

BILLS SUPPLEMENT

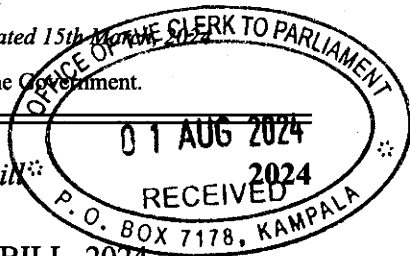
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Bill No. 14

National Teacher's Bill

THE NATIONAL TEACHERS BILL, 2024



MEMORANDUM

1. Policy and principles of the Bill

The policy behind the Bill is to give effect to the National Teachers' Policy which was adopted by the Cabinet on 1st April 2019. The Bill embeds the new policy direction and arrangements in legislation, by professionalising and standardising the teaching profession in order to improve the development and management of teachers generally. The Bill also ensures that the policy changes in the teaching profession are brought about by orderly processes and that the system of education is made to conform to the new requirements placed upon it by Government policy.

2. Defects and gaps in the existing law

The Education (Pre-Primary, Primary and Post-Primary) Act, 2008 under Part V - Registration and licensing of teachers provides for: Persons who may teach; Registers of teachers; Persons entitled to register; Refusal to register a person as a teacher; Removal of a teacher's name from the register; Restoration of a teacher's name to a register; Issue of statement of eligibility; Refusal to renew a licence; Roll of licensed teachers; Cancellation of licence; Restoration of licence; Notice of cancellation to be served on the teacher; and Offences relating to teaching after cancellation of registration or licence.

Over the years, however, there have been problems of teacher absenteeism; ineffective teaching; low qualifications and lack of standards for teachers; weak institutional leadership; unethical

behaviour; lack of teacher regulation; and limited professional development for teachers. Government has established that there is no framework for professionalising and standardising the teaching profession, through effective internship, registration, licensing, accreditation of teachers and implementation of the Motivation framework and the reviewed Scheme of Service.

Currently, there is absence of an effective legal framework to regulate teachers, including; internship management, teacher registration, teacher licensing, teachers' professional conduct, Continuous Professional Development and teachers' discipline generally.

The Education (Pre-Primary, Primary and Post-Primary) Act, 2008 under Part V - provides for the Registration and Licensing of Teachers. The Act mandates the Director for Education to develop and manage a register of teachers. However, unlike under the Education Act, 1970 where there was a single Director responsible for education over time the number of Directors in the Ministry of Education and Sports increased and it was not clear which director the law meant. The situation has changed, following Cabinet's phasing out of the position of Director in all Ministries. This has an effect on the legal provision for registration and licensing of teachers.

3. Remedies proposed in the Bill

The objective of the Bill is to establish a professional body responsible for regulating the teaching profession by consolidating the registration and licensing processes, providing for discipline and professional conduct and continuous professional development of teaching profession. An independent legislation on the teaching profession is intended—

- (a) to promote, maintain and protect the ethical standards of the teaching profession;
- (b) to regulate the teaching profession;
- (c) to provide for an institutional framework for the implementation of policies, decisions and directives issued by the minister regarding teachers;

- (d) to promote the continuous professional development of teachers;
- (e) to establish the National Teachers Council, its composition, functions and management; and
- (f) to provide for the powers and functions of the Minister in relation to teachers and the teaching profession.

The Bill also provides for the requirement of an internship to be undertaken by a person who intends to become a teacher. The requirement is intended strengthen professionalism among teachers and to weed out outliers in the profession.

4. Provisions of the Bill

The Bill has eight parts and sixty five clauses.

Part I—Preliminary

Part I deals with the preliminary matters including, application of the Bill, objectives of the Bill, and the interpretation of words used in the Bill.

Part II—National Teachers Council

Part II provides for the establishment of the National Teachers Council as the body to regulate the teaching profession, its composition, eligibility for appointment on the Council, tenure of office of members of the Council, functions and powers of the Council its collaboration with National Council for Higher Education and other matters related to the Council. This part further provides for matters of the Secretariat of the Council, the Registrar of the Council and other staff of the Council.

