaching, courses of study, the award of degrees, diplomas and other distinctions, the conduct of examinations, conditions under which students shall be permitted to continue their studies in the University, academic dress, and to such other matters as it considers necessary or desirable for the purpose of carrying out the objects of the University.

Standing orders. **48.** The Court and the Senate may each make Standing Orders for the internal regulation of the conduct of their respective functions.

Repeal of Act No. 1 of 2005. **49.** (1) The Universities Act, 2005 (Act No. 1 of 2005) and its amendments are hereby repealed.

(2) Notwithstanding the repeal of the Universities Act, 2005, rules, regulations, notices or other statutory instruments issued under the repealed Act shall continue to be in force until expressly revoked or cancelled.

(a) conviction of a crime or offence which the Court deems to be such as to render a person unfit to continue to hold office;

(b) conduct, which the Court deems to be such as to constitute failure or inability of a person to perform the duties or to comply with the conditions of tenure of his office;

(c) physical or mental incapacity which the Court deems to be such as to render a person unfit for the execution of the duties of his office;

"graduate" means a person to whom a degree has been awarded by a University;

"Minister" means the Minister responsible for tertiary education and Ministry shall be construed accordingly;

"National Council for Technical, Vocational and other Academic Awards" means a body established under section 2 of the National Council for Technical, Vocational and other Academic Awards Act, 2001 (Act No. 10 of 2001);

"Senate" means the Senate of a University constituted under section 16 as the highest academic authority of a University;

"special resolution" means a resolution passed by the votes of not less than two third of the members of a Court -

(a) present and voting at a meeting;

of which notice setting out the general nature of the business to be transacted has been given to the members of the Court not less than 21 days before the meeting.

"University" means a public university referred to under section 2 and includes other public universities established under section 42 and private universities established under section 43.

PART II—CONSTITUTION OF UNIVERSITIES

Constitution
of public
universities.

2. (1) There shall be the following public universities to be respectively known as -

- (a) the University of Sierra Leone;
- (b) the Njala University;
- (c) the Ernest Bai Koroma University of Science and Technology;
- (d) the Milton Margai Technical, University;
- (e) the Eastern Technical University of Sierra Leone;
- (f) the Kono University of Science and Technology ;
- (g) Post Graduate College/School/ Institute of Law, Medical disciplines, Engineering and Theology

consisting of such Campus or Campuses and faculties or schools as specified in the Schedule.

(2) A University specified under subsection (1), shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of property, whether moveable or immovable, and of suing and being sued in its corporate name and, subject to this Act, of performing all such acts as bodies corporate may by law perform.

(2) The graduates referred to in subparagraph (1) of paragraph (1) shall be-

- (a) graduates who pursued the whole or part of their university studies;
- (b) honorary graduates of the University;

(3) The Chancellor shall preside at meetings of the Convocation, but in the absence of the Chancellor, the Vice-Chancellor and Principal shall preside; and in the absence of both the Chancellor and the Vice-Chancellor and Principal, a Chairman for the time being shall be elected by the meeting from among members of the Convocation who are not officers of the University.

(4) The Convocation shall have the power to make representations to the Court on all matters affecting the well being and prosperity of the University.

(5) The Convocation shall meet once every two years at such time and place as the Chancellor shall determine but may meet more than once at the request in writing of the Chancellor or one third of the membership by notice stating the business to be transacted.

(6) At any meeting of the Convocation, a report on the State of the University, including the audited accounts of the University and the work of the University for the previous financial year or years, as the case may be, shall be presented to the meeting by the Vice-Chancellor and Principal for the information of members.

(7) The financial year of the University shall be the same as the financial year of the Government.

46. (1) For the purpose of conferring degrees on the University and of awarding degrees, diplomas, certificates and other academic awards and for other academic purposes, there shall be held under the auspices of the Court, a meeting of the University, which shall be called a Congregation.

(6) An institution in respect of which an application has been rejected under this Act shall not operate as a university.

Application of this Act to private University.

44. Except sections 2, 27 and 28, this Act shall, with the necessary modifications, apply to a private university established under section 43.

Convocation.

45. (1) There shall be Convocation of each University which shall consist of graduates and the following Persons-

- (a) Chancellor;
- (b) Visitor;
- (c) Minister incharge of University Education
- (d) Vice-Chancellor and Principal;
- (e) Pro Vice-Chancellor;
- (f) Deputy Vice-Chancellors;
- (g) Members of the academic staff;
- (h) University Registrar;
- (i) University Librarian;
- (j) Finance Director;
- (k) Director of Physical and Plant Services;
- (l) Graduates of the University;
- (m) University Medical Officer;
- (n) such other persons holding appointments in the University as may be invited to membership by the Court.

(3) A University shall have a common seal, the use of which shall be authenticated by the signature of the Chancellor or other member of the University authorised either generally or specially by the Court in that behalf.

(4) A document purporting to be an instrument executed or issued by or on behalf of a University and to be sealed with the common seal of the University shall be authenticated in the manner stated in subsection (3) and deemed to be executed or issued without further proof unless the contrary is proven.

(5) In appropriate cases the seal of a University may be affixed to documents outside Sierra Leone.

