



## **BELIZE**

### **UNIVERSITY OF BELIZE ACT CHAPTER 37**

#### **REVISED EDITION 2000 SHOWING THE LAW AS AT 31ST DECEMBER, 2000**

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following laws-

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**UNIVERSITY OF BELIZE ACT**

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Amendments in force as at 31st December, 2000.



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**CHAPTER 37**

UNIVERSITY OF BELIZE

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**CHAPTER 37**

UNIVERSITY OF BELIZE

[21st June, 2000]

19 of 2000.  
Commencement  
[1. 8. 2000]  
S.I. 91 of 2000.

- 1. This Act may be cited as the University of Belize Act. Short title.
- 2. In this Act, unless the context otherwise requires- Interpretation.

“Alumni Association” means an association representing the alumni of the institutions that were amalgamated to form the University;

“Board ” means the Board of Trustees established under section 6;

“Chairperson” means the Chairperson of the Board established under section 6;

“faculty” means the professional teaching staff of the University and “staff” means any other staff member of the University who is not a faculty member;

“member” means a member of the Board;

“Minister” means the Minister with responsibility for education;

“President” means the President of the University appointed under section 26;

“Student Association” means the Student Association elected by the student body of the University;

“University” means the University of Belize established under section 4.

Objects and principles.

3. In performing its functions and discharging its duties as provided under this Act, the University shall have among its guiding principles the following:-

(a) striving to attain academic, research and service, teaching and professional excellence at the national, regional and international levels;

(b) ensuring that its students and graduates have strong academic, ethical, independent and analytical literacy, numeracy and research capabilities and during and upon completion of their studies, are able to effectively integrate into the society as independent thinkers who are socially conscious and able to contribute to national, regional and international development in their areas of expertise;

(c) respecting the principles on which the Nation of Belize was founded as specified in the preamble to the Belize Constitution, including without limitation the acknowledgment of the supremacy of God, the dignity of the human person to pursue knowledge in an environment based on merit, ability

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and integrity and free from any discrimination based on race, color, creed or sex.

4.-(1) There is hereby established a University to be known as the University of Belize. Establishment of University.

(2) The campus or campuses shall be located in such place or places as the Board may, from time to time, determine. Classes shall be conducted in such place or places as the Board may from time to time determine.

5. The objectives of the University shall be to provide teaching, conduct research and offer services consistent with the development needs of Belize. In carrying out its objectives the University shall maintain academic freedom to pursue objectives and academic goals. Objects of the University.

6. There shall be established a Board of Trustees to be known as the Board which shall be a body corporate with perpetual succession and a common seal with power to purchase, take, hold and dispose of land and property of whatever kind and to enter in contracts, to sue and be sued in its corporate name and to do all things necessary for the purposes of this Act. Establishment of Board of Trustees.

7.- (1) The seal of the Board shall be in such form as may be determined by the Board. Seal of the Board.

(2) The seal of the Board shall not be affixed to any document except by the authority of a resolution of the Board and except in the presence of the Chairperson or his designate and the President or his designate.

8. The objects of the Board shall be the management, maintenance and development of the University. Objects of the Board.

Membership of  
the Board.

9.-(1) The Board shall be composed of persons nominated by the various organizations referred to in subsection (2) below and shall be duly constituted once all the members thereof have been appointed by the Minister.

(2) The Board shall consist of not more than fifteen members and shall include the following persons:

- (a) one alumni representative nominated by the Alumni Association;
- (b) one student representative nominated by the Student Association;
- (c) one Faculty representative nominated by the full-time Faculty of the University;
- (d) one representative nominated by the Association of Tertiary Level Institutions of Belize. Such representative shall not be the University's representative on the Association of Tertiary Level Institutions of Belize;
- (e) one National Trade Union Congress representative nominated by the National Trade Union Congress of Belize;
- (f) one person appointed by the Minister;
- (g) one representative of non-governmental and civil society organisations in Belize nominated by the Civil Society Steering Committee;
- (h) one representative of the Council of Churches nominated by the Council of Churches;



- (i) three private sector representatives from agriculture, industry and tourism nominated by the Minister;
- (j) one representative from the National Council of Education nominated by that Council;
- (k) one senior official of the Ministry of Education;
- (l) one senior official of the Ministry of Health;
- (m) one senior official of the Ministry of Agriculture.

