



**STATUTES OF
THE COPPERBELT UNIVERSITY**

2024

STATUTE II

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STATUTE II

COUNCIL

1. Governance and Functions

- (1) Subject to the Act, the Council shall be responsible for the governance, control and administration of the University, and shall at all times, act in the best interest of the University.
- (2) Without prejudice to the generality of subparagraph (1), the Council of the University may: -
 - (a) receive, on behalf of the University or constituent college or affiliated institution of the, University, gifts, donations, bequests, grants or other money and make disbursement there from to the University, constituent college or affiliated institution;
 - (b) provide for the welfare of the staff and students of the University;
 - (c) determine the salaries and other conditions of service of the staff of the University;
 - (d) appoint and suspend, dismiss or otherwise discipline persons in the employment of the University in accordance with the provisions of the Act and these Statutes;
 - (e) regulate and determine all matters concerning the University in accordance with the rules adopted in that behalf by the Council;
 - (f) administer funds placed at the disposal of the University for specific purposes;

- (g) determine the form of coat of arms for the University;
- (h) take into account and if the Council considers it proper so to do, give effect to or approve reports or recommendations from the Senate which the Senate is authorized or required by the Act to make;
- (i) implement the decisions of the Senate on those matters upon which Senate has authority under the Act;
- (j) determine the terms and conditions on which examiners shall be appointed by the Senate and the remuneration to be paid to the examiners;
- (k) determine after consultation with the Senate, the academic dress and insignia of the Chancellor, officers and graduates of the University;
- (l) call for, receive and consider reports from the Vice-Chancellor on the operation of the University;
- (m) enter into, vary, carry out or rescind contracts on behalf of the University;
- (n) determine and prescribe tuition and other fees on recommendation by Senate and they shall be subject to review periodically;
- (o) establish administrative or service sections or units of the University as it considers necessary; and

(p) do any other things which are necessary or conducive to the performance of its functions under the Act and the Statutes.

(3) The Council shall adopt a Council Charter which shall set out the principles by which the Council shall operate in accordance with good corporate governance and the law.

2. Composition

(1) The Council shall consist of the following part-time members appointed by the Minister:-

- (a) a member of the academic staff of the University who is a member of the Senate and nominated by the Senate;
- (b) a representative of the Law Association of Zambia of not less than five years good standing at the bar;
- (c) one member who is associated with another higher education institution within Zambia;
- (d) a member who is a graduate of the University and who is not a member of staff of the University;
- (e) one member from the private sector;
- (f) a representative each from the Ministries responsible for higher education and finance;
- (g) an accountant with at least five years' experience; and
- (h) the Vice-Chancellor, as an *ex-officio* member.

- (2) The Council may exercise its powers notwithstanding any vacancy in its membership.
- (3) Members of the Council shall elect the Chairperson and Vice-Chairperson of the Council from among themselves, except that the Chairperson shall not be elected from among the members who are officers in another higher education institution or is a public officer.
- (4) The Chairperson and the Vice-Chairperson of the Council shall hold office for a term of three years and shall be eligible for re-election for a further term of three years.
- (5) The Registrar of the University shall be the secretary of the Council.

3. Tenure of Office

- (1) Subject to the Act, a member of the Council shall hold office for a term of three years but shall be eligible for re-appointment for a further like term.
- (2) Notwithstanding subparagraph (1), the office of a member of the Council becomes vacant: -
 - (a) upon the member's death;
 - (b) upon the member ceasing to be a representative of the office or body by virtue of which the person became a member;
 - (c) if the member is absent without reasonable excuse, from three consecutive meetings of the Council of which the member had notice;

- (d) if the member has a mental disability which makes the member incapable of performing the functions of a member;
 - (e) if the member is insolvent or is adjudged bankrupt;
 - (f) if the member is removed by the Minister;
 - (g) if the member is convicted of an offence and sentenced to imprisonment for a period exceeding six months without the option of a fine; or
 - (h) at the expiry of the period for which the member was appointed or re-appointed.
- (3) A member of the Council may, at any time, resign from office by giving one month's notice, in writing, to the Minister.
- (4) Where the office of a member of the Council becomes vacant before the expiry of the term of office, the Minister may appoint another person as a member and that person shall hold office only for the unexpired period.
- (5) Where the Chairperson or Vice-Chairperson resigns from office under subparagraph 3, the members of the Council shall elect a Chairperson or Vice-Chairperson under subparagraph (3) of paragraph 3.