PART III—FUNCTIONS AND POWERS OF A UNIVERSITY

3. (1) The object for which a University is established is to serve as a teaching, research and examining body and to provide technical, professional, community as well as commercial services. Object and functions of University.

(2) Without prejudice to the generality of subsection (1), it shall be the function of a University to -

- (a) provide instruction and conduct research in such fields of learning, as it may think fit, for the advancement and dissemination of knowledge;
- (b) provide the appropriate manpower needs, consistent with the overall socio-economic aims and aspirations of Sierra Leone;
- (c) provide external or extension services for persons who are not regularly enrolled in a University;
- (d) grant degrees, diplomas, certificates and such other awards as the University may determine;

- (e) preserve academic freedom and avoid discrimination in teaching and research, in the admission of students, the appointment and promotion of staff and in the granting of degrees, diplomas, certificates and other awards:

Provided that it shall be lawful for the University to charge different fees for the admission of citizens and non-citizens;

- (f) preserve, enrich and assist in the development of the economy and welfare of Sierra Leone, in particular and humanity in general, holding out the benefits of its endeavours to all nations without discrimination; and
- (g) do all acts or things as are conducive to the attainment of the object stated in subsection (1).

Powers of University.

4. In the exercise of its functions under this Act, a University shall have power, to -

- (a) award degrees including bachelors, masters and doctorates, to persons who have undertaken and completed courses of study provided by the University;
- (b) award honorary degrees to and confer other distinctions on persons approved by the University as having rendered distinguished services in the advancement of any branch of learning or who have otherwise rendered themselves worthy of such degrees;
- (c) grant diplomas and certificates to persons who, in the opinion of the Senate, are entitled to receive them;

(2) A university established under subsection (1) shall have a Chancellor who shall be the head of the University appointed by the President, on the advice of the Minister, from among respectable senior citizens of proven experience and sound academic and administrative distinction.

43. (1) A person may, with the approval of the Minister, acting on the advice of the Commission, establish a private university in Sierra Leone which shall be a company limited by guarantee.

Establishment of private university.

(2) The Commission shall not advise the Minister to approve the establishment of a private university under subsection (1), unless -

- (a) the objects of the proposed university are consistent with the objects stated in section 10 of the Education Act, 2004 (Act No. 2 of 2004);
- (b) the promoters have adequate resources for the operation of the proposed university;
- (c) it is in the public interest that the university be established.

(3) A person who wishes to establish a private university shall apply to the Commission with the particulars of the company referred to in subsection (1) and a business plan showing the objects of the company as a university and the resources available for its operation.

(4) The Commission shall within 60 days upon receipt of the application, advise the Minister with regard to the establishment of a private university where it is satisfied that the application is in compliance with subsection (2), but shall otherwise refuse to advise the establishment, stating its reasons to the applicants.

(5) The Commission may, in giving its reasons under subsection (4), recommend to the applicant such corrective or remedial measures which when taken with regard to the application, may enable the Commission to reverse its decision.

- (e) appointing such junior staff, including non-academic staff, as it thinks fit, to maintain the buildings, grounds and functions of the campus and to enforce such security measures as it thinks proper;
- (f) receiving reports from the boards of those faculties which have constituent departments situated in the campus;
- (g) receiving reports from any other Committee of the University concerned with matters which may be thought to affect or involve the activities of the Campus;
- (h) considering any matter whatsoever whether referred to it by the Court or Senate or not, which has a bearing on the University or the campus separately or conjointly and to advise the Court or Senate appropriately;
- (i) establishing, where necessary, sub-committees to deal with matters within its competence.

Acts not
invalidated
by vacancies.

41. An act or resolution of the Court, Senate, a Campus Standing Committee, a Faculty Board, Committee or other body constituted under this Act shall not be invalid by reason only of a vacancy in the body doing or passing it or by reason of any want of qualification by or invalidity in the election, nomination, co-option or appointment of any de facto member of the body concerned.

PART VIII-ESTABLISHMENT OF OTHER PUBLIC UNIVERSITIES AND PRIVATE UNIVERSITIES

Establishment
of other
public
universities
by Minister.

42. (1) The Minister may, after consultation with the Minister responsible for finance and acting on the advice of the Tertiary Education Commission, may by statutory instrument, establish a new university in Sierra Leone, and may amend the Schedule for that purpose; and the provisions of this Act, shall, with the necessary modifications, apply to such universities.

- (d) deprive a person of a degree awarded or other distinction conferred on him, revoke a diploma or certificate or other award granted or conferred on a person -
 - (i) who is guilty of academic dishonesty;
- (e) restore a degree or distinction deprived, if it considers that, that will be proper;
- (f) establish academic posts or positions including professorships, associate professorships, senior lectureships and lectureships;
- (g) establish such administrative posts as maybe required by the University and appoint persons thereto;
- (h) co-operate with universities or other educational authorities on such matters and for such purposes as may be determined by the University;
- (i) admit students for courses of study in the University; and
- (j) provide for the printing and publication of research and other works undertaken by the University.

PART IV—THE VISITOR AND AUTHORITIES OF A UNIVERSITY

Visitor of
University.

5. (1) A University shall have a visitor, who shall be the President of the Republic of Sierra Leone or his appointee.

