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CHAPTER 135

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CHAPTER 135

THE NATIONAL CURRICULUM DEVELOPMENT CENTRE
ACT.*Commencement: 1 April, 1973.*

An Act to provide for the establishment of the National Curriculum Development Centre, to make provision for its constitution, management and functions and for other matters related thereto.

Interpretation.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) "board" means the Academic Steering Board established under section 17;
- (b) "centre" means the National Curriculum Development Centre established under section 2;
- (c) "chairperson" means the chairperson of the council appointed under section 10(1);
- (d) "council" means the Council of the National Curriculum Development Centre established under section 7;
- (e) "director" means the director of the centre appointed under section 24(1);
- (f) "financial year" means the period of twelve months ending on the thirty-first day of December in each year;
- (g) "Minister" means the Minister responsible for education;
- (h) "secretary" means the secretary of the council designated under section 7(2);
- (i) "subject panel" means a panel of teachers, inspectors and professional staff of the centre appointed under section 18(3).

Establishment, functions and powers of the National Curriculum Centre.

2. Establishment and incorporation of the centre.

There is established a centre to be called the National Curriculum Development Centre which shall, in that name, be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name and, subject to this Act, may do and suffer all other acts and things as bodies corporate may lawfully do and suffer.

3. Functions of the centre.

- (1) The functions of the centre shall be—
- (a) to investigate and evaluate the need for syllabus revision and curriculum reform at primary, secondary and tertiary levels of education, in preschool and post-school education and in teacher education;
 - (b) to initiate new syllabuses, to revise existing ones, to carry out curriculum reform, research, testing and evaluation, to bring up-to-date and improve syllabuses for school and college courses;
 - (c) to draft teaching schemes, textbooks, teachers manuals and examination syllabuses, in cooperation with teaching institutions and examining bodies;
 - (d) to design and develop teaching aids and instruction materials;
 - (e) to devise, test and evaluate examination questions and methods of examining students with other appropriate teaching and examining bodies;
 - (f) to organise and conduct in-service courses of instruction for the acquisition of knowledge and professional skill by persons intending or required to teach new courses developed at the centre;
 - (g) to organise and conduct courses in the objectives and methods of curriculum development for persons required to participate in curriculum development work;
 - (h) to hold seminars and conferences on curriculum development projects and problems;
 - (i) to collect, compile, analyse and abstract statistical information on curriculum and matters related to curriculum;

- (j) to publish information, bulletins, digests, periodicals or other written material concerning curriculum and other matters related to curriculum;
- (k) to disseminate and promote general and better knowledge and understanding of new curriculums, teaching methods and teaching aids.

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

4. Powers of the centre.

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

- (a) acquire, take or lease, purchase, hold and enjoy any property and sell, let or otherwise dispose of the property;
- (b) subject to section 27, borrow or otherwise raise money on such security as may be necessary and, for that purpose, charge all or any of the property of the centre;
- (c) charge fees for any courses, seminars or conferences conducted or held at the centre which are not initiated by the centre;
- (d) charge for any publications or apparatus sold or distributed;
- (e) charge for accommodation or other services provided;
- (f) subject to any law in force at the time, enter into any legal contract with any publisher for the publication of materials written by the centre, provided that in all cases the copyright shall be legally vested in the centre;
- (g) subject to any law in force at the time, enter into any legal contract with any manufacturer for the production of apparatus designed and developed at the centre.

5. Seal and documents of the centre; signatures of chairperson and members.

(1) The centre shall have a common seal which shall be authenticated by the signature of the chairperson or of any other two members of the council authorised by resolution of the council generally specially to act in that behalf.

(2) The signature of the chairperson or other members of the council shall be independent of the signing by any other person as witness.

(3) A certificate signed by the chairperson of the council that any instrument purporting to be made or issued by or on behalf of the centre was so made or issued shall be conclusive evidence of that fact.

