

Uganda

Uganda Printing and Publishing Corporation Act Chapter 330

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Uganda Printing and Publishing Corporation Act

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[Note: The version of the Act as at 31 December 2000 was revised and consolidated by the Law Reform Commission of Uganda. All subsequent amendments have been researched and applied by Laws.Africa for ULII.]

An Act to provide for the establishment of the Uganda Printing and Publishing Corporation and to provide for its composition, powers, objects, functions, administration, finances and other connected purposes.

Part I – Interpretation

1. Interpretation

In this Act, unless the context otherwise requires—

- (a) **"board"** means the board of directors established under section 6;
- (b) **"chairperson"** means the chairperson of the board of directors;
- (c) **"corporation"** means the corporation established by section 2;
- (d) **"financial year"** means for any accounting period a period of twelve months ending on 30th June;
- (e) **"Government Printer"** means the Government Printer existing as a department of the Government immediately before the commencement of this Act which shall cease to exist on the commencement of this Act;
- (f) **"Minister"** means the Minister to whom responsibility for the Uganda Printing and Publishing Corporation is assigned.

Part II – Establishment of the Uganda Printing and Publishing Corporation

2. Establishment of the corporation

- (1) There is established a corporation to be known as the Uganda Printing and Publishing Corporation.
- (2) The corporation shall be a body corporate, shall have perpetual succession and a common seal and may sue or be sued in its corporate name.

3. Powers of the corporation

The corporation may, for and in connection with its objects and functions under this Act, borrow money, purchase, hold, manage and dispose of any property whether movable or immovable and may enter into any contract and other transaction as may be expedient and may charge for services provided by it and may do any other act or thing as in law may be done by a body corporate.

4. Objects of the corporation

The objects of the corporation are—

- (a) to turn the Government Printer into an effective and efficient resource;
- (b) to improve the administration of Government business by providing improved printing services;
- (c) to increase the productivity levels of the printery;
- (d) to improve on the capacity and quality of the printery services available to the Government.

5. Functions of the corporation

- (1) The functions of the corporation shall be to provide printing and publishing facilities to the Government Ministries, departments, parastatal bodies and to private individuals and organisations.
- (2) Notwithstanding subsection (1), the Minister, after approval by Cabinet, may by statutory instrument, direct any Ministry or department to have its printing and publishing work done by the corporation.
- (3) Without prejudice to the generality of subsection (1), the corporation may do the following—
 - (a) print and publish all Government legislation and documents;
 - (b) act as an in-service school to train its own and other organisations' apprentice printers;
 - (c) act as the chief adviser to the Government on all printing and publishing matters;
 - (d) provide printing services to parastatals, private organisations and individuals;
 - (e) provide stationery, such as envelopes, desk calendars, letterheads, visiting cards, file folders or other stationery for office use;
 - (f) produce posters and other forms of advertising materials;
 - (g) produce paper bags, paper boxes and other paper packing containers;
 - (h) provide technical drawings and architectural plans;
 - (i) publish books, booklets or other publications which enhance the culture, welfare and unity of Uganda;
 - (j) print both textbooks and exercise books or any other books for general reading or use;
 - (k) carry out binding services on books, magazines or other documents;
 - (l) provide business and accounting stationery, such as receipt forms, cash books and ledger books;
 - (m) undertake security printing works as may be determined by the Minister in consultation with the board; and
 - (n) carry out any other activity that may be carried out by a printing and publishing institution.

6. Board of directors of the corporation

- (1) There shall be a board of directors of the corporation which shall consist of eight members appointed by the Minister on such terms and conditions as he or she may determine.
- (2) The Minister shall appoint the chairperson of the board from members appointed under subsection (1).

