

THE POLYTECHNICS ACT, 2001

ARRANGEMENT OF SECTIONS

Section

PART I—PRELIMINARY

1. Interpretation

PART II—ESTABLISHMENT OF POLYTECHNIC INSTITUTIONS

2. Establishment of polytechnic institutions.

PART III—ESTABLISHMENT OF POLYTECHNIC COUNCILS

3. Establishment of Polytechnic Councils.
4. Remuneration of Chairman and other members of Council.
5. Filling of vacancies.
6. Meetings of Council.

PART IV—FUNCTIONS OF COUNCIL

7. Functions of Council.
8. Council to appoint committees.

PART V—ADMINISTRATIVE PROVISIONS

9. Officers and staff of polytechnic institution.
10. Principal.
11. Vice-Principal.
12. Dean of Campus.
13. Academic Board.
14. Other staff of polytechnic institution.
15. Funds of polytechnic institution.
16. Transfer of assets of polytechnic institution.
17. Accounts.
18. Annual report.
19. Regulations.

SCHEDULE

SIGNED this 30th day of September, 2001.

ALHAJI AHMAD TEJAN KABBAH.
President.

LS

No. 9



Sierra Leone

2001

The Polytechnics Act, 2001

Short title

Being an Act to establish polytechnic institutions, to establish corresponding polytechnic councils and to make provision for the management and supervision of polytechnic institutions throughout Sierra Leone and for other matters connected therewith.

[25th October, 2001]

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—

“member” means a member of the Council established by section 3;

“Minister” means the Minister responsible for education;

“National Council For Technical, Vocational and Other Academic Awards” means the council established by section 2 of the National Council For Technical, Vocational and other Academic Awards Act, 2001;

“Tertiary Education Commission” means the commission established by section 2 of the Tertiary Education Commission Act, 2001.

PART II—ESTABLISHMENT OF POLYTECHNIC INSTITUTIONS

Establishment of polytechnic institutions.

2. (1) There is hereby established as a polytechnic institution, each of the bodies listed in the Schedule.

(2) A polytechnic institution referred to in subsection (1) shall be a body corporate having perpetual succession, a common seal and capable of acquiring, holding and disposing of any property, whether movable 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.

PART III—ESTABLISHMENT OF POLYTECHNIC COUNCILS

Establishment of Polytechnic Councils.

3. (1) A polytechnic institution shall have a Polytechnic Council, hereafter referred to as “the Council”, which shall, subject to this Act, have the control and supervision of the general policy and property of the polytechnic institution.

(2) The Council shall consist of—

- (a) a Chairman of the Council who shall be head of the Council and shall be appointed by the President on the recommendation of the Minister; and
- (b) the following members:—
 - (i) a Vice-Chairman of the Council who shall be elected by the Council from among its members to assist the Chairman and to perform other duties that may be assigned to him by the Chairman or the Council;
 - (ii) six members from within the locality of the polytechnic institution, nominated by the Minister, one of whom shall be the Chairman of the local authority or the Paramount Chief of the area in which the polytechnic institution is situated or his representative;
 - (iii) the Director-General of Education or his representative;
 - (iv) the Director of the National Council of Technical, Vocational and other Academic Awards;
 - (v) the Dean of the Faculty of Education of a University in Sierra Leone;
 - (vi) the Dean of the Faculty of Engineering of a University in Sierra Leone;
 - (vii) three members elected by the senior members of staff of the polytechnic institution from among their number;
 - (viii) one member elected by the Council of Principals of Secondary Schools;
 - (ix) one member appointed by the Council of Technical or Vocational Principals; and
 - (x) one student representative elected by the student population of the polytechnic institution from among their number.

(3) A member of the Council who is not a public officer shall be appointed by the Minister from among persons who are not under any legal disability from holding public office and shall serve for a period of five years but any such appointment may be renewed when necessary.

(4) The Chairman or any member referred to in subsection (3) may resign his office by notice to the Minister and may be removed from office by the Minister for inability to discharge the functions of his office, whether arising from infirmity of mind or body or any other cause or for misconduct.

(5) No member shall hold office under more than one provision in subsection (2) and where at any time a member holds office under more than one provision, he shall notify one of the institutions which he represents for another person to be nominated for appointment in his stead.

Remuneration
of Chairman
and other
members of
Council.

4. The Chairman or other member of the Council shall be paid such remuneration or allowances as the Minister shall determine.

Filling of
vacancies.

