

## CHAPTER 139

### THE UGANDA WILDLIFE TRAINING INSTITUTE ACT.

#### Arrangement of Sections.

Section

#### PART I—INTERPRETATION.

1. Interpretation.

#### PART II—ESTABLISHMENT, OBJECTS, FUNCTIONS AND POWERS OF THE INSTITUTE.

2. Establishment of the institute.
3. Object of the institute.

#### PART III—BOARD OF GOVERNORS.

4. The board.
5. Functions of the board.
6. Tenure of office of members of the board.

#### PART IV—MANAGEMENT AND STAFF OF THE INSTITUTE.

7. Director, registrar and other staff.

#### PART V—FINANCE.

8. Funds of the institute.
9. Borrowing powers.
10. Estimates.
11. Financial year of the institute.
12. Accounts.
13. Audit.
14. Investment of surplus funds of the institute.

PART VI—MISCELLANEOUS.

15. Protection of members and staff from personal liability.
16. Annual report.
17. Minister's report to Parliament.
18. Regulations.
19. Common seal of the institute and executors of contracts, etc.
20. Service of documents.

**Schedule**

*Schedule*            Meetings of the board.

## CHAPTER 139

### THE UGANDA WILDLIFE TRAINING INSTITUTE ACT.

*Commencement:* 24 May, 1996.

**An Act to establish the Uganda Wildlife Training Institute and to provide for its objective, administration and related matters.**

#### PART I—INTERPRETATION.

##### **1. Interpretation.**

In this Act, unless the context otherwise requires—

- (a) “board” means the board of governors established under section 4;
- (b) “decree” means decree made under section 3;
- (c) “director” means the director appointed under section 7;
- (d) “institute” means the training institute established under section 2;
- (e) “Minister” means the Minister responsible for wildlife.

#### PART II—ESTABLISHMENT, OBJECTS, FUNCTIONS AND POWERS OF THE INSTITUTE.

##### **2. Establishment of the institute.**

- (1) There is established the Uganda Wildlife Training Institute.
- (2) The institute shall be an autonomous body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name.
- (3) The institute may, for and in connection with its objects and functions under this Act, purchase, hold, manage and dispose of any property, whether movable or immovable, and may enter into any contract and other transactions as may be expedient and may do and suffer any other act or thing as in law may be done or suffered by a corporate body.

### **3. Object of the institute.**

(1) The object of the institute is to provide studies and training in subjects relating to conservation, wildlife and wildlife protected area management and related matters.

(2) Without prejudice to the general effect of subsection (1), the institute may under that subsection perform the following functions—

- (a) conduct training in wildlife management and conservation;
- (b) conduct examinations and grant certificates and other awards of the institute;
- (c) organise courses for tour operators or guides on the value of protected areas, their management, policy and legislation, with a view to promoting and attaining satisfactory performance of their duties as tour operators or guides;
- (d) charge appropriate fees in respect of courses provided by the institute;
- (e) solicit for and acquire money and other resources from the Government, donors and well-wishers for use in the performance of its functions;
- (f) sponsor, promote and encourage activities undertaken by institutions, organisations and individuals for the promotion and development of programs and projects designed to improve wildlife education, management, conservation and related matters;
- (g) sponsor or support conferences, seminars, exhibitions, workshops or other meetings relating to wildlife education, management, conservation or other related matters;
- (h) affiliate to, or associate with, any body or organisation, whether in Uganda or elsewhere, which is concerned with higher education;
- (i) subject to this Act or any other written law, make decrees relating generally to the academic management of the institute and, in particular, to—
  - (i) the qualifications necessary for entrance to the institute, the courses or instruction to be provided at the institute, the duration and number of institute terms and award of certificates and diplomas to the students of the institute; (ii) the grant of scholarships and studentships and the revocation of any such grant; and (j) do all things necessary, incidental or conducive to the efficient

attainment of its object under this Act.

(3) The institute shall, to the greatest possible extent consistent with the performance of its functions, consult and cooperate with Ministries, departments, branches and agencies of the Government having duties related to, or having aims or objectives related to those of the institute.

#### PART III—BOARD OF GOVERNORS.

#### **4. The board.**

(1) The governing body of the institute shall be a board of governors which shall be appointed by the Minister.

(2) The board shall be composed of the following members—

(a) four members appointed by the Minister on such terms and conditions as the Minister may consider necessary;

(b) a representative of the students association of the institute;

(c) the director of the Uganda Wildlife Authority;

(d) a member of the association of tour operators or travel agents appointed by the Minister;

(e) the Permanent Secretary of the Ministry responsible for wildlife or his or her representative;

(f) the principal of the institute, who shall be the secretary to the board.