- (3) A member of the board shall hold office for a term of three years and shall be eligible for reappointment for not more than two consecutive terms.
- (4) A member appointed under subsection (1) shall be a capable, versatile person of high integrity, who qualifies for such appointment by virtue of his or her experience in printing and publishing, commerce, finance, public administration, materials management or in other matters relating to economic planning and development.
- (5) A member of the board shall vacate office by either—
 - (a) resignation; or
 - (b) removal from office by the Minister under subsection (6).
- (6) The Minister may remove a member of the board for negligence or misbehaviour or inability to perform the functions of his or her office, whether arising from infirmity of body or mind or from any other cause.
- (7) The provisions of the Schedule to this Act shall apply to the custody and application of the corporation seal and to the meetings of the board; and the Minister may, by statutory instrument, amend the Schedule.

7. Functions of the board

The functions of the board shall be—

- (a) to formulate and review the policy of the corporation;
- (b) to set targets for the annual performance of the corporation;
- (c) to appraise and evaluate the performance of the management of the corporation;
- (d) to appoint and discipline members of the staff of the corporation;
- (e) to determine the organisational structure and staffing of the corporation; and
- (f) to perform any other function relating to the above as the Minister may direct.

8. Departments of the corporation

The corporation shall have legislation, security, printing and publishing departments and other departments as the board may determine.

9. Managing director

- (1) There shall be a managing director of the corporation appointed by the board and on such terms and conditions as the board may determine.
- (2) The managing director shall be the chief executive of the corporation and shall be responsible for the day-to-day operations of the corporation.
- (3) Subject to this Act and the general supervision and control of the board, the managing director shall be responsible for the management of the funds, property and business of the corporation and for the administration, organisation and control of the staff of the corporation.
- (4) For the avoidance of doubt, the managing director shall be entitled to attend and participate in all the meetings of the board and have a voting right.

10. Secretary

- (1) There shall be a secretary to the board who shall be appointed by the board on such terms and conditions as the board may determine.

- (2) In addition to any other functions that may be conferred upon him or her by the board, the secretary shall have custody of the seal of the corporation and be responsible for—
 - (a) taking minutes of the meetings of the board; and
 - (b) keeping the records of all transactions of the corporation.

11. Other staff

There shall be heads of departments and such other officers and employees of the corporation as the board may determine.

12. Protection of officers against civil liability

Nothing done by an officer or employee of the corporation shall, if done *bona fide* for the purpose of putting the provisions of this Act into effect, subject him or her to any civil liability.

13. Duty of Government Ministries, departments, etc. to cooperate

Every Ministry, department or parastatal shall, to the greatest possible extent consistent with the corporation's functions under this Act, afford the corporation all reasonable opportunity for consultation and shall, subject to any law, provide the corporation with such information as the corporation may require.

Part III – Financial and related provisions

14. Funds of the corporation

The funds available for the purpose of enabling the corporation to perform its functions under this Act shall consist of—

- (a) money from time to time appropriated by Parliament for that purpose;
- (b) all monies received by the corporation for goods or services provided under the authority of this Act;
- (c) all monies borrowed by the corporation;
- (d) any such other monies received by, or made available to, the corporation for the purposes of performing its functions under this Act.

15. Duty of the corporation to operate on commercial principles

The corporation shall—

- (a) perform its functions in accordance with commercial principles and shall ensure as far as possible that its revenue is sufficient both to meet expenditure properly chargeable to revenue; and
- (b) determine and charge a fee or commission for the provision of its services to enable it to cover its expenditure.

16. Estimates

- (1) The managing director shall, not later 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 corporation for the next ensuing year and may, at any time before the end of a financial year, prepare and submit to the board for approval any estimates supplementary to the estimates of a current year.

- (2) No expenditure shall be made out of funds of the corporation unless that expenditure is part of the expenditure approved by the board under the estimates for the financial year in which the expenditure is to be made or in the estimates supplementary to those estimates.

