

**BILL SUPPLEMENTS**

*to the Uganda Gazette No. 47 Volume LXXXIII dated 16th November, 1990*  
Printed by the Government Printer, Entebbe by Order of the Government.

---

---

**THE INSTITUTE OF PUBLIC ADMINISTRATION  
BILL, 1990.**

**MEMORANDUM**

The object of this Bill is to establish the Institute of Public Administration as an autonomous institute; to provide for the functions of the Institute, its administration and finances and for other connected purposes.

The Bill also seeks to enable the Institute to offer a variety of courses leading to the award of certificates, diplomas and degrees in order to improve the performance and management effectiveness of public and private institutions and enterprises within and outside Uganda.

The Bill, by transitional provisions, converts the existing Institute of Public Administration which has been in existence since 1969 into the Institute established by this Bill.

**TOM RUBALE,**  
*Minister of Public Service and  
Cabinet Affairs.*

17TH OCTOBER, 1990.

THE INSTITUTE OF PUBLIC ADMINISTRATION  
BILL, 1990.

---

ARRANGEMENT OF CLAUSES.

*Clause.*

PART I—PRELIMINARY.

1. Short title.
2. Interpretation.

PART II—ESTABLISHMENT OF THE INSTITUTE  
OF PUBLIC ADMINISTRATION.

3. Establishment of the Institute.
4. The corporate status of the Institute.
5. Functions of the Institute.
6. The Board of the Institute.
7. Appointment of committees.
8. Officers and staff.
9. Powers of the Minister to give directions.

PART III—FINANCIAL AND RELATED PROVISIONS.

10. Funds of the Institute.
11. Duty of the Institute to operate on sound financial principles.
12. Estimates.
13. Accounts, audit and annual reports.

PART IV—MISCELLANEOUS.

14. Vesting of assets and liabilities and pending proceedings.
15. Protection of certain persons from liability.
16. Regulations.

*Schedule.*

1. The seal of the Board.
2. Tenure of office.
3. Meetings of the Board.
4. Quorum.
5. Power to co-opt persons.
6. Decisions of the Board.
7. Disclosure of interest
8. Minutes of Board meetings.
9. Service of documents.
10. The Board to regulate its own proceedings.

A BILL for a Statute

ENTITLED

**THE INSTITUTE OF PUBLIC ADMINISTRATION  
STATUTE, 1990.**

**A Statute to establish the Institute of Public Administration  
and to provide for its constitution, administration and other  
matters connected therewith.**

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

**PART I—PRELIMINARY.**

1. This Statute may be cited as the Institute of Public Administration Statute, 1990. Short title.

2. In this Statute, unless the context otherwise requires— Interpre-  
“Board” means the Board of the Institute established tation.  
under section 6 of this Statute;

- “Chairman” means the Chairman of the Board appointed under section 6 of this Statute;
- “Committee” means a committee appointed under section 7 of this Statute;
- “Director” means the Director of the Institute appointed under section 8;
- “financial year” means, in respect of the accounting period, the period commencing on the date of coming into force of this Statute and ending on the 30th June and in respect of any subsequent period a period of 12 months ending on 30th June;
- “Institute” means the Institute of Public Administration as established by section 3 of this Statute;
- “Minister” means the Minister responsible for public service;
- “officers and staff” includes the academic staff, the administrative staff and any other category of employees of the Institute;
- “Secretary” means the Secretary of the Institute appointed under section 8 of this Statute.

**PART II—ESTABLISHMENT OF THE INSTITUTE OF  
PUBLIC ADMINISTRATION.**

Establishment of the Institute.

3. There is hereby established an Institute to be known as the Institute of Public Administration.

The Corporate status of the Institute.

4. The Institute shall be a body corporate with perpetual succession and a common seal, and shall be capable of suing or being sued in its corporate name and, subject to this Statute, may acquire and dispose of property and do all such other things as a body corporate may lawfully do.

Functions of the Institute.

5. (1) The functions of the Institute shall be—

- (a) to promote development by imparting professional skills and knowledge;
- (b) to conduct examinations and grant certificates, diplomas and degrees and other awards of the Institute and its affiliates.