(2) The Visitor may, as and when convenient to him, visit a university or Campus but not to intervene in the general governance of academic and non-academic programmes of a university.

University
authorities.

6. The authorities of a University shall be -

- (a) the Chancellor;
- (b) the Vice-Chancellor and Principal;
- (c) the Pro Vice-Chancellor;
- (d) the Deputy Vice-Chancellor;
- (e) the Court; and
- (f) the Senate.

Chancellor.

7. (1) The President shall, on the advice of the Minister, appoint a Sierra Leonean with proven record of high moral rectitude and integrity, sound academic background and a distinguished career in academia, the professions, business, religion or traditional rulership, to serve as University Chancellor and head of the University for a term of 3 years and shall be eligible for reappointment for a further term of 3 years only.

(2) Without derogating from the generality of subsection (1), the Chancellor shall -

- (a) be head of the University on all ceremonial occasions, including the convening and chairing of the University Convocations;

(xiii) 2 representatives from the locality of the Campus, one of whom shall be a woman, nominated by the locality and approved by the Minister.

40. (1) A Standing Committee shall have executive authority in matters of a domestic nature and advise the Senate and the Court on all other matters.

Functions and powers of Standing Committee.

(2) A Standing Committee shall be responsible for-

- (a) receiving reports and recommendations from the Faculty Boards and from such other committees as may exist within the Campus regulating the arrangements for the accommodation for students of the University who are in residence on the Campus;
- (b) regulating and control student dormitories, dining halls and recreational facilities;
- (c) regulating and superintend the discipline of students of the Campus including -
 - (i) refusing, without assigning reasons, to admit a person as a student of the University;
 - (ii) taking such steps, as it thinks fit, for the supervision of organisations of students;
 - (iii) receiving reports of faculties and academic matters, including physical facilities and student members;
- (d) establishing a joint committee of the Standing Committee and representatives of the student body;

Campus
Standing
Committee.

39. (1) A Campus of a University shall have a Standing Committee which shall consist the Vice-Chancellor and Principal, who shall be the Chairman and the following members-

- (a) CLASS I - the Ex-Officio Members including-
 - (i) Pro Vice-Chancellor;
 - (ii) Registrar;
 - (iii) Finance Director;
 - (iv) University Librarian;
 - (v) University Medical Officer;
 - (vi) Director of Physical and Plant Services.
- (b) CLASS II-
 - (i) Deputy Vice-Chancellor;
 - (ii) Deputy Registrar;
 - (iii) Deputy Finance Director, Senior Assistant Finance Officer;
 - (iv) Deans of Faculties;
 - (v) Deputy Librarian;
 - (vi) Faculty representatives (one from each faculty);
 - (vii) Campus Medical Officer;
 - (viii) Assistant Estate Officer;
 - (ix) Academic Staff representative;
 - (x) Administrative Staff representative;
 - (xi) Junior Staff representative;
 - (xii) Student representative;

- (b) be responsible to confer degrees, diplomas and certificates of the University;
- (c) be the Chairman of the University Court, the Finance and General-purpose Committee, Colours and Emblems Committee and Conditions of Service Committee;
- (d) determine, after due consultations with the Minister and Visitor, any other matter in furtherance of the objects of the University.

(3) Where the office of the Chancellor is vacant or, if for any reason, he is unable to perform the duties of his office, the Vice-Chancellor and Principal shall perform the duties of the Chancellor until the Chancellor resumes his duties or another appointed in his stead.

8. (1) (a) A University shall have a Vice-Chancellor and Principal who shall be a person of high academic and administrative distinction and of the rank of a university professor, with proven managerial skills and ability to mobilize and generate resources for the University.

Vice-Chancellor
and
Principal.

(b) A Technical University shall have a Vice-Chancellor and Principal who shall be a person of high academic and administrative distinction and of the rank of an Associate Professor with proven managerial skills and ability to mobilize and generate resources for the Technical University.

(2) A Vice-Chancellor and Principal under subsection (1), shall be appointed by the Chancellor on the advice of the Minister on such terms and conditions as the Court may determine.

(3) The advice of the Minister under subsection (2) shall be based on the recommendation of a joint search Committee of the Court and the Commission.

(4) A Vice-Chancellor and Principal shall -

- (a) be the chief academic and administrative officer of the University and shall be responsible generally to the Court and the Senate for maintaining and promoting the efficiency of the University;

- (b) be the vote controller of the University and in his absence, the Pro-Vice Chancellor and the Registrar shall, together with the Finance Director, be co-signatory to all University bank accounts, except campus accounts;
- (c) the campus accounts shall be presented to the Vice chancellor and Principal on a quarterly basis for review with the Finance Director;
- (d) cooperate with the Commission on matters pertaining to that Commission's responsibility towards the University; and
- (e) present annual report on academic and administrative matters to the next sitting of the Court.

(4) The Vice-Chancellor and Principal shall, subject to a mid-term review as to his ability to continue, hold office for a term of 4 years and shall be eligible for reappointment for a further term of 4 years only.

(5) Where the office of the Vice-Chancellor and Principal is vacant or, if for any reason, he is unable to perform the duties of his office, the Pro Vice-Chancellor shall perform the duties of the Vice-Chancellor and Principal until the Vice-Chancellor and Principal resumes his duties or another is appointed in his stead.

