

Uganda

## Uganda National Council for Science and Technology Act Chapter 209

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# Uganda

## Uganda National Council for Science and Technology Act Chapter 209

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**An Act to provide for the establishment of a national council for science and technology, its constitution, management and functions and other matters connected therewith.**

### Interpretation

#### 1. Interpretation

In this Act, unless the context otherwise requires—

- (a) "**chairperson**" means the chairperson of the council appointed under [section 6](#);
- (b) "**council**" means the Uganda National Council for Science and Technology established under [section 2](#);
- (c) "**employee**" includes officer;
- (d) "**financial year**" means the period of twelve months beginning on the 1st day of July and ending on the 30th day of June of the following year;
- (e) "**members**" includes chairperson and deputy chairperson;
- (f) "**Minister**" means the Minister responsible for planning and economic development.

### Establishment, functions and powers of the council

#### 2. Establishment of the council

There is established a council to be known as the Uganda National Council for Science and Technology which shall be a body corporate in that name, with perpetual succession and a common seal and may sue or be sued in its corporate name, and subject to this Act may do and suffer all other things and acts as bodies corporate lawfully do or suffer.

#### 3. Custody and fixing of the seal

- (1) The seal of the council shall be kept in the custody of the secretary to the council.
- (2) The fixing of the seal of the council on any document shall be authenticated by the signatures of the chairperson, the executive secretary and such other member of the council as may be authorised by resolution of the council; and in the absence of the chairperson, the deputy chairperson may sign in his or her place, and the person performing the functions of the executive secretary may sign in the absence of the executive secretary.
- (3) The signature of the chairperson, the executive secretary and the member of the council shall be independent of the signature of any other person who may sign any such document as witness.

- (4) Every document purporting to be an instrument issued by the council and sealed with the seal of the council and authenticated in the manner provided by this section shall be received and be deemed to be such an instrument without further proof unless the contrary is shown.

#### 4. Functions of the council

The functions of the council shall be—

- (a) to advise on and coordinate the formulation of an explicit national policy on all fields of science and technology;
- (b) to assist in the promotion and development of indigenous science and technology through—
- (i) preparation of science and technology plans;
  - (ii) organisation of training science and technology (S&T) manpower;
  - (iii) carrying out scientific and technological research and development (R&D);
  - (iv) technology transfer and adaptation;
  - (v) utilisation of natural resources and local manpower;
  - (vi) establishment of research and experimental development institutions, scientific and technological documentation and information services, pilot plants and other testing grounds and standardisation and quality control centres; and
  - (vii) encouragement of local innovations by providing more rapid and less costly incentives and programming integrated and coordinated science and technology activities;
- (c) to assist in the rationalisation of the use of foreign science and technology;
- (d) to act as a clearinghouse for information on research and experimental development taking place in scientific institutions, centres and other enterprises and on the potential application of their results;
- (e) to protect intellectual property through appropriate patent laws and to operate a national patent office;
- (f) to disseminate research and development findings through seminars, workshops, publication of journals or any other means of publication of research findings;
- (g) to recognise and honour scientists and technologists through awards or presentations for outstanding achievements in science and technology;
- (h) to work in close cooperation with and coordinate all scientific and technological activities of persons, institutions, sectors and organisations;
- (i) to draw up estimates for the implementation of the national science and technology policy and plans on disbursements to the agencies concerned;
- (j) to review generally and advise on programmes and budgets for the promotion of science and technology;
- (k) to carry out any other function that may be incidental or conducive to the above functions, or as the Minister may assign to it.

#### 5. Powers of the council

The council may do all such things as are calculated to facilitate or are incidental or conducive to better carrying out its functions and may, without prejudice to the generality of the foregoing—

- (a) acquire, take on lease, purchase, hold and enjoy property and sell, let or otherwise dispose of the property;

- (b) acquire any property, money or securities by gifts, bequest or otherwise, and hold, expend, invest, administer or dispose of any such property, money or securities given, bequeathed or otherwise made available to the council;
- (c) expend, for the purpose of this Act, any money appropriated by the Government for the work of the council or received by the council in the course of the performance of its functions and powers;
- (d) sponsor, promote and encourage activities undertaken by institutions, organisations and individuals for the promotion, development and utilisation of science and technology;
- (e) establish specialised committees, research councils, organisations and experimental and development activities or other scientific and technological services;
- (f) carry out independently or in cooperation with any appropriate person, body of persons, agency or institution such surveys and investigation as the council may consider necessary for carrying out its functions;
- (g) sponsor or support conferences, seminars, exhibitions workshops or other meetings in the furtherance of its functions;
- (h) establish and maintain relationships with national, regional and international organisations and agencies as it may deem appropriate; and
- (i) make such awards to scientists and technologists as it may deem fit.