- (c) to provide consultancy services and undertake research and training programmes designed to enhance the skills and performance effectiveness of the qualified personnel in the public, parastatal and private institutions and enterprises;
- (d) to provide documentation and information services on administrative management, scientific and technical matters;
- (e) to promote, organise, co-sponsor or facilitate the organisation of training courses, workshops, seminars, or symposia in conformity with the social and economic development objectives of the country;
- (f) generally, and without prejudice to the foregoing provisions, to collaborate with such other institutes and associations, whether within or outside Uganda in order to provide in-service training for middle and top management in the public and private sector in order to improve performance and enhance the desired economic, social and political development in Uganda.

(2) The Institute shall have such other functions as the Minister may, from time to time, by statutory instrument, specify.

6. (1) The governing body of the Institute shall be a Board which shall consist of—

The Board  
of the  
Institute.

- (a) the following *ex-officio* members, that is to say,
  - (i) the Permanent Secretary, Office of the President and Head of the Civil Service;
  - (ii) the Permanent Secretary of the Ministry responsible for Planning and Economic Development;
  - (iii) the Vice-Chancellor, Makerere University;
  - (iv) the Chairman of the Uganda Employers Federation;

- (v) the Director of the Institute of Public Administration;
  - (vi) The Director of the National Research Council;
- (b) (i) one member of the academic staff of the Institute elected for that purpose by the academic staff;
- (ii) not more than two members appointed by the Minister on such terms and conditions as the Minister may determine, who shall be persons suitably qualified and experienced in the management of the public or private sector.
- (2) The Minister may appoint any *ex-officio* member, other than the Director, to be the Chairman of the Board.
- (3) A person appointed under paragraph (b) subsection (1) of section 6 shall hold office for a period not exceeding two years and shall be eligible for re-appointment.
- (4) The provisions of the Schedule hereto shall apply to meetings of the Board and other matters set out therein and the Minister may, by statutory instrument, amend the Schedule.

Appoint-  
ment of  
commit-  
tees:

7. (1) The Board may,
- (a) appoint committees consisting of such number of its members;
  - (b) co-opt any person on any committee appointed under this section as the committee thinks fit who shall have no right to vote,
- and may appoint one of the persons appointed to any committee to be the Chairman of the committee.
- (2) The Chairman of the Board shall be an *ex-officio* member of a very committee appointed under this section, and, in default of a specific appointment of a Chairman for any committee by the Board, he shall be the Chairman of the committee.

(3) In the absence of both the Chairman of the committee and the Chairman of the Board, the members present and constituting a quorum shall elect a temporary Chairman of the committee.

8. (1) The Board, in consultation with the Minister, shall appoint the Director of the Institute who shall be the chief executive officer and academic and administrative head of the Institute.

Officers  
and  
staff.

(2) Subject to the provisions of this Statute and to the general supervision and control of the Board, the Director shall be responsible for the management of the funds, property and business of the Institute and have responsibility for the organisation, direction and efficient administration of the other officers and staff of the Institute.

(3) The Director shall be a member of the Board and shall be entitled to attend and participate in all the meetings of the Board and shall have a right to vote and shall be responsible to the Board.

(4) The Board shall appoint a Deputy Director, who shall assist the Director, a Secretary and such other officers and staff to the service of the Institute as may be necessary for the proper and efficient performance of the functions of the Institute.

(5) The Secretary of the Institute shall be the Secretary to the Board and shall attend all meetings of the Board but he shall not be a member thereof and shall have no right to vote.

(6) The appointments under this section shall be on such terms and conditions as the Board may approve.

9. The Minister may, from time to time, give directions in writing to the Board with respect to—

Powers  
of the  
Minister  
to give  
directions.

(a) the policy to be observed and implemented by the Board.

(b) the operations of the Board or the proceedings of the Board;

(c) its functions, either generally or in connection with a particular matter,  
and the Board shall give effect to any such direction.

PART III—FINANCIAL AND RELATED PROVISIONS.

Funds  
of the  
Institute.

10. (1) The funds available for the purpose of enabling the Institute to perform its functions under this Statute shall consist of—

- (a) money from time to time appropriated by the legislature for that purpose;
- (b) contributions by way of grants, gifts, donations and subventions received from the Government, organisations, foundations or from other sources in support of projects and activities approved by the Board;
- (c) tuition, accommodation and other fees derived from the programme activities of the Institute, particularly from its training courses, research and consultancy services;
- (d) such moneys, moveable and immovable assets as may in any manner become payable to, or vested in the Institute in pursuance of the provisions of this Statute or in relation or incidental to the carrying out of its functions.

