

**IN THE THIRD SESSION OF THE SEVENTH
PARLIAMENT OF THE FOURTH
REPUBLIC OF GHANA**

**REPORT OF THE
COMMITTEE ON EDUCATION**

ON THE

**UNIVERSITY OF BUSINESS AND
INTEGRATED DEVELOPMENT
STUDIES BILL, 2018**

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REPORT OF THE COMMITTEE ON EDUCATION ON THE UNIVERSITY OF BUSINESS AND INTEGRATED DEVELOPMENT STUDIES BILL, 2018

1.0 INTRODUCTION

1.1 The University of Business and Integrated Development Studies Bill, 2018 was presented to the House and read the first time on Tuesday, 11th December, 2018.

Subsequently, the Rt. Hon Speaker referred the Bill to the Committee on Education for consideration and report. This was in accordance with Article 106 (4) and (5) of the 1992 Constitution and Order 186 of the Standing Orders of the House.

1.2 In considering the Bill, the Committee on Education met with the Hon. Minister for Education, Dr. Matthew Opoku Prempeh, a Deputy Minister for Education, Hon. (Dr) Yaw Osei Adutwum, officials of the Ministry of Education, the National Council for Tertiary Education (NCTE), Attorney-General's Department and representatives of the following stakeholders among others:

- i. University Teachers' Association of Ghana, University for Development Studies, Wa Campus.
- ii. Senior Staff Association, University for Development Studies, Wa Campus.
- iii. Concerned Lecturers, University for Development Studies, Wa Campus.
- iv. The Dagbon Forum.
- v. Senior Staff Association – Universities of Ghana (SSA-UoG).

1.3 The Committee is grateful to the Hon. Minister, the Hon. Deputy Minister, the technical team from the Ministry of Education, and all other stakeholders for their input.

2.0 **REFERENCE DOCUMENTS**

The Committee referred to the following documents during its deliberations:

- i. The 1992 Constitution of Ghana.
- ii. The Standing Orders of the Parliament of Ghana.
- iii. The University for Development Studies Act, 1992 (P.N.D.C.L. 279).
- iv. The University of Environment and Sustainable Development Act, 2015 (Act 898).
- v. The University of Health and Allied Sciences Act, 2011 (Act 828).
- vi. The National Pensions Act, 2008 (Act 766).

3.0 **BACKGROUND**

As part of efforts at expanding access to public education across the country, the University for Development Studies was established in May 1992 by the Government of the Provisional National Defence Council. The objective of setting up the University was to provide an interface between the academia and the community to stimulate the development of northern Ghana in particular and the country as a whole.

Subsequently in year 2002, the University for Development Studies (UDS) moved its Faculty of Integrated Development to Wa to provide opportunities, particularly for people in the Upper West Region to access university education.

The Wa Campus of UDS, since its establishment, has provided access to university education for many students from the Upper West Region and other parts of the country. In order to promote equity in the distribution of institutions of higher learning across the country, and to meet Government's policy of establishing tertiary institutions, particularly universities, in each region of the country, government has recognised the need to convert the Wa Campus of the University for Development Studies into an autonomous university.

The University, when established, will afford the Upper West Region, the opportunity to have its own public funded university, like other regions of the country.

4.0 **OBJECT OF THE BILL**

The Bill seeks to establish the University of Business and Integrated Development Studies as a public tertiary institution in Wa in the Upper West Region to be an outstanding internationally acclaimed applied research and practical-oriented educational institution, dedicated to the development of business and integrated development studies.