(4) Every document purporting—

(a) to be an instrument made or issued by or on behalf of the centre and to be sealed with the seal of the centre authenticated in the manner provided by subsection (1) or to be signed or executed by the chairperson or other members of the council authorised to act in that behalf; or

(b) to be a certificate such as is mentioned in subsection (3), shall be received in evidence and be deemed, without further proof to be so made or issued or to be such a certificate, unless the contrary is shown.

6. Custody and use of the seal.

The common seal of the centre shall be kept in the custody of a person appointed by the council and shall not be used or affixed to any instrument except in pursuance of a resolution duly adopted by the council and in the presence of at least two members of the council, and those members shall sign every instrument to which the common seal of the centre is so affixed in their presence.

The council.

7. Membership of the council.

(1) The governing body of the centre shall be the council consisting of—

(a) the following *ex officio* members—

(i) the Permanent Secretary of the Ministry responsible for education;

(ii) the Permanent Secretary of the Ministry responsible for culture and community development;

(iii) the Permanent Secretary of the Ministry responsible for finance, planning and economic development;

(iv) the chief education officer;

- (v) the chief inspector of schools;
 - (vi) the principal of the Uganda Technical College;
 - (vii) the principal of the Uganda College of Commerce;
 - (viii) the principal of the Uganda Management Institute;
 - (ix) the registrar, Makerere University;
 - (x) the dean of the faculty of education;
 - (xi) the director of the National Institute of Education, Makerere University;
 - (xii) the director of the Centre for Continuing Education, Makerere University;
 - (xiii) the secretary, Uganda National Examinations Board;
 - (xiv) the director of the National Teachers College, Kyambogo;
 - (xv) the chairperson, Headmasters Association;
 - (xvi) the president of the Association of Principals of Teacher Training Colleges;
 - (xvii) a representative of the East African Academy;
 - (xviii) a representative of the National Federation of Uganda Employees; and
- (b) not more than three members appointed by the Minister who shall be persons appearing to the Minister to be qualified as having experience in the practice and administration of education.

(2) The director shall be the secretary of the council and shall attend all meetings of the council, but he or she shall not be a member of the council.

8. Functions of the council.

(1) The council shall be charged with the administration and management policy of the centre and shall be responsible to see that the policy is carried out by the centre.

(2) The executive authority of the council to control and manage the centre shall, subject to the general or specific directions given to the director by the council, be under the control and management of the director.

(3) The council shall approve such curriculum development projects as may be undertaken by the centre and give directions for carrying out such projects.

9. Disqualification for membership of the council.

- (1) No person shall be appointed a member of the council who—
 - (a) is a paid employee of the centre;
 - (b) is an insolvent or bankrupt person;
 - (c) is not resident in Uganda; or
 - (d) has been convicted of an offence involving fraud or dishonesty.

(2) The Minister may at any time remove an appointed member from the council if he or she is satisfied that that member—

- (a) has become bankrupt or made arrangements with his or her creditors; or
- (b) is incapacitated by physical or mental illness; or
- (c) has been convicted of an offence involving fraud or dishonesty.

10. Chairperson of the council.

(1) The Minister may, in writing under his or her hand, appoint any ex officio member of the council to be chairperson of the council.

(2) The chairperson shall remain in office for a period of not more than three years and shall hold office in accordance with the terms of his or her appointment.

11. Term of office of appointed members.

(1) An appointed member of the council shall hold office for a period of three years.

(2) An appointed member of the council may, by notice in writing under his or her hand addressed to the Minister, resign his or her membership; and the chairperson may, by like notice, resign his or her office as such.

(3) A person who ceases to be an appointed member or ceases to be chairperson shall be eligible for reappointment.

(4) If any appointed member of the council is for any reason unable to exercise the powers or perform the duties of his or her office, the Minister

may, subject to section 7, appoint another person to be a temporary member of the council during the absence or incapacity of that member.

12. Filling of vacancy.

If any vacancy occurs on the council by death, resignation, effluxion of time or otherwise, the vacancy shall be filled by a person appointed by the Minister.