(2) A person lending money to the Institute shall not be bound to inquire whether the borrowing of money is within the powers of the Institute.

(3) All income and moneys of the Institute shall be deposited to credit of the Institute in a bank approved by the Institute and shall not be withdrawn save in accordance with the manner provided by the Institute.

Duty of  
the Insti-  
tute to  
operate  
on sound  
financial  
principles.

11. (1) The Institute shall, in the performance of its functions under this Statute, have due regard to sound financial principles and shall conduct its business in such manner that taking one transaction with another, and taking one year with another,

- (a) its revenue is sufficient for meeting all charges including interest on capital and loans properly chargeable to revenue accounts;
- (b) sufficient provision is made to provide for depreciation of assets; and
- (c) where any loss or bad debt arises in respect of any transaction, provision is made in respect of other transaction whether of a similar nature or otherwise to off-set the amount of such loss or debt.

(2) Any excess of the Institute's revenues for any financial year over the sums required by it for that year for meeting its expenditure under this Statute shall be applied by the Institute in such manner as the Minister may direct.

(3) A direction under subsection (2) may require the whole or any part of any excess of the revenues of the Institute to be paid into the Consolidated Fund.

**12.** (1) The Director shall, within not less than three months before the end of each financial year, prepare and submit to the Board for its approval estimates of income and expenditure of the Institute for the next ensuring year and may, at any time before the end of the financial year, prepare and submit to the Board for approval any estimates.

Estimates.

(2) No expenditure shall be made out of the funds of the Institute unless that expenditure is part of the expenditure approved by the Board under the estimates for the financial year in which such expenditure is to be made or in the estimates supplementary thereto.

**13.** (1) The Institute shall keep proper accounts and records of its transactions and affairs and shall ensure that all moneys received are properly brought to account, all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over its property and over the incurring liabilities by the Institute.

Accounts,  
audit  
and  
annual  
reports.

(2) The annual accounts of the Institute shall be audited by the Auditor-General.

(3) The Board shall, within three months after the end of each financial year submit—

(a) to the Minister an annual report in respect of that year containing—

- (i) financial statements;
- (ii) performance indicators and such other information relating thereto;
- (iii) a report on the operations of the Institute;
- (iv) such other information as the Minister may, prior to the completion of such annual report or as otherwise supplementary thereto, direct in writing;

(b) to the Auditor-General—

- (i) the accounts of the Institute for the financial year; and
- (ii) the annual report referred to in paragraph (a) who shall audit the accounts of the Institute and, within two months of the receipt by him of such accounts and annual report, submit his opinion thereon to the Minister and the Board.

(4) The Minister shall cause copies of each annual report together with a copy of the opinion of the Auditor-General to be laid before the legislature at the first available opportunity after he has received them but not later than the next sitting of the legislature after the date on which he received them.

#### PART IV—MISCELLANEOUS.

Vesting  
of assets  
and liabi-  
lities and  
pending  
procee-  
dings.

**14.** (1) All moveable property except any such property as the Minister may determine which, immediately before the date of commencement of this Statute, was vested in the Government in relation to the Institute shall, on that date and without further assurance, vest in the Institute, subject to all interests, liabilities, charge, obligations and trusts affecting that property.

(2) The Minister may transfer to the Institute the ownership or possession of any other assets belonging to the Government which, by virtue of this Statute and in his

opinion, are necessary for the Institute's performance of its functions and thereupon the Institute shall, in respect of such assets, have all the rights and be subject to all the liabilities attaching thereto.

(3) All contracts, debts, engagements and liabilities of the Government attributable to the Institute immediately before the date of commencement of this Statute, shall, on that date become contracts, debts, engagements and liabilities of the Institute.

(4) Any legal proceedings by or against the Government in relation to an act of the Institute, pending on the date of commencement of this Statute, may be carried on by or against the Institute in its own name and in the same manner as they might have been carried on by or against the Government.

15. No matter or thing done by the Minister, a Director, or any other officer of the Institute shall, if the matter or thing done in good faith for the purpose of carrying out any of the provisions of this Statute, render the Minister, Director or officer thereof, personally liable to any civil action, suit or other proceedings whatsoever in respect thereof.