5. (1) Where the Chairman or a member of the Council dies, resigns, is removed from office or is absent from Sierra Leone for a continuous period exceeding three months or is by reason of illness unable to perform the functions of his office—

- (a) the members of the Council shall elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and
- (b) in the case of the member, the Chairman shall arrange, subject to this Act, to have another person appointed, elected or nominated to the Council, as the case may be.

(2) Where a person is elected as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member and shall, subject to this Act, be eligible for re-appointment, re-election or re-nomination, as the case may be.

6. (1) The Council shall meet, for the dispatch of business at such time and place as the Chairman may decide but shall meet at least once every six months.

Meetings of Council.

(2) The Chairman shall, at the request in writing of not less than eight members of the Council, call an extraordinary meeting of the Council at such time and place as he may determine.

(3) The Chairman shall preside at every meeting of the Council and in his absence the members present shall elect one of their number to preside.

(4) The quorum at a meeting of the Council shall be eleven.

(5) All questions proposed at a meeting of the Council shall be decided by a majority of the votes of the members present and voting and where the votes are equal the Chairman or the person presiding shall have a casting vote.

(6) The Council may at any time co-opt any person to act as an adviser at its meeting but that person shall not be entitled to vote on any matter for decision by the Council.

(7) Subject to this section, the Council shall regulate the procedure at its meetings.

PART IV — FUNCTIONS OF COUNCIL

7. (1) The object for which the Council is established is to administer the polytechnic institution as a teaching, learning and research institution.

Functions of Council.

(2) Without prejudice to the generality of subsection (1), it shall be the responsibility of the Council to—

- (a) provide instruction in such branches of learning as it may think fit and make provision for research and for advancement and documentation of knowledge;
- (b) grant diplomas and certificates through the National Council of Technical, Vocational and other Academic Awards;

- (c) preserve academic freedom and prevent discrimination in teaching and research, in the admission of students and the appointment of staff;
- (d) preserve, enrich and contribute to the development of the cultural heritage, economy and welfare of the Republic of Sierra Leone in particular and humanity in general, holding out the benefits to all persons without discrimination;
- (e) establish principal lectureship, senior lectureship and any other such posts as it may approve;
- (f) establish administrative offices and posts as may be required by the polytechnic institution and appoint persons thereto;
- (g) co-operate with other polytechnic institutions or educational authorities on such matters and for such purposes as may be determined from time to time by the Council;
- (h) admit students for courses of study in the polytechnic institution;
- (i) provide for the printing and publication of research and other works which may be used by the students for courses of study in the polytechnic institution; and
- (j) act as trustee of any property, endowment or gift for the purposes of education or research or otherwise in the furtherance of the work or welfare of the polytechnic institution and invest any funds representing the same in accordance with the of this Act.

Council to
appoint
Committees.

8. (1) The Council may appoint committees consisting of members or non-members or both, to exercise, or advise the Council on, any of its functions under this Act.

(2) The members of a committee appointed under subsection (1) shall be paid such allowances as may be determined by the Minister.

PART V — ADMINISTRATIVE PROVISIONS

9. The administrative authority and staff of a polytechnic institution shall comprise —

Officers and staff of polytechnic institution.

- (a) the Principal;
- (b) the Vice-Principal;
- (c) the Dean of Campus;
- (d) the Academic Board; and
- (e) other staff.

10. (1) A polytechnic institution shall have a Principal who shall be a person of high academic distinction, appointed by the Minister on the advice of the Council.

Principal.

(2) The Principal shall —

- (a) be the chief academic, administrative and financial officer of the polytechnic institution and shall, together with the Finance Officer, be a signatory to the accounts of the polytechnic institution;
- (b) be generally responsible to the Council and the Academic Board for the smooth and efficient running of the polytechnic institution including the preparation and presentation of annual reports on administrative and financial matters of the polytechnic institution to the Council;
- (c) preside over all meetings of the Academic Board,
- (d) hold office for an initial term of four years subject to renewal for another period of four years immediately following the initial term.

Vice-Principal.

11. (1) A polytechnic institution shall have a Vice-Principal who shall be appointed by the Council to assist the Principal and to perform such other duties as may be assigned to him by the Principal or the Council.

(2) The Vice-Principal shall hold office for an initial term of two years subject to renewal for another term of two years.

Dean of Campus.

12. (1) A polytechnic institution shall have a Dean of Campus in every campus administered by that polytechnic institution, who shall be head of the campus and shall oversee the day-to-day activities of the campus.