(3) The Chairperson of the Board shall be elected by the Board from amongst members of the Board.

(4) The President of the University shall be the Secretary to the Board, and his office shall be the Board's Secretariat. He shall have a right to speak at Board meetings but shall not have a right to vote.

10.-(1) A person shall be disqualified from being or from continuing to be a member of the Board if:-

Disqualification from membership and removal.

- (a) such person, directly or indirectly, holds or enjoys any right or benefit under any contract made by or on behalf of the Board, except for members representing the internal university community; or
- (b) such person is found to have any such financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Board; or
- (c) such person is adjudicated a bankrupt, or is certified insane or has been convicted of a criminal offence punishable with imprisonment (other than a traffic offence) for a period of

not less than five years from the date of his initial appointment, or is unable to perform the functions of his office, whether the inability arises from infirmity of body or mind or from any other cause, or is guilty of gross misconduct or misbehavior.

(2) A member who incurs any of the disqualifications referred to in subsection (1), may be disqualified from office by the Minister on the recommendation of the Board:

Provided that, if a member incurs any of the disqualifications referred to in subsection (1) above, the Board shall, before making any recommendation to the Minister pursuant to subsection (2) above, afford the member a full and impartial hearing.

Temporary appointments in case of death, etc.

11.-(1) When a member dies, resigns, retires or is transferred or removed from office, the Minister may appoint another person representing the same interest in the manner set out in section 9(1) and (2) to be a member in place of the member who dies, resigns, retires or is removed or transferred from office.

(2) Any member appointed under sub-section (1) shall, unless he earlier resigns or his office becomes vacant by death or removal or transfer or retirement, hold office for the unexpired part of the term of office of the member in whose place he is appointed.

(3) Where a member, by reason of illness or absence from Belize or otherwise, is temporarily unable to perform the duties of his office, the Minister may, after consultation with the organization which nominated such member, appoint another person nominated by the same organization to act in his place.

Term of office of members.

12.-(1) Every member, other than a member referred to in sub-section (2) of this section, shall, unless his office becomes vacant earlier by death,

resignation, transfer, retirement or removal, hold office for a period not exceeding three years.

(2) Every member who becomes such a member by virtue of his post or by virtue of being the nominee of any institution or association shall hold office as long as he holds that post or represents that institution or association.

(3) The periods of appointment of the members of the Board who are not *ex officio* members may be staggered, with one third of their number being initially appointed for periods of one, two and three years respectively.

13. A member may, at any time, resign his office by letter addressed to the Minister. Resignation.

14. Any member of the Board, other than Government representatives, shall be eligible for reappointment for up to two regular terms unless he earlier vacates his office by reason of death, retirement, resignation or removal. Eligibility for reappointment.

15. The principal powers and functions of the Board shall include:- Powers and functions of the Board.

- (a) defining and establishing policies for the efficient management, maintenance, and development of the University consistent with its mission;
- (b) delegating the management of the University to the President;
- (c) establishing policies which will promote the educational programs of the University as prescribed by the Board;
- (d) establishing policies which promote institutional and discipline – related research with particular reference to the University

- and to Belize;
- (e) establishing policies which will promote the institutional and extension services of the University;
  - (f) establishing policies for the continued development of human resources of the University community and other stakeholders;
  - (g) establishing policies on general admission requirements to the University;
  - (h) awarding certificates, diplomas, degrees, honorary degrees, and other academic distinctions;
  - (i) establishing scholarships, bursaries, prizes and other incentives for excellence in student achievement and scholarship;
  - (j) establishing policies to reward and promote excellence in faculty achievement in the areas of teaching, research and service;
  - (k) approving the budget of the University;
  - (l) securing resources to meet the University's developmental needs;
  - (m) establishing policies, under which loans or grants may be advanced to full-time employees;
  - (n) establishing or modifying policies that may be necessary for the better carrying out of the provisions of this Act;

(o) establishing policies that enhance the Student Association.