5.0 **HIGHLIGHTS OF THE BILL**

The Bill is made up of forty-one clauses and divided into five sections as follows:

i. ***Establishment of the University of Business and Integrated Development Studies (Clauses 1 to 4)***

Clause 1 establishes the University of Business and Integrated Development Studies as a corporate body with perpetual succession. The aims of the University are specified under Clause 2. Clause 3 provides for

the campuses of the University while Clause 4 deals with the award of degrees by the University.

ii. ***Governance of the University (Clauses 5 to 12)***

Clause 5 establishes the governing body of the University. Clause 6 spells out the functions of the Council. Clauses 7, 8, 9 and 10 cover the tenure of office of members of the Council, meetings of the Council, disclosure of interest and establishment of committees of the Council. The allowances of members of the Council and members of a committee of the Council are provided for under clause 11. Clause 12 deals with the general powers of the Council.

iii. ***Administration of the University (Clauses 13 to 25)***

Clause 13 spells out the Principal Officers of the University. Clause 14 deals with the appointment and functions of the Chancellor of the University while Clause 15 makes provision for vacancy in the office of the Chancellor. Clauses 16 and 17 provide for the appointment and functions of the Vice-Chancellor and Pro Vice-Chancellor respectively.

Clause 18 establishes the Academic Board. The composition of the Board is dealt with under Clause 19. Clause 20 allows the Academic Board to establish standing and ad hoc committees. Clause 21 specifies the functions of the Academic Board. Clause 22 covers the appointment of a Registrar of the University. Clauses 23 and 24 provide for the appointment of a Director of Finance and other staff of the University. Clause 25 makes provision for the internal organisation of the University.

iv. ***Financial Matters (Clauses 26 to 31)***

Clause 26 takes care of the sources of funds of the University. The standard provision on the Internal Audit Unit is spelt out under Clause

27. Clause 28 deals with the borrowing powers of the University. Accounts and Audit, Annual Report and other Reports are covered under Clauses 29 and 30. Under Clause 31, the University is exempted from the payment of taxes, duties and other charges that the Minister responsible for Finance may determine with the prior approval of Parliament.

v. ***Miscellaneous Matters (Clauses 32 to 41)***

Clause 32 requires the Council to enact Statutes for the implementation of the Bill. Clause 33 establishes the Convocation of the University while Clause 34 deals with matriculation.

Clause 35 mandates the University to hold a Congregation composed of persons prescribed by the Council. Clauses 36 and 37 deal with matters on the governance of students, and intellectual property. The University or an office of the University is prohibited by Clause 38 from discriminating against a person on the basis of race, ethnic origin, political opinion, colour, gender, religion, occupation, disability, social or economic status of that person. Clause 39 establishes the Appeals Board of the University.

The interpretation of words and phrases used in the bill are dealt with under Clause 40 while Clause 41 deals with transitional matters.

The Bill also has a Schedule which provides for the Oath of Office.

6.0 **OBSERVATIONS**

a. Relevance of the Proposed University

The Committee observed that the conversion of the Wa Campus of UDS into an autonomous University is aimed at meeting the tertiary educational needs of the people in the Upper West Region and beyond.

The Committee noted that the Upper West Region is the poorest, least developed and under-resourced of all the regions in the country – a situation that tends to affect access to education, training and ultimately, the development of the region.

The Committee is therefore of the view that proximity to a university in the Region, will stimulate the pursuit of tertiary education and enhance the human resource capacities in the Upper West Region. It will also attract investors to the Region, increase the number of economic activities, promote infrastructural development, create job opportunities, and generate revenue for the development of the Region and the country as a whole.

b. Aims of the University of Business and Integrated Development Studies

The Committee noted that the aims of the University of Business and Integrated Development Studies are to provide higher education, disseminate knowledge related to development in business and integrated development studies, undertake research and nurture relationships with persons outside the institution in accordance with laid down principles. These principles among others are:

- i. To make higher education equally accessible to all persons suitably qualified and capable.

- ii. In determining the subjects to be taught, special emphasis shall be laid on courses of special relevance to the needs and aspirations of the north-western part of the country in particular and the country as a whole.
- iii. To employ the use of critical tools that include information and communication technology for teaching, research, dissemination of knowledge and administration.
- iv. To institute curricula and pedagogy within the context of learner-centred and problem-based learning techniques that are practical and relevant to national needs and aspirations in business and integrated development studies.
- v. To provide services through extension and consultancy in business and integrated development studies related course in higher education.