13. Meetings of the council.

(1) The chairperson shall preside at all meetings of the council; and where he or she is absent from any meeting, a member of the council, nominated by the chairperson, or where no member is nominated by the chairperson, such person as the members present may elect, shall preside at the meeting of the council.

(2) The chairperson shall, in the case of an equality of votes, have a casting vote in addition to his or her deliberative vote.

(3) Meetings of the council shall be held at intervals of not more than four months at such place and time as the chairperson may, from time to time, appoint.

(4) The chairperson shall, if requested by notice in writing signed by not less than five members of the council, convene a meeting of the council.

(5) At all meetings of the council, fifteen members, including the chairperson, shall constitute a quorum.

(6) Questions proposed or arising at any meeting of the council shall be decided by a majority of votes of the members present and voting thereon.

(7) Subject to this Act, the council may regulate its own procedure including the manner in which matters, subject to the determination of the council, are to be determined by or on behalf of the council.

(8) The chairperson may invite any person not being a member of the council to attend and to speak on any relevant matter at any meeting of the council, but that person shall not vote upon any matter before the council.

(9) Notice of the time, place and agenda of every meeting of the council shall be served by or on behalf of the secretary on every member of the council either personally or by leaving the notice at his or her usual place of residence or at his or her business address; in the case of ordinary meetings not less than twenty-one days' notice before the meeting, and in the case of special meetings not less than forty-eight hours' notice before the meeting, shall be given; but the accidental omission to serve the notice on any member of the council shall not affect the validity of any meeting.

(10) Minutes of the proceedings of every meeting of the council shall be regularly entered in a book to be kept for the purpose by the secretary, and the minutes shall be confirmed at the next meeting; and when the minutes are confirmed, they shall be signed by the chairperson and the secretary in the presence of the members of the council.

14. Transaction of business by circulation of papers.

Notwithstanding section 13, the council may, if it thinks 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 votes of the members so approving the resolution.

15. Validity of proceedings.

The validity of any proceeding 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 proceeding occurred or by any vacancy among the members of the council.

16. Establishment of subcommittees.

- (1) The council may—
 - (a) appoint subcommittees from among its members and may refer to any such subcommittee any matter for investigation and report to the council;
 - (b) co-opt any person on any subcommittee appointed under this section.

(2) Subject to any directions of the council, a subcommittee appointed under this section may regulate its own procedure and fix a quorum for its meetings.

The Academic Steering Board.

17. Academic Steering Board.

There shall be an Academic Steering Board, consisting of—

- (a) the director;
- (b) the chief education officer;
- (c) the chief inspector of schools;
- (d) an officer in the schools inspectorate responsible for primary education;
- (e) an officer in the schools inspectorate responsible for secondary education;
- (f) an officer in the schools inspectorate responsible for teacher education;
- (g) the dean of the faculty of education, Makerere University, or his or her representative;
- (h) the professor of educational psychology, Makerere University, or his or her representative;
- (i) the director of the National Institute of Education, or his or her representative; and
- (j) four members of the staff of the centre who are qualified teachers.

18. Functions of the board.

(1) The board shall have the function of assisting the director with the detailed planning and implementation of curriculum development projects, training courses and other activities of the centre and shall supervise the work of the centre on such projects and activities; and it shall determine the guidelines and objectives of curriculum development projects undertaken at the centre and shall determine the academic and professional content of courses developed at the centre.

(2) The board shall report, from time to time, to the council on the progress of the centre's curriculum development projects and related activities.

(3) The board shall nominate, for appointment by the council, teachers, inspectors and officers with knowledge and experience to form subject panels in specific curriculum areas.

(4) Where subject panels already exist at the coming into force of this Act, they may, subject to the approval of the council, assume the functions of the subject panels appointed under subsection (3) as defined under section 23.

19. Chairperson and secretary of the board.

(1) The director shall be the chairperson of the board.