Protection of certain persons from liability.

16. The Minister may, after consultation with the Board, make regulations for the carrying into effect of this Statute.

Regulations.

---

SCHEDULE.

1. (1) The seal of the Board shall be authenticated by the signatures of the Chairman and the Director of the Institute.

The Seal of the Board.

(2) In the absence of the Chairman, two other members of the Board designated in that behalf by the Board shall sign and in the absence of the Director of the Institute, the person performing the functions of the Director of the Institute may sign.

(3) Every document purporting to be an instrument issued by the Board and to be sealed by the Board's seal authenticated in the manner provided by sub-paragraph (2) or (3) shall be received and deemed to be such an instrument without further proof unless the contrary is shown.

(4) The common seal of the Institute shall be kept in custody of a person appointed by the Board, and shall not be used or affixed to any instrument, except in pursuance of or in accordance with the provisions of this Statute.

Tenure  
of Office.

2. (1) A member of the Board appointed under subsection (1) of section 6 shall, unless he resigns or is removed from office continue in office.

(2) A member referred to in sub-paragraph (1) may resign his office by notice in writing delivered to the Minister.

(3) If the Minister is satisfied that a member referred to in paragraph (b), subsection (1) of section 6—

(a) without reasonable cause or without the permission of the Chairman has been absent from four consecutive meetings of the Board; or

(b) has been declared bankrupt; or

(c) is by virtue of physical or mental incapacity or for any other sufficient cause, unable or unfit to discharge his functions as a member,

he may remove him from office.

Meetings  
of the  
Board.

3. (1) The first meeting of the Board shall be convened by the Chairman and thereafter the Board shall meet for the transaction of business at such place and at such time as may be decided upon by the Board but the Board shall meet once in every three months.

(2) The Chairman or, in his absence, a member appointed by the Board to act in his place may at any time call a special meeting upon a written request by a majority of the members of the Board.

(3) The Chairman shall preside at every meeting of the Board in his absence the members present may appoint a member from amongst themselves to preside at that meeting.

Quorum.

4. The quorum at a meeting of the Board or a committee shall be half of the members.

Power to  
co-opt  
persons.

5. The Board may co-opt any person to act as a consultant or adviser at any of its meetings but such person shall have no right to vote.

6. (1) All questions proposed at a meeting of the Board shall, subject to a quorum being present, be decided by a majority of the votes of the members present and in the event of an equality of votes, the person presiding shall have a second or casting vote in addition to his deliberative vote.

Decisions  
of the  
Board.

(2) Notwithstanding any other provisions of this Schedule, a decision may be made by the Board without a meeting by circulation of the relevant papers among the members of the Board and by the expression of the views of the majority of the members in writing but any member shall be entitled to require that the decision be deferred and the matter on which a decision is sought be considered at a meeting of the Board.

7. (1) A member of the Board who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by the Board shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest to the Board.

Disclo-  
sure of  
int. est.

(2) A disclosure of interest under sub-paragraph (1) shall be recorded in the minutes of the meeting of the Board and the member making such disclosures shall not, unless the Board otherwise determines in respect of that matter—

- (a) be present during any deliberation on the matter by the Board;
- (b) take part in the decision of the Board.

(3) For the purpose of the making of a decision by the Board under sub-paragraph (2) in relation to a member who has made a disclosure under sub-paragraph (1) the member who had made such disclosure shall not—

- (a) be present during the deliberation of the Board for the making of that determination; or
- (b) influence any other member or take part in the making by the Board of the determination.

(4) A decision made under sub-paragraph (2) shall be deemed to have been validly made notwithstanding the fact that there was no quorum by virtue of the member making the disclosure not being present.

Minutes of  
meetings.

8. (1) The Board shall cause the minutes of all proceedings of its meetings to be recorded and kept and the minutes of each meeting shall be confirmed by the Board at the next meeting and signed by the Chairman of the meeting.

(2) The Chairman of the Board shall submit to the Minister a copy of the minutes of each meeting of the Board as soon as such minutes have been confirmed.

Service  
of docu-  
ments.

9. Any notice or document required to be served on the Institute may be served by leaving it at the office of, or by sending it by registered post to the Director.

The  
Board to  
regulate  
its own  
procee-  
dings.

10. Subject to the provisions of this Schedule, the Board may regulate its own proceedings.