The Committee urges NCTE to ensure that the University abides by these principles in the conduct of teaching and learning, and in the governance of the University.

c. Schools of the University

The Committee observed that the Wa campus of UDS currently has a Faculty of Integrated Development Studies, Faculty of Planning and Land Management, School of Business and a Faculty of Education which will form the nucleus of the University.

For the purpose of achieving the aims of the University, the University shall lay emphasis on the study of business and integrated development and shall have a:

- School of Business;
- School of Law;
- School of Social Studies;
- School of Education and Life-Long Learning;
- School of Information and Communication Technology; and
- any other related School, Centre or Institute that the Council of the University may determine.

The Committee urges the NCTE to ensure that the focus of the University is not compromised over time.

d. Transitional Provisions

The Committee noted that the transitional provisions in the Bill is to ensure a smooth take-off of the University of Business and Integrated Development Studies. The Bill provides for an Interim Council that would be responsible for the operations of the University until the appointment of members of the Council. A continuing student of UDS before the enactment of the Act, would graduate as a student of UDS. All ongoing accredited programmes of UDS before the enactment of the Act, would remain programmes of the University.

A matter of grave concern to the Committee is the provision that indicates that all assets and liabilities of UDS in respect of the Wa Campus shall be transferred to the proposed University on the coming into force of the Act.

No mention was made on the equitable transfer of the assets and liabilities.

In order not to hinder the smooth take-off of the University, the Committee urges the Minister for Education and the Regulatory Body responsible for tertiary education to ensure an equitable transfer of assets and liabilities from UDS to the University of Business and Integrated Development Studies.

The Committee further urges Government to make available to the University, adequate resources to enable it meet its needs.

e. Oath of Secrecy

As observed in the University of Technology and Applied Sciences Bill, 2018, no provision was made in the Schedule to the Bill to ensure that Principal Officers of the proposed University subscribe to the Oath of Secrecy. This, in the opinion of the Committee, is inconsistent with Bills passed by the House.

The Committee therefore proposes an inclusion of an Oath of Secrecy to the Schedule of the Bill to conform to standard practice.

7.0 **PROPOSED AMENDMENTS**

In recognition of the observations made during its deliberations, the Committee proposes the amendments in the attached Appendix for consideration and adoption by the House.

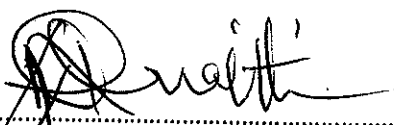
8.0 CONCLUSION AND RECOMMENDATION

The Committee, having thoroughly examined the Bill, is of the considered view that the provisions of the Bill conform to the relevant provisions of the 1992 Constitution.

The conversion of the Wa campus of UDS into a public-funded university will contribute to making tertiary education more accessible particularly, to the people in the Upper West Region and accelerate the development of the Region.

In the light of the above, the Committee recommends to the House to adopt its Report on the University of Business and Integrated Development Studies Bill, 2018.

Respectfully submitted.



.....
WILLIAM AGYAPONG QUAITTO (HON.)
(CHAIRMAN, COMMITTEE ON
EDUCATION)



.....
ABIGAIL ABA ANSO
(CLERK TO THE COMMITTEE)