PART III—Finances of the Council

Part III provides for funds of the National Teachers Council, Bank accounts of the council, Budget estimates, Accounts and Audit and the requirement to comply with the public Finance Management Act, 2015.

PART IV—Registration of Teachers

This part provides for matters relating to registration of a teacher including eligibility for registration, internship programme for teachers, issuance of certificate of registration, cancellation of certificate of registration and the effect of cancellation.

Part V—Licensing of Teachers

This part provides for licensing of teachers, the requirement to have a practicing licence and the procedures of acquiring a practicing licence to teach in Uganda. The part further provides for areas where the requirement to have a practicing licence may not apply and exemptions that may be made by the Minister under Part IV and V.

Part VI—Teacher Qualifications and Conduct

This part provides for teacher qualifications and their conduct particularly, teacher training, minimum qualifications for admission to teacher training, and Continuous Professional Development programme.

Part VII—Disciplinary Committee

Part VII provides for the conduct of teachers, establishes the Disciplinary Committee of the Council, ways of lodging a complaint against teachers and general handling of complaint.

Part VIII—Miscellaneous

This part provides for general matters including, register of teachers, restoration of name on register correction of errors, publication of registered and licensed teachers, appeal against decision of Council, offences relating to deregistration or revocation of licence; power of the Minister to make regulations, amendment of Schedules, repeals, savings and transitional provisions.

The Bill has three schedules on Currency points, Meeting of Council and Teacher Internship Programme, respectively.

JANET K. MUSEVENI,

First Lady and Minister of Education and Sports.

THE NATIONAL TEACHERS BILL, 2024

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SCHEDULE 2 — MEETINGS OF COUNCIL

SCHEDULE 3 — TEACHERS INTERNSHIP PROGRAMME

A Bill for an Act

ENTITLED

THE NATIONAL TEACHERS ACT, 2024

An Act to provide for the establishment of the National Teachers Council, to provide for the composition, functions and management of the Council; to provide for the management of internship programme for teachers; to provide for the regulation of the teaching profession; to provide for the registration and licensing of teachers; to provide for disciplinary procedures for teachers; and for matters incidental to the conduct of the teaching profession.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Commencement

This Act shall come into force on the date of its publication in the Gazette.

2. Application

(1) This Act applies to a person who teaches or intends to teach in Uganda at the level of—

- (a) pre-primary education;
- (b) primary education; and
- (c) secondary education.

(2) This Act applies to a teacher in the education service, the service of a local government and the service of a private education institution.

(3) This Act applies to a person who teaches or intends to teach in an international education institution which provides education in Uganda at a level equivalent to a level referred to in subsection (1).

3. Objectives of Act

The objectives of this Act are—

- (a) to promote, maintain and protect the ethical standards of the teaching profession;
- (b) to regulate the teaching profession;
- (c) to provide for an institutional framework for the implementation of policies, decisions and directives issued by the Minister regarding teachers;
- (d) to promote the continuous professional development of teachers;
- (e) to provide for the career development of teachers within the teaching profession;
- (f) to establish the National Teachers Council; and
- (g) to provide for the powers and functions of the Minister in relation to teachers and the teaching profession.

4. Interpretation

In this Act, unless the context otherwise requires—

“active teaching” means the continuous involvement by a teacher in the teaching of learners in a public or private education institution, whether physically or virtually but does not include teaching during school practice or internship programme;

“continuous professional development” means approved continuous training required of a teacher licensed under this Act, as the Minister may determine;

“Council” means the National Teachers Council established by section 6;

“currency point” has the value assigned to it in Schedule 1 to this Act;

“education institution” means a pre-primary, primary or secondary school;

“education service” has the meaning assigned to it in the Education Service Act, 2002;

“intern teacher” means a person undertaking an internship programme prescribed under section 29;

“Minister” means the Minister responsible for teachers;

“Ministry” means ministry responsible for teachers;

“practising licence” means a licence issued under this Act;

“private education institution” means a school not founded by Government and which does not receive statutory grants from Government;

“public education institution” means a school which is founded by Government or which receives statutory grants from Government;

“Service of a local government” means employment of a teacher in the District Service Commission;

“service of a private education institution” means teaching other than in the education service or the service of a local government;

“statutory grants” means salary, capital development grants, capitation grants and instructional material grants given to Government-aided schools at a rate determined by Government from time to time;

“teacher” means a person registered or licensed under this Act and includes a head teacher;

“training institution” means a tertiary institution, Other Degree Awarding Institution or University as defined in the Universities and Other Tertiary Institutions Act, 2001.