### **Composition and meetings of the council**

#### **6. Composition of the council and qualifications of the members**

- (1) The council shall be composed of—
  - (a) one *ex officio* member from each of the Ministries, institutions and organisations set out in the First Schedule to this Act; and
  - (b) not less than fifteen members to be appointed by the Minister on such terms and conditions as he or she may specify in the instruments of appointment.
- (2) There shall be a chairperson and a deputy chairperson who shall be appointed by the Minister from four persons recommended by the council from among the members of the council.
- (3) A member shall be appointed by the Minister under subsection (1)(b) if he or she is a scientist of eminence in a field of science and technology specified in the Second Schedule to this Act.
- (4) The chairperson, deputy chairperson and the other members of the council shall remain in office for a period not exceeding four years.
- (5) A member of the council appointed under subsection (1)(b) may resign his or her office by writing under his or her hand addressed to the Minister, and the Minister may remove any such member from office for inability to perform the functions of his or her office or if anything that would disqualify him or her from being appointed to the council occurs or for any other sufficient reason.
- (6) If the office of a member of the council becomes vacant otherwise than by effluxion of time, the Minister may appoint another person to hold office in his or her place; and a person appointed under this subsection shall cease to hold office on the date when the person in whose place he or she holds office would have ceased to hold office in accordance with this Act.
- (7) If a member who became a member under subsection (1)(a) is unable to perform the functions of his or her office or is no longer eligible to represent the Ministry, institution or organisation concerned, the Ministry, institution or organisation concerned shall nominate another person to represent it on the council; and the person so nominated shall hold office until the date on which the person he or she is replacing will have ceased to hold office.

- (8) Where the Minister is satisfied that, owing to illness, absence or other reasonable cause, a member is temporarily unable to perform the functions of his or her office, the Minister may temporarily appoint a qualifying person to act in the member's place during the period of the inability.
- (9) A member ceasing to hold office by effluxion of time shall be eligible for reappointment.
- (10) A member of the council shall not delegate the functions of his or her office to any other person.

## **7. Disqualification for membership on the council**

No person shall be appointed a member of the council if—

- (a) he or she is of unsound mind;
- (b) he or she is not resident in Uganda;
- (c) he or she is insolvent or bankrupt; or
- (d) he or she has been convicted of an offence involving moral turpitude.

## **8. Remuneration of members of the council**

The chairperson, deputy chairperson and other members of the council shall be paid such remuneration or allowance as the Minister may determine.

## **9. Meetings of the council**

- (1) The council shall meet for the discharge of its functions under this Act at least once every three months or upon the request in writing to the chairperson by not less than ten members of the council, at such time and place as the chairperson may appoint.
- (2) The chairperson shall preside at all meetings of the council at which he or she is present, and in the absence of the chairperson, the deputy chairperson shall preside; in the absence of both the chairperson and the deputy chairperson, the members present shall elect a chairperson from among themselves to preside.
- (3) Questions proposed at any meeting of the council shall be determined by a simple majority of votes of the members present and voting; and in the case of equality of votes, the person presiding at the meeting shall have a casting vote.
- (4) The council may invite any person not being a member of the council to any of its meetings for consultations, and that person may speak on any relevant matters but shall not vote upon any matter before the council.
- (5) Eleven members of the council, including the chairperson, shall form a quorum at every meeting of the council.
- (6) Notice of the time, place and the agenda of every meeting of the council shall be served by the secretary on every member of the council either personally or by leaving it at his or her usual place of residence or at his or her business address.
- (7) A notice of not less than fourteen days shall be given for ordinary meetings and not less than forty-eight hours in case of special meetings.
- (8) Subject to this Act, the council may regulate its own procedure.

## **10. Minutes of meetings of the council**

- (1) The secretary shall keep or cause to be kept a book in which minutes of every meeting of the council shall be recorded.



- (2) The minutes recorded under subsection (1) shall be confirmed at the next meeting of the council and thereafter shall be signed by the chairperson and the secretary in the presence of the other members of the council.

### **11. Transaction of business by circulation of papers**

The council may, if it deems it fit, transact any of its business by the circulation of papers, and a resolution in writing approved by a majority of the members of the council shall be as valid and effectual as if it had been passed at a meeting of the council by the votes of the members so approving.