JULY 2019

APPENDIX

PROPOSED AMENDMENTS

- i. **Clause 1** - **Amendment proposed** - Sub-clause (1), *delete* and *insert* the following:
- “There is established by this Act the University of of Business and Integrated Development Studies as a body corporate with perpetual succession”.
- ii. **Clause 1** - **Amendment proposed** - Sub-clause (2), line 1, after “of” *delete* “its functions” and *insert* “the functions of the University”.
- iii. **Clause 1** - **Amendment proposed** - Sub-clause (2), line 2, *delete* “movable or immovable”.
- iv. **Clause 1** - **Amendment proposed** - Sub-clause (3), *delete* the entire sub-clause.
- v. **Clause 1** - **Amendment proposed** - Sub-clause (4), lines 1, and 2, *delete* “immovable property, the immovable property” and *insert* “land, the land”.
- vi. **Clause 2** - **Amendment proposed** - Paragraph (i), *delete* and *insert* the following:
- “To achieve the aims of subsection (1), the University shall emphasise studies in business and integrated development studies and shall have
- (i) School of Business;
 - (ii) School of Law;
 - (iii) School of Social Studies;
 - (iv) School of Education and Life-Long Learning;
 - (v) School of Information and Communications Technology; and

(vi) any other School, Centre or Institute that the Council may determine.”

- vii. **Clause 3** - **Amendment proposed** - Sub-clause (2) *delete* and *insert* the following:
- “The University may establish the main campus in Wa and any other place that the Council may determine”.
- viii. **Clause 4** - **Amendment proposed** - Sub-clause (1), line 2, *delete* “its own” and after “degrees”, *delete* “including”
- ix. **Clause 5** - **Amendment proposed** - Sub-clause (1), *add* the following new paragraphs after paragraph (g):
- “(…) one representative of the regulatory body responsible for regulating tertiary education not below the rank of a Director nominated by the Minister;
- (…) one representation of the Junior Staff Association of the University elected by the the Association.”
- x. **Clause 5** - **Amendment proposed** - Sub-clause (1), paragraph (i), *delete* and *insert* the following:
- “an industry expert nominated by the Association of Ghana Industries”.
- xi. **Clause 5** - **Amendment proposed** - Sub-clause (2), line (2), *delete* “(a) and (c)” and *insert* “(a), (c) and (i)”.
- xii. **Clause 8** - **Amendment proposed** - Sub-clause (2), line 1, *delete* “nine” and *insert* “eight”.

- xiii. **Clause 8** - **Amendment proposed** - Sub-clause (8), lines 1 and 2, *delete* "its own procedure" and *insert* "the procedure for meetings of the Council".

- xiv. **Clause 13** - **Amendment proposed** - Sub-clause (2), line 2, after "oath of office" *insert* "and oath of secrecy".

- xv. **Clause 14** - **Amendment proposed** - Sub-clause (3), line 1, after "and" *delete* "the Chancellor".

- xvi. **Clause 14** - **Amendment proposed** - Sub-clause (4), line 2, before "Statutes" *insert* "the".

- xvii. **Clause 16** - **Amendment proposed** - Sub-clause (4), line 1, *delete* "three" and *insert* "four".

- xviii. **Clause 16** - **Amendment proposed** - Sub-clause (8), *delete* the entire sub-clause.

- xix. **Clause 17** - **Amendment proposed**- Sub-clause (5), lines 1 and 2, *delete* "the Council or the Vice-Chancellor shall determine" and *insert* "specified in the Statutes of the University".

- xx. **Clause 19** - **Amendment proposed** - Sub-clause (1), paragraph (g), *delete* the entire paragraph.

- xxi. **Clause 19** - **Amendment proposed** - Sub-clause (2), line 1, *delete* "an *ex-officio*" and *insert* "a" and after "Board" *insert* "by virtue of office".

- xxii. **Clause 20** - **Amendment proposed**- Sub-clause (1), line 2, *delete* "its functions" and *insert* "the functions of the Academic Board".

- xxiii. **Clause 20** - **Amendment proposed**- Sub-clause (1), line 3, after "Statutes" *delete* "enacted by the Council".