16.-(1) The Board may from time to time, appoint any committee for any matter whatsoever arising out of or connected with any of its functions under this Act.

Appointment of committees.

(2) Any such committee shall consist of at least one member of the Board and such other persons whose assistance or services the Board may require.

(3) The Board may by resolution, reject the report of any such committee or adopt it with such modifications, additions, or adaptations as it may think fit.

17. All acts and proceedings of the Board shall be valid notwithstanding any vacancy in the membership of the Board or any defect in the appointment of any member thereof.

Validity of acts and proceedings of the Board.

18.-(1) The Board shall meet at least once in each University semester and at such times and places as may be necessary for the performance of its functions under this Act.

Meetings of the Board.

(2) Immediately after the coming into effect of this Act the President shall appoint a day for the first meeting of the Board.

(3) The Board shall at its first meeting and thereafter every year elect one member to be Vice-Chairperson.

(4) The Chairperson shall, if present, preside at all meetings of the Board.

(5) Where the Chairperson is absent from any meeting of the Board, the Vice-Chairperson shall preside at such meeting; and where the Chairperson and Vice-Chairperson are both absent from any meeting, the

members present shall elect any one of their number to preside at such meeting.

(6) Eight members of the Board shall constitute the quorum at any meeting of the Board.

(7) Decisions of the Board shall be by a majority of votes of those present and voting and in any matter where the votes are equal, the Chairperson or the person presiding at that meeting shall have a second or casting vote.

(8) The Chairperson shall cause to be given to the members at least seven days written notice of every meeting stating clearly the purpose of the meeting.

(9) The Chairperson may, at any time, call a special meeting and shall do so within five days of his being requested to do so in writing by not less than five members.

(10) Minutes of the proceedings of each meeting of the Board shall be signed by the Chairperson and shall be kept and stored in such manner as the Board may determine.

(11) Subject to the provisions of this section, the Board may regulate its own procedure.

Protection for  
action taken  
under this Act.

19. No civil or criminal proceedings shall lie-

- (a) against the Board for any act which in good faith is done or purported to be done by the Board under this Act; or
- (b) against the President, any member, officer, servant or agent of the Board, for any act which in good faith is done or purported to be done by the President, such member,

officer, servant or agent under this Act or on the direction of the Board.

- 20. The Minister may, after consultation with the Chairperson of the Board, give to the Board directions of a general character to be followed in the performance of any of its functions, and the Board shall give effect to such directions. Directions by the Minister.
  
- 21. Any degrees, diplomas, certificates and other academic distinctions awarded by the University shall be recognized by all persons, institutions and courts of law in Belize. Recognition of degrees, diplomas, etc.
  
- 22.-(1) The Board may, in such form and by such date as may be prescribed by the Ministry of Education, prepare and submit to the Minister of Finance through the Minister of Education, an annual estimate of the Government's contributions towards the expenditures of the University for each financial year, and the Minister of Finance shall, after consultation with the Minister of Education, present the said estimate to the National Assembly with such amendments, if any, as he may consider necessary. Preparation of budget and grant from Government.
  
- (2) The Minister shall place at the disposal of the Board such funds as are voted for the purpose by the National Assembly.
  
- 23.-(1) The funds of the Board shall consist of:- Funds of the Board.
  - (a) such sums as may be voted annually for the purposes of the University by the National Assembly under section 22;
  - (b) monies received as fees and other charges from students of the University;
  - (c) subventions and donations and bequests granted to the University;

- (d) proceeds from the sale of bonds approved by the Board and guaranteed by the Government;
- (e) all other monies belonging to the University derived from any source whatsoever;
- (f) investments in stocks, mutual funds and other securities approved by the Board.