17. Accounts, audit and annual report

- (1) The corporation shall keep proper accounts and records of its transactions and affairs and shall ensure that all monies received are properly brought to account, all payments out of its monies are correctly made and properly authorised and that adequate control is maintained over its property and over the incurring of liabilities by the corporation.
- (2) The annual accounts of the corporation shall be audited by the Auditor General.
- (3) The corporation shall, within six 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) a report on the operations of the corporation; and
 - (iii) such other information as the board may, prior to the completion of the annual report or as otherwise supplementary to it, direct in writing;
 - (b) to the Auditor General—
 - (i) the accounts of the corporation for the financial year; and
 - (ii) the annual report referred to in paragraph (a).
- (4) The Auditor General shall audit the accounts of the corporation and, within two months of the receipt by him or her of the accounts and annual report, submit his or her opinion on the accounts and annual report to the Minister and the board.
- (5) The Minister shall cause copies of each annual report, together with a copy of the opinion of the Auditor General, to be laid before Parliament within six months after he or she has received them.

18. Transfer of assets

The Minister may, in consultation with the Minister responsible for finance, transfer to the corporation the ownership or possession of assets belonging to the Government which, by virtue of this Act and in his or her opinion, are necessary for the corporation's performance of its functions; and thereupon the corporation shall, in respect of those assets, have all the rights and be subject to all the liabilities attached to those assets.

19. Regulations

The Minister may, after consultation with the board, make regulations for carrying into effect the provisions of this Act.

Schedule (Section 6(7))

Meetings and seal of the board

1. Application of the corporation seal

- (1) The common seal of the corporation shall be such device as the corporation may determine and shall be kept in the custody of the secretary.
- (2) The common seal shall, when affixed on to any document, be authenticated by the signatures of the chairperson, the managing director and the secretary.

- (3) In the absence of the chairperson or when he or she is unable to act as such, two other members of the board shall sign in the place of the chairperson.
- (4) A person performing the functions of managing director or secretary shall sign in the absence of the managing director or the secretary, as the case may be.
- (5) A contract or instrument which if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed without seal on behalf of the corporation by the secretary or any other person authorised for that purpose by the board.
- (6) Every document purporting to be—
 - (a) an instrument issued by the corporation and sealed with the common seal of the corporation and authenticated in the manner prescribed in this paragraph; or
 - (b) a contract or instrument entered into or executed under subparagraph (5) of this paragraph, shall be received in evidence without further proof as such an instrument duly issued or a contract or instrument duly entered into or executed unless the contrary is proved.

2. Meetings of the board

- (1) Every meeting of the board shall be convened by the chairperson; and the board shall meet for the transaction of business at such places and at such times as may be decided upon by the board, but the board shall meet once every three months.
- (2) The chairperson or, in his or her absence or inability to act as such, a member appointed by the board to act in his or her place, may at any time call a special meeting of the board, and shall call a special meeting upon a written request by a majority of the members of the board.
- (3) The chairperson shall preside at every meeting of the board; and in his or her absence or inability to act as such, the members present may appoint a member from among themselves to preside at that meeting.

3. Quorum

The quorum at a meeting of the board shall be five members.

4. Decisions of the board

- (1) All questions proposed at a meeting of the board shall 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 casting vote in addition to his or her deliberative vote.
- (2) 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 designation is sought be considered at a meeting of the board.

5. Disclosure of interest

- (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 or her knowledge, disclose the nature of his or her interest to the board.
- (2) A disclosure of interest under subparagraph (1) shall be recorded in the minutes of the meeting of the board, and the member making that disclosure shall not, unless the board otherwise determines in respect of that matter—
 - (a) be present during any deliberation on the matter by the board; or
 - (b) take part in the decision of the board.

- (3) For the purpose of the making of a decision by the board under subparagraph (2) in relation to a member who has made a disclosure under subparagraph (1), the member who has made the disclosure shall not—
 - (a) be present during the deliberations 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.

6. **Minutes of proceedings**

- (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 chairperson of the meeting.
- (2) The chairperson of the board shall submit to the Minister a copy of the minutes of each meeting of the board as soon as the minutes have been confirmed.

7. **Board to regulate its proceedings**

Subject to this Schedule, the board may regulate its own proceedings.