Pro Vice-Chancellor.

9. (1) A University shall have a Pro Vice-Chancellor who shall be appointed by the Court from among the Deputy Vice Chancellors of the University.

(2) A Pro Vice-Chancellor appointed under subsection (1), shall hold office for a term of 3 years and shall be eligible for re-appointment for a further term of 2 years only.

- (b) discuss any matter relating to the faculty and any matter referred to it by the Senate and to convey its views and recommendations thereon to the Senate.

(2) Subject to the Act and these Statutes, each Faculty Board shall have such other powers and functions as the Senate may authorise or prescribe.

38. (1) The members of a Faculty Board shall elect one of their number, who is a Professor to be Dean of the Faculty, subject to confirmation by the Senate and the Court. ^{Election of Deans.}

(2) Where a candidate of the rank of a Professor is not available, an Associate Professor, and if none exists, a person who has held the position of senior lecturer for at least 5 years together with such other academic experience as may be determined by the Senate and the Court, shall be eligible.

(3) Where a Faculty Board fails to make a nomination, the Court shall appoint the Dean, and while the retiring Dean shall be eligible for re-election he shall normally not be elected more than twice consecutively.

(4) Where the office of the Dean is vacant during the normal period of office, the Faculty Board shall immediately proceed to have a new Dean elected for nomination to hold office for the remainder of the biennial period.

(5) A Dean shall preside at meetings of each faculty and in his absence, the members shall elect one of their number as Chairman for that meeting.

(6) A Dean of each faculty shall present a report of the business of the Faculty Board at each meeting of the Senate, and in his absence, a person nominated by the Dean shall present the report.

(7) A Dean of each faculty shall receive such remuneration as the Court may determine.

- (c) to consider and report to the Senate on any subject or combination of subjects of study;
- (d) to receive annual reports of the Dean, including departmental management information on budgetary inputs into the faculty, approved cost centers, showing achieved outcomes for investments;
- (e) subject to the approval of the Senate, either alone or in combination with one or more faculty boards, to constitute such courses of studies as it may deem necessary.

Appointment of Board of Examiners, external examiners, etc.

35. A faculty shall-

- (a) appoint a Board of Examiners of the faculty, which shall consist of all internal and external examiners, appointed by the academic board, with the Dean as Chairman, and which shall receive examination results and recommend thereon to the Senate;
- (b) submit nominations of external examiners to the Senate.

Admission of students.

36. A faculty shall have power to determine the number of students to be admitted to each of the departments of the faculty and to specify the academic attainment which such students must possess in order to be accepted by the faculty.

Founding and abolition of positions.

37. (1) A faculty shall have power to-

- (a) make recommendations to the academic board for the founding of new, and the abolition of existing lectureships and the abolition of any academic or other posts in the faculty other than those created by the Act and these Statutes;

10. (1) Each campus shall have a Deputy Vice-Chancellor who shall be appointed in accordance with the statutes from among persons who are not below the rank of Associate Professor from a recognised University and who must have held a senior administrative and academic position in the University and other Tertiary Education Institution for at least five years.

Deputy Vice-Chancellor.

(2) The Deputy Vice-Chancellor shall -

- (a) hold office for 3 years and shall be eligible for reappointment for a further term of 3 years only;
- (b) subject to the general control and direction of the Vice-Chancellor and Principal, be the chief academic, administrative and accounting officer of his Campus and shall, in addition, continue to perform his academic functions;
- (c) be Chairman of all campus committees except the Standing Committee of which he shall be Deputy Chairman; and
- (d) exercise such disciplinary powers in respect of students of his Campus as may be prescribed by the Court.

(3) Without prejudice to the generality of subsection (2), the Deputy Vice-Chancellor shall be responsible for the following-

- (a) supervision of teaching, research and community activities of Deans of Faculties, Heads of Departments within his Campus, under the direction of the Vice-Chancellor and Principal;

- (b) campus security;
- (c) student welfare, including the enforcement of the rules binding the conduct of students;
- (d) the provision of medical services; and
- (e) any other duties assigned to him by the Vice-Chancellor and Principal.

PART V - COURT, SENATE AND COMMITTEES OF A UNIVERSITY

University
Court.

11. (1) A University shall have a Court which shall consist of the Chancellor who shall be Chairman and the following other members-

- (a) CLASS I Ex-Officio Members-
 - (i) Vice-Chancellor and Principal;
 - (ii) Pro Vice-Chancellor
 - (iii) Deputy Vice-Chancellors;
- (b) CLASS II -
 - (i) 8 representatives of the Senate, 4 of whom shall be women;
 - (ii) The Chairman, Tertiary Education Commission;
 - (iii) The Chief Technical and Higher Education Officer, Ministry of Technical and Higher Education;
 - (iv) The Financial Secretary, Ministry of Finance;

- (a) the Dean of the faculty;
- (b) all professors, associate professors, senior lectures, lecturers, assistant lecturers and other academic staff of equivalent grades in the constituent departments or nominees of the faculty;
- (c) heads of departments or nominees of such heads in the associate departments of the faculty;
- (d) all professors, associate professors, lecturers and other full-time staff of equivalent grades in associated departments engaged in teaching students within the faculty;
- (e) up to 2 students from amongst the full-time students of the University, studying within the faculty and elected annually by secret ballot of the students in the constituent departments.