### **12. Validity of proceedings**

The validity of any proceedings of the council shall not be affected by any defect in the appointment of any member or by the absence of any member from the meeting at which the proceedings occurred or by any vacancy among the members of the council.

## **Committees of the council**

### **13. Executive committee**

- (1) There shall be an executive committee which shall be appointed by the council from among the members of the council.
- (2) The committee shall consist of the chairperson of the council, who shall be the chairperson of the committee, and not less than five and not more than seven other members, three of whom shall be from the *ex officio* members and two of whom shall be from the appointed members of the council.
- (3) The secretary to the council shall be the secretary to the executive committee but shall not be entitled to vote.

### **14. Meetings of the executive committee**

- (1) The executive committee shall meet for the discharge of its functions at least once every month at such time and place as the chairperson may determine.
- (2) The chairperson shall preside at all the meetings of the executive committee, and in his or her absence the members present shall elect one of the members to preside.
- (3) Questions proposed at any meeting of the executive committee shall be determined by a simple majority of votes of the members present and voting; and in the case of equality of votes, the person presiding at the meeting shall have a casting vote.
- (4) Four members of the committee shall form a quorum at every meeting of the committee.
- (5) The secretary of the executive committee shall keep or cause to be kept a book in which minutes of every meeting of the committee shall be regularly recorded.
- (6) The secretary shall forward minutes of the proceedings of all meetings of the committee to the council.

### **15. Specialised committees**

- (1) The council shall have the following specialised committees—
  - (a) a physical science committee;
  - (b) an industrial science committee (for engineering and technology);
  - (c) a medical sciences committee (for human and veterinary medicines);

- (d) an agricultural sciences committee;
  - (e) a natural sciences committee (for bioand geo-science);
  - (f) a social sciences and humanities committee; and
  - (g) such other committees as the council may deem necessary.
- (2) The council may refer any matter relating to a committee to that committee, and the committee shall report its findings to the council.

## 16. Composition of specialised committees

- (1) Each specialised committee shall be composed of a chairperson and not more than fourteen members.
- (2) The members of each specialised committee shall be appointed by the council from among the members and nonmembers of the council.
- (3) The chairperson of a specialised committee shall be appointed by the council from among the members of the council.
- (4) Each specialised committee shall—
- (a) appoint a deputy chairperson and a secretary from among members of the committee; and
  - (b) recommend to the council the replacement of any member of the committee who is incompetent or inactive on the committee.

## 17. Functions of specialised committees

- (1) The functions of a specialised committee shall be to recommend to, report to and advise the council on all policy matters within its sector of scientific and technological activities in the country and, in particular—
- (a) the financing of scientific and technological activities;
  - (b) the training programme for personnel involved in scientific and technological activities;
  - (c) projects to be carried out by researchers;
  - (d) the documentation of information on results of scientific and technological activities;
  - (e) the application of results of scientific and technological activities, including proposals for suitable extension programmes of projects in line with findings from scientific and technological activities;
  - (f) the assignment of scientific and technological responsibilities to different institutions or persons;
  - (g) measures to be taken to effect routine cooperation between persons engaged in related scientific and technological projects;
  - (h) any other scientific or technological responsibilities which may be assigned to the committee by the council; and
  - (i) to monitor and report on the progress on scientific and technological activities from time to time, as need arises and to require all scientists to submit regular reports on their scientific and technological activities.
- (2) The specialised committee shall meet as often as need arises and shall meet at least once before the council meets.

## Staff

### 18. Executive secretary

- (1) The council shall, in consultation with the Minister, appoint an executive secretary who shall be the secretary to the council for such period and on such terms and conditions as the council may specify in the instrument of appointment.
- (2) The executive secretary shall be the chief executive officer of the council.
- (3) There shall be a deputy executive secretary who shall—
  - (a) be appointed by the council; and
  - (b) deputise for the executive secretary.

### 19. Appointment of officers and employees

- (1) The council may appoint such officers and employees as it considers necessary for the efficient discharge of its functions.
- (2) Public officers may be seconded to the council.
- (3) The council may engage any professional person to advise it on any point or matter arising out of or connected with any of its functions.

### 20. Remuneration and allowances of staff

There shall be paid to the staff appointed under [section 19](#) such remuneration and allowances as may be provided by byelaws made by the council.

## Financial provisions

### 21. Funds of the council

- (1) The funds of the council shall consist of—
  - (a) grants from the Government;
  - (b) any money that may become payable to the council in the performance of its functions and the exercise of its powers; and
  - (c) donations that may be made to the council.
- (2) All income and monies of the council shall be deposited to the credit of the council in a bank approved by the council and shall not be withdrawn except in accordance with the manner provided by the council.
- (3) There is established a fund to be known as the National Science and Technology Fund to be administered by the council for purposes of promoting research.