4. Quorum and Procedure

- (1) The quorum at any meeting of the Council shall be five members.
- (2) Subject to the Act, the Council may regulate its own procedure.

- (3) The Council shall meet for the transaction of its business at least once in every three months at such places and times as the Chairperson may determine.
- (4) Upon giving notice of not less than twenty-one days, a meeting of the Council may be called by the Chairperson and shall be called if not less than one third of the members so request in writing, except that if the urgency of any particular matter does not permit the giving of such notice, a special meeting may be called upon giving a shorter notice and the meeting may be held virtually.
- (5) There shall preside at a meeting of the Council: -
 - (a) the Chairperson;
 - (b) in the absence of the Chairperson, the Vice-Chairperson; or
 - (c) in the absence of the Chairperson and the Vice-Chairperson, such member as the members' present may, subject to subparagraph (3) of paragraph 3, elect from amongst themselves for the purpose of the meeting.
- (6) A decision of the Council on any question shall be by a simple majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to the deliberative vote.
- (7) Except for the Council members representing ministries, a member shall not nominate another person to attend a Council meeting in that member's stead.

- (8) The Council may invite any person whose presence is in its opinion desirable to attend and to participate in the deliberations of a meeting of the Council but such person shall have no vote.
- (9) The validity of any proceedings, act or decision of the Council shall not be affected by any vacancy in the membership of the Council or by any defect in the appointment of any member or by reason that any person not entitled to do so, took part in the proceedings.
- (10) The Council shall cause minutes to be kept of the proceedings of every meeting of the Council and of every meeting of any committee established by the Council.

5. Committees of the Council

- (1) The Council may, for the purpose of performing its functions under the Act and the Statutes, constitute a Committee and may delegate to the committee such of its functions as it thinks fit.
- (2) Without prejudice to the generality of subparagraph (1) the Council shall constitute committees under the heads of Finance and Resource Planning, Investments and Infrastructure Development, Audit and Risk, Human Resources and Administration and *ad hoc* committees.
- (3) The Council may appoint as members of a committee constituted under subparagraph (1), persons who are or are not members of the Council and such persons shall hold office for such period as the Council may determine, except that at least half of the members of a committee shall be members of the Council.
- (4) A committee shall be chaired by a member of the Council.

- (5) The quorum at any meeting of a committee shall be one-half of the members.

6. Disclosure of interest

- (1) If a person is present at a meeting of the Council or any Committee of the Council at which any matter in which that person or that person's relative is directly or indirectly interested in a private capacity, is the subject of consideration, that person shall, as soon as practicable after the commencement of the meeting, disclose such interest, and shall not take part in any consideration or discussion of or vote on any question relating to the matter.
- (2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which disclosure is made.
- (3) A person shall not, without the consent in writing given by, or on behalf of the Council, publish or disclose to any unauthorized person, otherwise than in the course of duties of that person, the contents of any document, communication or information whatsoever, which relates to, and which has come to that person's knowledge in the course of that person's duties under the Act and the Statutes.

7. Immunity of member of Council or Committee of Council

An administrative or other action shall not be taken against a member of the Council or a committee of the Council for, or in respect of, any act or thing done or omitted to be done in good faith in the exercise or purported exercise or performance of any of the powers, functions or duties conferred under the Statutes.

8. Amendment of this Statute

This Statute shall be subject to amendment as deemed necessary by the Council pursuant to Section 29 of the Act.