(2) A Vice-Chancellor and Principal and Deputy Vice-Chancellor shall be ex-officio members of the Boards of faculties.

34. A Faculty Board shall have the following powers and functions-

- (a) to advise the Senate on all matters relating to the organisation of teaching and research in the subjects of the faculty, including curricula and examinations;
- (b) to approve estimates of departments for submission to the Deputy Finance Director and the Senate;

Powers and
functions of
Faculty
Board.

- (i) Law;
- (j) Nursing;
- (k) Agriculture;
- (l) Forestry and Silviculture;
- (m) Education;
- (n) Environmental Sciences;
- (o) Community Health;
- (p) Medical Sciences;
- (q) Technology;
- (r) Social Sciences.

Departments
of faculties.

31. (1) A Senate shall be responsible for the determination of departments and their membership and shall ascribe departments to faculties.

(2) A department shall be regarded for administrative purposes as being a constituent department of one faculty only, but may in relation to other faculties in which such a department has teaching or other responsibilities, be regarded as being associated with such a faculty or faculties.

Members
of faculty.

32. Members of the academic staff of the departments comprising a faculty and all the ex-officio members of the Faculty Board of that faculty shall be members of the faculty.

Members,
of Faculty
Board.

33. (1) A faculty shall be governed by a Faculty Board, which shall have the following members-

- (v) The Director-General, Ministry of Agriculture, Forestry and Food Security;
- (vi) The Chief Medical Officer, Ministry of Health and Sanitation;
- (vii) The Director, Ministry of Youths Affair;
- (viii) The Chairman, Conference of Principals;
- (ix) The Chairman, National Council for Technical, Vocational and other academic Awards;
- (x) one representative from each of the regions and the Western Area with academic and administrative distinction and at least two of whom shall be women nominated by the Minister;
- (xi) 2 other persons nominated by the Minister;
- (xii) The President, Academic Staff Association of the University;
- (xiii) The President, Administrative Staff Association of the University
- (xiv) The President, Intermediate and Junior Staff Association of the University;
- (xv) The President, Students' Association of the University; provided that for Universities with more than one campuses the representation shall be done rotationally;
- (xvi) The Principal of a polytechnic institution affiliated to the University
- (xvii) And in the case of Technical Universities, four persons shall be nominated by the Minister each representing, Sierra Leone Institution of Engineers, Sierra Leone Tourist Board, Sierra Leone Institute of Architect and Institute of Allied Health Sciences.

(2) The Court shall be the highest administrative authority of the University to which the Chancellor shall report annually concerning the working of the University.

(3) Subject to this Act, the Court shall exercise all the powers and authority of the University, except on purely academic matters for which it shall receive recommendations from the Senate and any other body established by law for the purpose.

(4) Members of the University Court under subparagraph (i), (x) and (xi) of paragraph (b) of subsection (1) shall hold office for a term of 3 years and shall be eligible for re-appointment for a further term of 3 years only.

(5) The Court shall meet at least twice a year at such place and time as it may determine, except that the first meeting shall be held at such place and time as the Chancellor shall direct.

(6) Minutes shall be kept of all resolutions passed and of all business done at each meeting of the Court.

(7) One-third of the membership of the Court shall form a quorum.

(8) The Court may prescribe the delegation of its powers to the Executive Committee of the Court, which shall consist of the Chancellor who shall be Chairman and the following members-

- (a) Vice-Chancellor and Principal;
- (b) Pro Vice-Chancellor;
- (c) Deputy Vice-Chancellor;
- (d) 4 representatives of the Senate who are Court members, two of whom shall be women;
- (e) 4 other members of the Court not being staff of the University, appointed by the Court, two of whom shall be women.

(3) A copy of the audited accounts of the University forming part of an annual report shall be submitted to the Commission by the Vice-Chancellor and Principal for its information.

PART VII- CAMPUSES, DEPARTMENTS AND FACULTIES.

29. (1) A Campus of a University specified in the Schedule shall have -

- (a) a Registry which shall be headed by a Deputy Registrar;
- (b) a Finance Office which shall be headed by a Deputy Finance Director or a Senior Assistant Finance Officer.

(2) A Campus may, besides the Deputy Registrar, Deputy Finance Director and Senior Assistant, Finance Officer, appoint, subject to the approval of the Vice-Chancellor and Principal, such other staff as it may require for the efficient performance of its functions.

30. A Court may establish such faculties or schools as a University may require including the following -

- (a) Accounting and Finance;
- (b) Arts;
- (c) Business Studies and Management;
- (d) Basic Medical Sciences;
- (e) Clinical Sciences;
- (f) Engineering and Architecture;
- (g) Pharmaceutical Sciences;
- (h) Pure and Applied Sciences;

(2) Where the negotiating bodies mentioned under subsection (1) fail to agree on the terms and conditions of service for any category of staff, an arbitration committee shall be constituted consisting of 3 persons, each nominated by the negotiating body and the third nominated by the Minister responsible for labour and agreed to by both parties.

(3) The decision of the arbitration committee shall be final.

Funds of
University.