(2) The director shall appoint a member of the staff of the centre the secretary of the board, but the secretary shall not be a member of the board.

20. Meetings of the board.

(1) The chairperson shall preside at all meetings of the board; and where he or she is absent from any meeting, a member of the board nominated by the chairperson, or where no such member is nominated by the chairperson such person as the members present may elect, shall preside at the meeting of the board.

(2) The chairperson shall, in the case of an equality of votes, have a casting vote in addition to his or her deliberative vote.

(3) Meetings of the board shall be held at intervals of not more than three months at such place and time as the chairperson may, from time to time, appoint.

(4) The chairperson shall, if requested by notice in writing signed by not less than three members of the board, convene a meeting of the board.

(5) At all meetings of the board, five members including the chairperson shall constitute a quorum.

(6) Questions proposed or arising at any meetings of the board shall be decided by a majority of votes of the members present and voting on the questions.

(7) Subject to this Act, the board may regulate its own procedure, including the manner in which matters, subject to the determination of the board, are to be determined by or on behalf of the board.

(8) The chairperson may invite any person not being a member of the board to attend and to speak upon any relevant matter at any meeting of the board, but that person shall not vote on any matter before the meeting.

(9) Minutes of the proceedings of every meeting of the board shall be regularly entered in a book to be kept for the purpose, and the minutes shall be confirmed at the next meeting, and when the minutes are confirmed they shall be signed by the chairperson in the presence of the members of the board.

(10) Notice of the time, place and agenda of every meeting of the board shall be served by or on behalf of the secretary on every member of the board either personally or by leaving the notice at his or her usual place of residence or at his or her business address; in the case of an ordinary meeting not less than fourteen days' notice before the meeting, and in the case of special meetings not less than forty-eight hours' notice before the meeting, shall be given; but the accidental omission to serve the notice on any member of the board shall not affect the validity of the meeting.

(11) For the purposes of this section—

- (a) "chairperson" means the chairperson of the board designated under section 19(1);
- (b) "secretary" means the secretary of the board appointed under section 19(2).

21. Transaction of business by circulation of papers.

Notwithstanding section 20, the board may, if it thinks 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 board shall be as valid and effectual as if it had been passed at a meeting of the board by votes of the members so approving the resolution.

22. Validity of proceedings.

The validity of any proceeding of the board 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 board.

23. Functions of subject panels.

Subject panels appointed in accordance with section 18(3) shall be charged with the duties and responsibilities of—

- (a) initiating, supervising and assisting with the detailed work of drafting syllabuses, writing courses and preparing teaching materials;
- (b) representing the interests of the schools and providing a link between the centre and teaching institutions;
- (c) assisting with the evaluation of feedback from trials conducted in schools and teaching institutions of new syllabuses and teaching materials;
- (d) assessing the need for in-service training and assisting with the running of in-service courses.

Staff.

24. Appointment of staff.

(1) The council may, with the approval of the Minister, appoint a director of the centre, to be the chief executive officer of the centre, for such period and on such terms and conditions as the council may determine.

(2) The council may appoint such officers, who must be qualified teachers, such servants and agents of the centre as it considers necessary for the efficient discharge of the functions of the centre.

(3) The council may employ any professional person to advise the centre on any point arising out of or in connection with any of the functions of the centre.

25. Remuneration, etc. of the staff.

(1) The council shall pay to the director, officers, servants and agents of the centre such remunerations and allowances as may be permitted by its standing orders.

(2) The council shall grant pensions, gratuities or other retiring allowances to the director, officers, servants and agents of the centre as may be permitted by its standing orders.

*Financial provisions.***26. Funds of the centre.**

The funds of the centre shall consist of—

- (a) grants by the Government;
- (b) earnings and receipts of the centre from the exercise of its powers under section 4; and
- (c) donations.

27. Borrowing powers.

(1) The centre may, subject to the prior approval of the Minister responsible for finance, borrow such sums of money 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 centre sees fit.