- xxiv. **Clause 21** - **Amendment proposed**- Paragraph (d), *delete* “authorise” and *insert* “recommend”.
- xxv. **Clause 22** - **Amendment proposed** - Sub-clause (2), after “University” *insert* “in accordance with the Statutes of the University”.
- xxvi. **Clause 22** - **Amendment proposed** - Sub-clause (7), *delete* “operating” and *insert* “administrative”.
- xxvii. **Clause 22** - **Amendment proposed** - Sub-clause (8), line 2, after “Office” *insert* “and Oath of Secrecy”.
- xxviii. **Clause 22** - **Amendment proposed** - *Add* a new sub-clause as follows:
- “The Registrar shall hold office
- (a) for a term of four years and is eligible for re-appointment for another term only; and
- (b) on the conditions specified in the letter of appointment in accordance with the Statutes of the University.”
- xxix. **Clause 23** - **Amendment proposed** - Sub-clause (1), *delete* and *insert* the following”
- “The Council shall appoint a Director of Finance for the University who shall perform functions as prescribed in the Statutes”.
- xxx. **Clause 23** - **Amendment proposed** - Sub-clause (2), *delete* the entire sub-clause”.

- xxxi. **Clause 23** - **Amendment proposed** - Sub-clause (4), line 2, after “of” *delete* “the” and *insert* “his”, and after “functions” *delete* “of the Director of Finance”.
- xxxii. **Clause 23** - **Amendment proposed** - *Add* a new sub-clause as follows:
 “The Director of Finance shall hold office
 (a) for a term of four years and is eligible for re-appointment for another term only; and
 (b) on the conditions specified in the letter of appointment in accordance with the Statutes of the University.”
- xxxiii. **Clause 25** - **Amendment proposed** - Sub-clause (1), paragraph (a), lines 2 and 3, after “Departments”, *insert* “Halls of Residence”.
- xxxiv. **Clause 25** - **Amendment proposed** - Sub-clause (1), paragraph (a), line 4, after “elsewhere”, *delete* “in the Upper West Region”.
- xxxv. **Clause 26** - **Amendment proposed** - Sub-clause (1), paragraph (b), sub-paragraph (i), line 1, *delete* “duly registered by” and *insert* “of”.
- xxxvi. **Clause 26** - **Amendment proposed** - Sub-clause (1), paragraph (b), sub-paragraph (v), *delete* “grants”.
- xxxvii. **Clause 26** - **Amendment proposed** - *Add* a new paragraph as follows:
 “grants and loans”.
- xxxviii. **Clause 26** - **Amendment proposed** - Sub-clause (2), line 1, after “received” *delete* “by or”.

- xxxix. **Clause 26** - **Amendment proposed** - Sub-clause (2), line 2, after "opened" *delete* "by or".
- xl. **Clause 26** - **Amendment proposed** - Sub-clause (2), line 3, after "Council" *insert* "and with the approval of the Controller and Accountant-General".
- xli. **Clause 30** - **Amendment proposed** - Sub-clause (1), line 1, *delete* "one month" and *insert* "thirty days".
- xl.ii. **Clause 30** - **Amendment proposed** - Sub-clause (1), line 4, after "relates" *insert* "and make a copy of that report available to the regulatory body responsible for regulating tertiary education".
- xl.iii. **Clause 30** - **Amendment proposed** - Sub-clause (3), line 1, *delete* "one month" and *insert* "thirty days".
- xl.iiii. **Clause 32** - **Amendment proposed** - Paragraph (b), line 2, after "University", *insert* "in consultation with the regulatory body responsible for regulating tertiary education".
- xl.v. **Clause 34** - **Amendment proposed** - Sub-clause (1), line 2, after "Register" *insert* "as provided in the Statutes of the University".
- xl.vi. **Clause 38** - **Amendment proposed** - Sub-clause (1), line 1, *delete* "Without limiting the power" and *insert* "Any policy".
- xl.vii. **Clause 38** - **Amendment proposed** - Sub-clause (1), line 2, *delete* "policies".
- xl.viii. **Clause 38** - **Amendment proposed** - Sub-clause (1), paragraph (e), *delete* "members" and *insert* "staff member".