27. (1) The funds of a University shall consist of -

- (a) monies appropriated by Parliament for the purposes of the University;
- (b) monies earned by the University
- (c) monies given to the University by way of gifts, endowments, bequest, grant or other contributions by persons and organisations for the purposes of the University;
- (d) other monies which may, from time to time, accrue to the University including tuition and other fees.

(2) A University may seek and procure contributions to its funds and may lawfully raise moneys from any source as it may deem expedient.

Accounts and
audit.

28. (1) A University shall keep proper books of accounts and proper records in relation thereto and the books of accounts and records shall be in such form as the Auditor-General may approve.

(2) The books of accounts and the related records of the University shall be audited each year by the Auditor-General or an auditor appointed by him and the report of the audit shall, pursuant to section 119 of the Constitution of Sierra Leone, be submitted to Parliament.

12. (1) A Court shall be responsible to-

Functions
of Court.

- (a) oversee the administration and management of the finances, accounts, investments, endowment funds and property of the University, including those properties which are held in trust on behalf of the University by the University Board of Trustees and all the business and affairs of the University;
- (b) approve and monitor any investment of monies belonging to the University or held in trust by the University Board of Trustees as it shall from time to time think fit;
- (c) authorise the borrowing of money from time to time on behalf of the University for any approved purpose and to provide such security as may be necessary, subject to the approval of the Minister of Finance;
- (d) authorise the making, varying, carrying out or cancelling of contracts on behalf of the University;
- (e) give guarantees for the payment of sums of money on the performance of any contractor obligation by any company, body, society or person if the Court thinks it is in the interest of the University to do so;
- (f) provide and maintain the buildings, premises, library, laboratories, museums, gardens, furniture, apparatus and other facilities required for the discharge of the functions of the University alone or in cooperation with the Board of Trustees of the University;

- (g) authorise the establishment of all posts other than those created in this Act and these Statutes in the University, to appoint to all posts so established and to determine the normal place of work of all members of staff so appointed;
- (h) establish salary scales for all persons employed by the University and to determine the terms and conditions of service of such persons, and to enter into contracts, which specify the salary scales, terms and conditions of service with each person appointed to the staff of the University.
- (i) subject to the National Social Security and Insurance Act, 2001 (Act No. 5 of 2001) make provision for schemes of superannuation, pensions, gratuities or retirement benefits for all salaried officers or their dependants and so far as the Court may think fit, for other employees of the University or their dependants;
- (j) suspend or abolish a post in the University other than those created in the Act;
- (k) employ, remunerate and receive the advice of a person qualified to advise on any matter within the jurisdiction of the Court;
- (l) establish joint committees of the Court and Senate to which the Court may appoint members of the Court and members of the Senate, to define the powers and to determine the membership and quorum of such joint committees, and to delegate to any such joint committee any function which the Court itself is competent to perform;

- (c) has served in the position of a senior finance manager for at least 10 years; and
- (2) The Finance Director shall, subject to the supervision of the Vice-Chancellor and Principal-
- (a) be responsible for the administration of the university funds in accordance with such financial management policy as may be prescribed by the University;
 - (b) prepare the annual budget and financial report to be submitted to the Court and Commission by the Vice-Chancellor and Principal, and
 - (c) submit annual financial statements to the Vice-Chancellor and Principal for auditing within 3 months after the end of the financial year;
 - (d) advise the Vice-Chancellor and Principal on all financial matters.
- 25.** All academic and senior administrative staff of the Other staff. Campuses and of the Registry shall be regarded as employees of the University and shall be deployed by the University where and when required.
- 26.** (1) The staff of a University shall be bound by the terms Staff Associations. and conditions of service negotiated by the appropriate staff associations or other negotiating bodies and the University authorities and approved by the Court.

- (c) has served in the position of Deputy Registrar and, or have at least 5 years relevant experience in business management or entrepreneurship and administration

(2) A Registrar shall, subject to the supervision of the Vice-Chancellor and Principal-

- (a) be the principal adviser to the Vice-Chancellor and Principal on administrative matters;
- (b) be responsible for the conduct of the administrative business of the University other than that assigned to the Court;
- (c) be Secretary to the Court, Senate, Standing Committees of Campuses, faculty and all other committees of the University and communicate the decisions of those bodies to all individuals who may be affected by those decisions;
- (d) be responsible for the organisation of the administrative arrangements of the Campuses;
- (e) be the custodian of the University seal, subject to section 2, and
- (f) subject to this Act, perform such other duties as shall be prescribed by the Statutes.

Finance
Director.

24. (1) A University shall have a Finance Director, who-

- (a) shall be appointed by the Court;
- (b) have a qualification in Association of Chartered Certified Accountants or its equivalent; and

- (m) admit to membership of any joint committee of the Court and Senate representatives of the student body to be appointed in such manner and subject to such conditions as may be prescribed;
- (n) establish a joint committee of the Court and representatives of the student body;
- (o) on the recommendation of the Senate, to -
 - (i) institute new degrees, diplomas, certificates and other academic awards, to prescribe regulations appertaining thereto, and to amend or add to existing regulations relating to existing degrees, diplomas, certificates and other academic awards;
 - (ii) regulate the courses of study, the manner of teaching, the length of the academic session or sessions and the manner of conducting examinations;
 - (iii) determine the number and type of honorary degrees to be awarded in each session, and the names of the recipients;
 - (iv) regulate and alter the constitution, name and number of faculties and schools, to discontinue any faculty, institute or school and to create new faculties, institutes and schools;
 - (v) appoint and determine the remuneration of external examiners;

- (p) regulate the amount of the payment and appropriation of fees and other payments made by students in consultation with the Minister;
- (q) prescribe by standing orders or otherwise to decide such matters as are not dealt with in the Act and Statutes as the Court may think fit, to prescribe by standing orders or otherwise to decide.