(2) The approval given under subsection (1) may be either unconditional or subject to conditions.

28. Estimates.

Before the beginning of each financial year, the council shall forward to the Minister for his or her approval, estimates of its income and expenditure for the next financial year.

29. Accounts.

(1) The council shall keep books of account of all income and expenditure and proper records in relation thereto in accordance with its standing orders.

(2) Subject to such directions as to form as the Minister responsible for finance may give, 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 containing such information as, had the centre been a company registered under the Companies Act, would be required to be laid before the company by the directors at the annual general meeting; and
- (b) such other information in respect of the financial affairs of the centre as the Minister responsible for education may require.

30. Audit of books of account.

The books of account of the centre 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 centre and require such information and explanation thereon as he or she thinks fit.

31. Report of the centre's activities.

The council shall, not later than three months after the end of each calendar year, send to the Minister a report on the centre's activities for that year.

32. Investment of funds.

All funds of the centre that are not immediately required shall be invested in such investments as the council, with the prior approval of the Minister responsible for finance, may determine.

*General.***33. Dealings with the centre.**

A person dealing with the centre under this Act or with a person claiming under the centre shall not be concerned in inquiring—

- (a) whether any directions have been given to the centre under this Act or whether any directions so given have been complied with; or
- (b) whether the consent or approval of the Minister responsible for finance required for any of the purposes of this Act has been given or whether any condition or limitation, subject to any such consent or approval, has been complied with,

and, in favour of any such person, the validity of anything done by the centre shall not be affected by anything contained in any such direction, consent or approval or by reason that any such direction, consent or approval has not been given.

34. Contracts.

(1) Contracts on behalf of the centre may be made in the following manner—

- (a) a contract which, if made between private persons, would be by law required to be in writing, and if made according to any law for the time being in force in Uganda is required to be under seal, may be made on behalf of the centre under the common seal of the centre;
- (b) a contract which, if made between private persons, would be by law required to be made in writing, signed by the parties to be charged with it, may be made on behalf of the centre in writing, signed by any person acting under its authority, express or implied;
- (c) a contract which, if made between private persons, would be by law valid although made by parole and not reduced into writing, may be made by parole on behalf of the centre by any person acting under its authority, express or implied.

(2) A contract made according to and under subsection (1) shall be effectual in law and shall bind the centre and its successors and all other parties to it.

(3) A contract made according to and under the provisions of this section may be varied or discharged in the same manner in which it is authorised in this section to be made.

35. Service of documents.

Any document may be served on the centre by leaving it at or by sending it by registered post to the director at the offices of the centre.

36. Exemptions.

The centre shall be exempted from—

- (a) the payment of stamp duties under the Stamps Act; and
- (b) the payment of import duties, sales tax or any other tax or duty that is, or may be specifically imposed under any written law on any goods imported by the centre in furtherance of its objects and which are not for resale to the public.

37. Nonapplication of Companies Act.

The provisions of the Companies Act or statutory modification or re-enactment of it shall not apply to the centre.

38. Standing orders.

(1) The council shall make standing orders respecting the management and conduct of the centre or any matter connected with the functions or the proper exercise, discharge or performance by the council of its functions under this Act, and the standing orders may provide for—

- (a) the salary structure of the director, officers, servants and agents of the centre;
- (b) the appointment, discipline and dismissal of the director, officers, servants and agents of the centre;
- (c) the provision of pensions, gratuities and other such payments for retirement;
- (d) rules for contributory arrangements to any fund or pension scheme by the employees of the centre;
- (e) books of account to be kept by the centre; and
- (f) the allowances and expenses to be paid to members of the council and its subcommittees.

(2) The standing orders made under subsection (1) shall be subject to the prior approval of the Minister.

History: Decree 7/1973; S.I. 30/1975.

Cross References

Companies Act, Cap. 110.
Stamps Act, Cap. 342.

CHAPTER 136

THE PUBLIC LIBRARIES ACT.

Arrangement of Sections.

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