### 22. Borrowing powers

- (1) The council may, subject to the approval of the Minister in consultation with the Minister responsible for finance, borrow sums required by it for meeting any of its obligations or for discharging any of its functions under this Act from such sources and on such terms as the council sees fit.

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

### **23. Estimates**

- (1) The council shall, three months before the end of each financial year, make and submit to the Minister for his or her approval estimates of the income and expenditure of the council for the next ensuing year.
- (2) The Minister shall lay before Parliament the estimates of the council within three months after receiving the estimates.
- (3) No expenditure shall be made out of the funds of the council unless the expenditure has been approved by the Minister under the estimates for the year in which the expenditure is to be made or in any other estimates supplementary to those estimates.

### **24. Accounts**

- (1) The council shall keep proper books of account and proper records in relation to them.
- (2) The council shall prepare in respect of each financial year a statement of account which shall include—
  - (a) a balance sheet, a statement of income and expenditure and a statement of surplus or deficit; and
  - (b) such other information in respect of the financial affairs of the council as the Minister may require.

### **25. Audit**

The annual statement of account of the council shall be audited within four months after the end of each financial year by the Auditor General or an auditor appointed by him or her who shall be entitled to have access to all books of account, vouchers and other financial records of the council and to require such information and explanation on them as he or she thinks fit.

### **26. Annual report**

The council shall, not later than three months after the end of each financial year, make and submit to the Minister a report on the council's activities during that financial year.

### **27. Investment of funds not required for immediate use**

The council's funds that are not immediately required shall be invested or put in investments as the council may determine, subject to the approval of the Minister.

## **Miscellaneous**

### **28. Validity of dealings between the council and other persons**

Any person dealing with the council under this Act shall not be required to find out if—

- (a) pursuant to this Act, any directions have been given to the council or whether any directions so given have been complied with;
- (b) consent or approval of the Minister required under this Act has been given; or
- (c) any conditions or limitations, subject to any such consent or approval referred to in paragraph (b), have been complied with.

**29. Service of documents**

Any document may be served on the council by leaving it at the office of the council or by sending it by registered post to the executive secretary.

**30. Oath of secrecy**

- (1) All members of the council, its committees and any other person employed by the council or who is in any way involved in the activities of the council shall be required to take an oath of secrecy before starting his or her deliberations in the council.
- (2) The oath of secrecy shall be in such manner and in such form as the Minister shall, by regulations, prescribe.

**31. Exemption from duties and taxes**

The council is exempted from the payment of—

- (a) stamp duties under the Stamps Act; and
- (b) import duties, sales or any other tax or duty that is or may be specifically imposed on any goods imported by the council in carrying out its functions and are not for resale to the public.

**32. Byelaws**

The council may, with the approval of the Minister, make byelaws regulating—

- (a) the salary structure of the employees or persons engaged by the council;
- (b) appointment, discipline and dismissal of its employees and persons engaged by it;
- (c) payment of pensions, gratuities and other retirement benefits;
- (d) contributions to any fund or pension scheme by the employees of the council;
- (e) books of account to be kept by the council; and
- (f) expenses to be paid to members of the council and its committees.

**33. Regulations**

The Minister may make regulations generally for better carrying out the provisions of this Act.

**First Schedule (Section 6)****The scheduled Ministries, institutions and organisations**

1. Makerere University
2. Ministry responsible for agriculture
3. Ministry responsible for animal industry and fisheries
4. Ministry responsible for defence
5. Ministry responsible for education
6. Ministry responsible for energy
7. Ministry responsible for environment protection
8. Ministry responsible for health

9. Ministry responsible for housing and urban development
10. Ministry responsible for industry and technology
11. Ministry responsible for lands and surveys
12. Ministry responsible for planning and economic development
13. Ministry responsible for transport and communications
14. Ministry responsible for water and mineral resources
15. Ministry responsible for works
16. National Bureau of Standards
17. National Curriculum Development Centre
18. Uganda Manufacturers Association
19. Uganda Small Scale Industry Association
20. Uganda Polytechnic, Kyambogo
21. Universities other than Makerere University

### **Second Schedule (Section 6)**

#### **The fields of science and technology**

1. Agriculture and allied sciences
2. Computer science, electronics and informatics
3. Energy
4. Industrial science (engineering and technology)
5. Medical science (human and veterinary medicine)
6. Natural science (bioand geo-sciences)
7. Physical science
8. Social sciences and humanities