(2) In addition to the functions of the Court under subsection (1), the Court may provide for -

- (a) the appointment and continuance in office of the Vice-Chancellor and Principal, the Pro-Vice Chancellor, Deputy Vice-Chancellor and other officers of the University as the case may be; and
- (b) the constitution, functions, duties and business of the Court, Senate, Convocation and Congregation and the election and continuance in office of the Chairman and other members of those bodies and other matters relating to them.

Powers of Court.

13. The Court shall refer to the Senate matters coming before it which it considers to be of an academic nature, financial implications or in any way might affect the general well being of the University or its relationship with persons or bodies outside the University.

Committees of Court.

14. (1) The Court may appoint any number of persons, whether members of the Court or not, who may be willing to act as members of a committee, to advise it on matters within the competence of the Court.

21. (1) A University shall have a University Coordinating Committee which shall be responsible for the day-to-day administrative and financial operations of the University. University Coordinating Committee.

(2) A Committee under subsection (1) shall consist of the Vice Chancellor and Principal who shall be the Chairman and the following other members-

- (a) the Deputy Vice-Chancellors;
- (b) the Registrar;
- (c) the Deputy Registrar on each Campus;
- (d) the Finance Director;
- (e) the Deputy Finance Director or Senior Assistant Finance Officer on Campus; and
- (f) a representative of the Academic Staff Association.
- (g) a representative of the Student Association of the University when needed

PART VI - UNIVERSITY ADMINISTRATION AND FINANCE

22. (1) A University shall have a Registry which shall be headed by the Registrar. Registry of University.

(2) Subject to this Act, the Registrar shall be responsible for the administration of the University and shall be under the direction of the Vice-Chancellor and Principal.

23. (1) A University shall have a Registrar who- Registrar of University.

- (a) shall be appointed by the Court;
- (b) has at least a master's degree;

- (c) discuss any matter relating to the University and to report its findings on the academic implications to the Court, and
- (d) recommend to the Court what faculties, institutes and courses of studies should be established and where they should be located.
- (e) decide matters referred to its by the Court:

(4) A Senate may appoint any number of persons, whether members of Senate or not, who may be willing to act as members of any committee, to advise it on any matter within its competence.

(5) A Senate may prescribe the delegation of any of its powers to the Executive Committee of Senate, which shall consist of the following members-

- (a) Vice-Chancellor and Principal who shall be Chairman;
- (b) Pro Vice-Chancellor;
- (c) Deputy Vice-Chancellors;
- (d) Deans of faculties of the University;
- (e) 2 members of the Senate appointed by the Senate.

Vice-Chancellor to be member of Court and Senate Committees.

20. (1) A Vice-Chancellor and Principal shall by virtue of his office, be a member of every Committee appointed by the Court or Senate, unless otherwise explicitly provided.

(2) A Vice-Chancellor and Principal may, unless otherwise precluded by the Act, assign or delegate any of his duties to a Committee or to a member of the University staff and may withdraw any such assignment or delegation at any time.

(2) Without prejudice to the generality of subsection (1), the Court shall appoint an Executive Committee which shall comprise the Chancellor who shall be Chairman and the following other members-

- (a) Vice-Chancellor and Principal;
- (b) Pro Vice-Chancellor;
- (c) Deputy Vice-Chancellor;
- (d) 4 representatives of the Senate who are Court members, 2 of whom shall be women;
- (e) 4 other members of the Court not being staff of the University, appointed by the Chancellor.

15. (1) The Court may, after due investigation and for good cause shown -

- (a) suspend any senior member of the University and any holder of any other post specified by the Court, from office, and from the receipt of emoluments thereof in whole or in part, for any period, not exceeding one year; after which, the case shall be reviewed;
- (b) remove any such person from office by -
 - (i) termination of contract; or
 - (ii) dismissal.

Suspension, removal and retirement of members of staff.

(2) Where a contract is to be terminated -

- (a) the person concerned shall be given the amount of notice specified in his contract and he shall also be entitled to all arrears of emoluments, the University's contribution to any pension scheme other than the social security scheme and all leave entitlement which will have accrued to him at the date on which he ceases to be employed by the University; and
- (b) in the case of dismissal, which may be summary, no notice shall be given and the person concerned ceases to be employed by the University from the date of the dismissal.

(3) A person shall not be suspended or removed by the Court, during the period of the contract, unless he has been given a reasonable opportunity to defend himself.

(4) A reasonable opportunity to defend oneself means that the laws of natural justice and equity shall be observed and the person concerned shall be entitled to be legally represented, to call witnesses in his own defence and to cross-examine any adverse witness and to adduce such evidence as he deems necessary for his defence; and if the decision of the Court is to suspend or remove him, he may appeal to the Chancellor who, after examining the evidence, may request the Court to constitute a new panel to review the case.