(3) A member of the board referred to under subsection (1) shall hold office for three years.

(4) A member of the board referred to under subsection (1) is eligible for reappointment upon ceasing to hold office under that subsection; except that where the member has held office for two consecutive terms, he or she shall not be reappointed to the board unless two years have elapsed since his or her last term of office expired.

(5) The Minister shall appoint the chairperson from the members appointed under subsection (2)(a).

(6) The Schedule to this Act shall have effect in relation to the matters specified in that Schedule.

(7) The Minister may, on the advice of the board, by statutory instrument, amend the Schedule.

## **5. Functions of the board.**

Subject to this Act, the board shall be responsible for the implementation of the objects and functions of the institute and for the management of its property, business, income, funds, other concerns and affairs and also for the appointment, control, discipline and removal of its employees.

## **6. Tenure of office of members of the board.**

- (1) A person shall cease to be a member of the board—
  - (a) in the case of a person representing a Ministry, institution or department, if he or she is removed from or by the Ministry, institution or department in respect of which he or she was appointed a member;
  - (b) if he or she is removed by the Minister on the recommendation of the board on the ground that he or she—
    - (i) has absented himself or herself from three consecutive meetings of the institute without permission;
    - (ii) has been out of Uganda for a continuous period of twelve months or more;
    - (iii) is unable to perform the functions of his or her office by reason of infirmity of body or mind;
    - (iv) is otherwise unable or unfit to perform the functions of his or her office.
- (2) Where a person is removed by the Minister under subsection (1), the Minister may appoint another person to be a member in his or her place.

### **PART IV—MANAGEMENT AND STAFF OF THE INSTITUTE.**

## **7. Director, registrar and other staff.**

- (1) The board shall appoint a director of the institute.
- (2) The director shall be the chief administrative and academic officer of the institute and generally be responsible to the board for the management of the institute.

(3) Without prejudice to the generality of subsection (2), the director shall be responsible for—

- (a) the proper administration of the institute in accordance with the policy of the board;
- (b) the academic management of the institute in accordance with the policy of the board;
- (c) the proper enforcement of decrees; and
- (d) the discipline of students of the institute.

(4) The board shall appoint a registrar, the academic members of the staff and other staff of the institute.

(5) The employees of the institute appointed under subsections (1) and (4) shall hold office on such terms and conditions as the board may determine.

#### PART V—FINANCE.

### **8. Funds of the institute.**

- (1) The funds of the institute shall consist of—
  - (a) grants from the Government;
  - (b) loans from any person or organisation within or outside Uganda;
  - (c) tuition, boarding and lodging fees;
  - (d) grants, gifts and donations received by the institute from any source;
  - (e) any sums that may become payable to the institute in the discharge of its functions under this Act.

(2) All income and monies of the institute shall be deposited to the credit of the institute in a bank approved by the board and shall not be withdrawn except with the approval of, and in the manner determined by, the board.

### **9. Borrowing powers.**

(1) The institute may, with the prior approval of Parliament, obtain loans and other credit facilities required for meeting its obligations and for carrying out its functions under this Act.

- (2) The institute may, with the approval of the Minister, borrow by

way of overdraft or otherwise, such sums as may be required for meeting the current obligations of the institute or for discharging its functions.

(3) A loan or credit facility obtained by the institute under this section shall, with the prior approval of the Minister, be guaranteed by the Government and when so guaranteed, the principal sum and interest of the loan shall be charged on the Consolidated Fund.

#### **10. Estimates.**

(1) The institute shall, not later than three months before the end of each financial year, cause to be prepared and submitted to the Minister for his or her approval estimates of the income and expenditure of the institute for the next following financial year.

(2) No expenditure shall be made out of the funds of the institute unless the expenditure has been approved by the Minister under subsection (1).

#### **11. Financial year of the institute.**

The financial year of the institute shall be for any accounting period the period of twelve months ending on the 30th June.

#### **12. Accounts.**

(1) The institute shall keep proper books of account of all its income and expenditure and proper records in relation to them.

(2) Subject to any directions given by the Minister, the institute shall cause to be prepared in respect of each financial year, and not later than three months after the close of the financial year, a statement which shall include a report on the performance of the institute during that financial year; and the statement shall comprise—

- (a) a balance sheet and the statement of income and expenditure of the institute in respect of that financial year; and
- (b) any other information in respect of the financial affairs of the institute as the Minister may, in writing, require.