(2) The Board may receive gifts, grants, donations or bequests of any property whatsoever, and may either retain them for the use of the University or dispose of them in a fit and proper manner. Any monies realized from the disposal or use of any such property shall be credited to the account of the University.

(3) The funds of the University may be applied to meet any legal obligations or commitments of the Board and the University in carrying out the provisions of this Act.

Accounts and  
audit.

24.-(1) The Board shall establish policies to ensure that proper accounts are kept of all University financial transactions, assets, liabilities and a complete record of all other matters relating to finances.

(2) The accounts of the University shall be audited annually by an auditor or auditors appointed by the Board and approved by the Minister.

(3) The auditor shall make a written report upon the annual balance sheet and accounts of the University and in such report state whether he has or has not obtained the information and explanations required by him for the purpose of the audit, and whether in his opinion such accounts are properly drawn up so as to reflect a true and correct view of the affairs of the Board, according to the best of his information and the explanations given to him and as shown by the books of the University.



(4) The auditor shall transmit copies of his report made under subsection (3) to the Board and to the Minister.

(5) Notwithstanding anything contained in this section, the Minister may in his discretion, at any time, require the Auditor-General to examine and report on the accounts of the University, and the Board shall afford the Auditor-General all facilities for the examination of the University's accounts as the Auditor-General may require.

25.-(1) The Board shall cause to be prepared an annual report of University's activities as soon as practicable after the close of each academic year:

Annual Report.

Provided that the first report shall be for the period beginning from the inception of the University or Board and ending on the thirty-first day of July of the year next following.

(2) Without prejudice to the generality of the provisions of subsection (1) above, such report shall be for the period under review and shall include:-

- (a) a description of the activities of the University;
- (b) details of the programme of studies offered by the University and the enrollment of students in such programmes;
- (c) comments on new and existing non-teaching programmes;
- (d) information on any research carried out by the University;
- (e) information on personnel;
- (f) any other relevant information.

(3) A copy of the audited statement of accounts and the auditor's report thereon shall be attached to the report referred to in subsection (1) above.

(4) The annual report shall be submitted to the Board and copied to the Minister no later than the thirty-first day of January of the year next following.

Appointment of the President.

26.-(1) The Governor-General, acting on the advice of the Prime Minister given after consultation with the Leader of the Opposition, shall appoint at such remuneration and subject to such terms and conditions as the Prime Minister acting on the advice of the Leader of the Opposition thinks fit, a suitably qualified, fit and proper person to be the President of the University.

(2) The President's term of office shall be limited to a five year period but may be renewed for one further like term, based on the formal evaluation of the Board.

(3) The President shall be the Chief Executive Officer of the University and shall be responsible to the Board.

(4) The President shall perform such duties as may be required of him by the Board including the management of the University.

Appointment of other staff.

27. The President may appoint and employ, with the approval of the Board, such members of professional, administrative, supporting and ancillary staff as he may deem necessary for the efficient management of the University, on such terms and conditions of service as may be generally established by the Board.

Posts pensionable.  
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28.-(1) The posts of the administrative, professional, faculty, clerical and secretarial staff shall be pensionable under the Pensions Act, notwithstanding-

ing anything to the contrary in that Act or any other enactment. Persons holding ancillary posts of the semi-skilled or unskilled category shall be entitled to retirement benefits under the Government (Open Vote) Workers Regulations.

S. I. 145 of 1992  
111 of 1993  
37 of 1995  
41 of 1997  
69 of 1997.

(2) Where an officer in the public service is seconded or temporarily transferred for duty in the University from a pensionable office within the meaning of the Pensions Act, that Act shall apply to him as if his service in the University were pensionable service in a civil capacity under the Government.