(2) The Dean of Campus shall hold office for an initial term of two years subject to renewal for another term of two years.

Academic Board.

13. (1) A polytechnic institution shall have an Academic Board which shall be the supreme authority on academic matters in that polytechnic institution.

(2) An Academic Board shall comprise the following:—

- (i) the Principal;
- (ii) the Vice-Principal;
- (iii) the Dean of Campus;
- (iv) heads of faculties and departments;
- (v) one representative of the Faculty of Education of a University in Sierra Leone;
- (vi) one representative of the Faculty of Engineering of a University in Sierra Leone;
- (vii) one representative of the Council of Heads of the Technical and Vocational Institutions;
- (viii) one representative of the Council of Head Teachers;
- (ix) one representative of the Council of Principals of Secondary Schools; and
- (x) one representative of the senior staff.

(3) A member of the Academic Board shall hold office for a period of two years and shall be eligible for re-appointment.

(4) The Academic Board shall meet at least once every term and one-third of the members shall form a quorum.

(5) It shall be the responsibility of an Academic Board to—

- (a) determine the minimum matriculation requirements for admission of students into various courses in the polytechnic institution;
- (b) present candidates for awards to the National Council for Technical, Vocational and other Academic Awards;
- (c) discuss any matter relating to the objects and powers of the Council and to report its findings on the academic implications of such matters to the Council;
- (d) determine what facilities and courses of study should be instituted and where they are to be located and make recommendations thereon to the Council.

14. (1) There shall be appointed by the Council—

- (i) a Registrar, who shall, subject to the direction of the Principal, be head of the polytechnic registry, custodian of the common seal, and who shall perform other duties assigned to him by the Council or as prescribed by law;
- (ii) a Finance Officer, who shall administer the funds of the polytechnic institution in accordance with the budget approved by the Council;
- (iii) such other employees as the polytechnic institution may require for the efficient discharge of its functions under this Act.

Other staff of polytechnic institution.

(2) Public officers may be seconded or otherwise give assistance to a polytechnic institution.

(3) A polytechnic institution shall have a Campus Management Committee which shall comprise—

- (a) the Principal who shall be chairman;
- (b) the Dean of Campus;
- (c) the Registrar who shall be secretary;
- (d) the estate officer;
- (e) academic heads;
- (f) Deans of Faculties;
- (g) one student representative; and
- (h) one senior staff representative.

(4) In the absence of the Principal, the Dean of Campus shall act as the Chairman of the Campus Management Committee.

Funds of
polytechnic
institution.

15. The activities of a polytechnic institution shall be financed by a fund consisting of—

- (a) monies appropriated by Parliament for the purposes of the polytechnic institution;
- (b) fees charged for the services of the polytechnic institution, including tuition and examination fees;
- (c) gifts or donations from any person or organisation, whether local or external; and
- (d) any monies otherwise accruing to the polytechnic institution in the course of its activities.

Transfer of
assets to
Council.

16. There is hereby transferred to the polytechnic institution, without more, the property and other assets of the institution which it succeeds and which ceases to exist upon the coming into force of this Act.

Accounts.

17. (1) A polytechnic institution shall keep proper books of accounts and proper records in relation to the accounts and shall prepare, within a period of three months after the end of the financial year, a statement of its accounts in such form as the Auditor-General may direct.

(2) The books and accounts of the polytechnic institution shall each year be audited by the Auditor-General or an auditor appointed by him and a report on the audit shall be submitted to the Council.

18. (1) The Minister shall table before Parliament within six months after the end of each financial year a report on the activities and operations of the polytechnic institution during the preceding year. Annual Report.

(2) The report of the polytechnic institution referred to in subsection (1), shall include a copy of the audited accounts of the polytechnic institution together with the Auditor-General's report on it.

19. The Minister may, by statutory instrument, amend the Schedule and make regulations to give effect to this Act. Regulations.

SCHEDULE

(Section 2 (1))

(LIST OF POLYTECHNIC INSTITUTIONS)

1. Milton Margai College of Education and Technology
2. Freetown Polytechnic
3. Eastern Polytechnic
4. Makeni Polytechnic
5. Port Loko Polytechnic

PASSED in Parliament this *14th* day of *August*, in the year of our Lord two thousand and one.

J. A. CARPENTER,
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 correctly printed copy of the said Bill.

J. A. CARPENTER,
Clerk of Parliament.