### **13. Audit.**

(1) The accounts of the institute shall, in respect of each financial year, be audited by the Auditor General or by an auditor appointed by the Auditor General.

(2) The institute shall ensure that within four months after the close of each financial year the statement of account described in section 12 is submitted for auditing.

(3) The Auditor General and any auditor appointed by him or her shall have access to all books of account, vouchers and other financial records of the institute and be entitled to have any information and explanation required by him or her in relation to them as he or she may think fit.

(4) The auditor shall, within two months after receipt of the statement of account under subsection (2), audit the accounts and deliver to the institute a copy of the audited accounts together with his or her report on them stating any matter which in his or her opinion should be brought to the attention of the Minister.

(5) The auditor shall deliver to the Minister a copy of the audited accounts together with his or her report on them.

### **14. Investment of surplus funds of the institute.**

Any funds of the institute not immediately required for any purpose under this Act shall be invested in such manner as the institute may, with the approval of the Minister, determine.

## **PART VI—MISCELLANEOUS.**

### **15. Protection of members and staff from personal liability.**

(1) A member of the institute shall not be personally liable for an act done by him or her in good faith and without negligence for the purpose of carrying into effect the provisions of this Act.

(2) An employee or other person acting on behalf of the institute shall not be personally liable for any act done by him or her in good faith and

without negligence for the purpose of carrying into effect the provisions of this Act.

**16. Annual report.**

The institute shall, within three months after the end of each financial year, submit to the Minister a report of the activities of the institute in respect of that financial year; and the report shall include a record of the performance of the institute during that financial year and its future plans.

**17. Minister's report to Parliament.**

The Minister shall submit to Parliament as soon as possible but in any case not later than three months after receiving them—

- (a) the audited accounts of the institute submitted to him or her by the auditor under section 13; and
- (b) the annual report of the institute submitted to him or her under section 16.

**18. Regulations.**

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

**19. Common seal of the institute and executors of contracts, etc.**

(1) The common seal of the institute shall be such device as the board may determine and shall be kept in the custody of the director of the institute.

(2) The common seal of the institute shall not be fixed on any document except in accordance with a resolution of the board and shall be authenticated by the signatures of the chairperson and another member designated by the board.

(3) In absence of the chairperson, two other members shall be designated by the board to authenticate the common seal in place of the chairperson.

(4) The signatures of the chairperson or any other members of the board under this section shall be independent of the signature by any other person as witness.

(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 institute by the chairperson or any other person designated by the board.

(6) Every document purporting to be—

(a) an instrument issued by the institute and sealed with the common seal of the institute, authenticated in the manner prescribed in this section; or

(b) a contract or instrument entered into or executed under subsection (5) of this section,

shall be received in evidence without further proof as such an instrument duly issued or a contract or instrument duly entered into or executed, as the case may be, unless the contrary is proved.

## **20. Service of documents.**

Without prejudice to any other law relating to the service of documents, a document required to be served on the institute may be served by leaving it at the office of the director.

### *Schedule.*

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## **Meetings of the board.**

### **1. Meetings of the board.**

(1) The board shall ordinarily meet for the discharge of business at least twice a year at such times and places as the chairperson may determine.

(2) The chairperson shall also summon a special meeting of the board upon a request made in writing by not less than five members of the board.

(3) The director shall, where the chairperson is absent, summon a meeting of the board if not less than one-third of the members of the board request him or her to do so.

(4) Five members of the board shall form a quorum at any meeting

of the board.

(5) The chairperson shall preside at all meetings of the board, and in his or her absence a member elected by the members present from among their number shall preside.

(6) A question proposed at any meeting of the board shall be determined by a simple majority of the members present and voting; and where there is an equality of votes, the person presiding at the meeting shall have a second or casting vote.

(7) The board may co-opt any person who is not a member to attend any of its meetings as an adviser, and that person may speak at the meeting on any matter in relation to which his or her advice is sought but shall not have the right to vote on any matter coming for decision before the meeting.

(8) Except as otherwise expressly stated in this Act, the board may regulate its own procedure.

## **2. Validity of proceedings not affected by vacancy.**

The validity of any proceedings of the board shall not be affected by any vacancy among its members or by any defect in the appointment of any of them.

## **3. Minutes of board meetings.**

(1) The director shall keep or cause to be kept minutes of every meeting of the board.

(2) The minutes recorded under this section shall be submitted to the board for confirmation at its next meeting following that to which the minutes relate and when so confirmed, shall be signed by the chairperson in the presence of the other members.

**History:** Statute 15/1996.