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(3) Where an officer in the public service is transferred to an office in the University and retires or resigns on pension from, or dies while in service of the University, his service in the public service shall rank as qualifying service or pensionable service, as the case may be, for purposes of determining eligibility for pension under the Pensions Act.

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(4) Where any institution or school joins and becomes a part of the University, and the members of staff of that institution or school are transferred for duty in the University, the service provided by such staff to the institution prior to joining and becoming part of the University shall rank as qualifying or pensionable service for the purposes of determining eligibility for pension under the Pensions Act:

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Provided that if the members of staff of the institution or school referred to in subsection (1) above are employed by the institution or school pursuant to a written contract of employment for a specified number of years, and such contract is still subsisting and valid on the date on which the institution joins and becomes part of the University, then such members shall join and become members of the staff of the University under the terms and conditions of the written contract of employment entered into by the institution or school.

(5) When making payment for a pension or gratuity in respect of

officers referred to in subsections (2) and (3) above, the Government shall pay the whole pension or gratuity, but the University shall contribute to the Government for the portion representing the number of years of pensionable service rendered by the officer in the employment of the University.

CAP. 30. (6) Notwithstanding any contrary provisions in the Pensions Act or any enactment amending or replacing that Act, where a person employed in a pensionable office in the University is transferred to a pensionable office in the Public Service, his service, in the University shall rank as qualifying service or pensionable service, as the case may be, for the purpose of determining his eligibility for a gratuity or pension under the Pensions Act.

Provisions relating to retirement of officers. 29. Faculty and other staff members of the University holding pensionable posts shall retire on attaining the compulsory retirement age of fifty five years.

Delegation of powers and functions. 30.-(1) The Board may in writing delegate to the Chairperson or to any other member or to any committee appointed by it, or to the President or to any officer or servant of the Board any of its powers and functions not already delegated, except the power to make rules under this Act.

(2) The Chairperson, other members, the committee, the President, or the officer or servant to whom any of the powers or functions of the Board have been delegated under subsection (1) above, shall exercise or perform the powers or functions so delegated, subject to the directions of the Board.

(3) A delegation under this section may at any time be revoked by the Board and while in force shall not prevent the exercise or discharge by the Board of any of its powers or functions.

31.-(1) Subject to section 3 above, the Board may with the approval of the Minister make rules for the better carrying out of the provisions of this Act. Rules.

(2) Without prejudice to the generality of subsection (1) above, such rules may provide for all or any of the following matters:

- (a) the wages, salaries and other remuneration of its employees;
- (b) the terms and conditions of service of its employees;
- (c) the responsibilities and discipline of students of the University;
- (d) the fees and other charges to be paid by the students of the University;
- (e) the appointment, dismissal and disciplinary control over employees of the University;
- (f) the academic programmes, curricula and new courses to be conducted by the University;
- (g) the manner in which the contravention of any policy made under this section may be dealt with.

32. Any property, assets or service acquired by, or vested in, the Board, or the University, whether real or personal, shall be exempt from any tax, duty or impost whatsoever levied by the Government. Exemption from taxation.

33.-(1) On and from the commencement of this Act, all assets, rights, interests and liabilities of the Council of the University College of Belize, Belize Teachers Training College, the Belize College of Agriculture, the Central Farm Department of Agriculture, the Belize Technical College and the Belize School of Nursing, including lands, buildings, libraries and laboratories, shall stand transferred Vesting of property in the Board.

to, and vest in, the Board.

(2) If, at any time after the commencement of this Act, any educational institution joins and becomes part of the University, all assets, rights, interests and liabilities, including all lands, libraries, buildings and laboratories belonging to such an institution, shall, upon joining and becoming part of the University, stand transferred to, and vest in the Board.

Repeals.  
CAP. 35B,  
R. E. 1980-1990.

34. Upon the commencement of this Act, the University College of Belize Act shall stand repealed.

Commencement.

35. This Act shall come into force on a day to be appointed by the Minister by Order published in the *Gazette*.