(5) Where the Court takes proceedings against any senior member of staff in terms of this paragraph, the Court and the senior member of staff concerned may require members of staff to give evidence or produce documents and may conduct such inquiries as they may severally deem necessary.

(6) Subject to the terms of his contract, a person who is a senior member of staff of the University or holder of another post specified by the Court for the purposes of subparagraph (1), shall not be removed from office in the University, except on good cause shown.

- (k) appoint committees comprising members and non-members of the Senate and delegate powers and business to determine the membership and quorum of such committees;
- (l) appointing members of the Senate as its representatives on joint committees of the Court and Senate and delegate to such joint committee any power or function of the Senate;
- (m) establish a Staff-Student Committee comprising members of the Senate and representatives of the student body;
- (n) delegate powers and business to other or all of the faculties including reviewing, amending, referring back, controlling or disallowing any act of any Faculty Board and to give directions to any such Board;
- (m) to do such other acts and things as the Court may authorise.

19. (1) A Senate shall have power to -

Powers
of Senate.

- (a) determine the minimum matriculation requirements for admission to the University of students pursuing degree courses and to approve the proposals of the Campuses with regard to the entry requirements of other students;
- (b) present to the Chancellor candidates for degrees, diplomas, certificates and other academic awards of the University;

- (iii) instituting new degrees, diplomas, certificates and other academic awards, prescribing the regulations thereof and for adding to or otherwise amending regulations for existing degrees, diplomas, certificates and other academic awards;
- (iv) establishing new courses of study, and regulating and altering existing courses of study, the manner of teaching, the length of the academic session or sessions and the manner of conducting examinations;
- (v) regulating the appointment and number of external examiners;
- (vi) regulating and altering the constitution and location of faculties, institutes and schools of the University and for discontinuing existing and creating new faculties, institutes and schools of the University; subject to the Tertiary Education Commission Act, 2001 (Act No. 8 of 2001);
- (vii) reporting its decisions or recommendations to the Court on academic matters, or any other matter referred to it by the Court and on any matter whatsoever relating to the University;
- (viii) the academic dresses to be worn by officers and members of the University and the occasions on which they shall be worn;

(7) A senior member of staff or holder of any post specified in these Statutes, shall be required to retire from the thirtieth day of September following the date on which he attains the age of 65 years, unless the Court decides otherwise.

16. A University shall have a Senate which shall be the highest authority of the University on all academic matters, and shall consist of the Vice-Chancellor and Principal who shall be the Chairman and the following members, at least four of whom shall be women - Senate.

- (a) Pro Vice-Chancellor;
- (b) Deputy Vice-Chancellors;
- (c) Directors of institutes and schools established by the University;
- (d) Deans of faculties;
- (e) Heads of departments;
- (f) all members of professorial status in the University;
- (g) all Librarians of the Campuses;
- (h) one academic staff member selected by each Faculty of the University.

(3) Elected members of the Senate shall hold office for a period of 2 years and shall be eligible for re-election, but no elected member shall hold office for more than 3 consecutive periods.

17. (1) The Senate shall meet at least once a term or semester, and at any other time, at the request of the Vice-Chancellor and Principal, or of one-fourth of its members. Meetings
of Senate.

(2) Minutes shall be kept of all resolutions passed and of all business done at each meeting of the Senate.

(3) One-third of the membership of the Senate shall form a quorum.

(4) The Vice-Chancellor and Principal or, in his absence, the Pro Vice-Chancellor shall preside at meetings of the Senate.

(5) Where at the meeting of the Senate, the Vice-Chancellor and Principal and Pro Vice-Chancellor are absent, the Deputy Vice-Chancellor shall preside.

(6) Where at the meeting of the Senate the Vice-Chancellor and Principal, Pro Vice-Chancellor and Deputy Vice-Chancellor are absent, the members shall appoint a Chairman from among themselves, not below the rank of associate professor.

Functions
of Senate.

18. A Senate shall, subject to this Act -

- (a) regulate and superintend instruction and teaching within the University and the examinations pertaining thereto;
- (b) regulate the admission of persons to the University and to courses of study in the University, through Centralised Admission System;
- (c) regulate and control the conditions qualifying students for matriculation and for admission to the various degrees and other awards offered by the University;
- (d) authorise the granting of degrees (except honorary degrees), diplomas, certificates and other academic awards offered by the University to persons who satisfy the prescribed conditions for awards;

(e) promote research in the University and to require from time to time reports on such research;

(f) be generally responsible for the administration of the College or campus libraries;

(g) promote and administer the extension or extramural work of the University;

(h) make Rules -

(i) to regulate and superintend the discipline of students;

(ii) to refuse, assigning reasons, to admit a person as a student of the University;

(iii) for the supervision of organizations of students;

(iv) to receive reports of faculties and academic matters, including physical facilities and student members;

(i) receive reports on the annual accounts of the faculties;

(j) make recommendations to the Court for -

(i) the funding of new and abolition of existing professorships;

(ii) the establishment, suspension or abolition of an academic or other posts in the University other than a post created by the Act and these Statutes;