PART II— NATIONAL TEACHERS COUNCIL

5. Establishment of National Teachers Council

(1) There is established a body to be known as the National Teachers Council.

(2) The Council shall be a body corporate with perpetual succession and a common seal and may—

- (a) acquire, hold and dispose of moveable and immovable property;
- (b) sue and be sued in its corporate name; and
- (c) do all other things as a body corporate may lawfully do.

6. Composition of Council

(1) The Council shall consist of the following members—

- (a) two persons, one of whom shall be female, with experience in teaching, leadership and management of education institutions, but not engaged in active teaching;
- (b) one teacher with disability, representing teachers with disability; and
- (c) four members of the public, two of whom shall be teachers, and one advocate with at least ten years' experience in legal practice.

(2) The Minister shall appoint the members of the Council.

(3) The Minister shall appoint the chairperson from among the members of the Council.

(4) The members of the Council shall elect one person from among themselves to serve as the vice-chairperson of the Council.

(5) The members of the Council shall hold office on such terms and conditions as shall be specified in the instruments of appointment.

(6) The registrar of the Council shall be an ex-officio member of the Council but shall not vote on any matter before the Council.

7. Eligibility for appointment to Council

A person is eligible for appointment as a member of the Council if he or she—

- (a) is a citizen of Uganda;
- (b) is of good standing and character; and

(c) has not been convicted of an offence of moral turpitude by a court of competent jurisdiction.

8. Tenure of office

(1) A member of the Council shall hold office for a term of four years and is eligible for re-appointment for one more term.

(2) A member of the Council may resign his or her office by giving the Minister notice in writing, at least two months before the date of resignation.

(3) Where a member of the Council ceases to hold office before the expiry of the term under which he or she was appointed to the Council, the Minister may appoint another person to replace the member and the person so appointed shall hold office for the remaining period of the term of office of the member.

(4) The term of service of the person appointed to fill a vacancy under subsection (3) shall commence on the date of his or her appointment.

(5) The Minister may, at any time, remove a member of the Council from office, if the member—

- (a) is adjudged bankrupt under the Insolvency Act, 2016 and has not been discharged of the bankruptcy;
- (b) is convicted of an offence involving fraud or dishonesty by court;
- (c) has been absent, without the prior permission of the chairperson or without reasonable cause, for more than three consecutive meetings of the Council;
- (d) is incapable of performing his or her functions as a member of the Council as a result of any mental or physical infirmity;

- (e) neglects to perform his or her duties as a member;
- (f) conducts himself or herself in a manner unbecoming of a member of the Council; or
- (g) in the case of a teacher, has had his or her certificate of registration or licence cancelled or revoked under this Act.

(6) The Minister shall, prior to exercising his or her power to remove a member under subsection (5), notify the member and the chairperson in writing and give the member an opportunity to be heard.

9. Functions of Council

The functions of the Council are—

- (a) to register and license teachers;
- (b) to keep and maintain a register of teachers;
- (c) to regulate the professional conduct of teachers registered or licensed under this Act;
- (d) to enforce and monitor standards in the teaching profession;
- (e) to exercise professional discipline over teachers registered or licensed under this Act;
- (f) to advise the Government on policy and other matters related to the teaching profession;
- (g) to develop or cause to be developed continuous professional development programmes for teachers;
- (h) to accredit providers to offer continuous professional development for teachers;
- (i) to conduct training of trainers of continuous professional development programmes; and

- (j) to perform any other function as the Minister may assign.

10. Collaboration with National Council for Higher Education

(1) The National Council for Higher Education shall, in the performance of its functions, collaborate with the Council to accredit programmes for training institutions leading to a degree in education.

(2) The Council shall, on the request of the National Council for Higher Education, take part in the setting of admission standards for teachers.

(3) The Council shall, in collaboration with the National Council for Higher Education, inspect training institutions which provide education programmes for purposes of this Act

11. Powers of Council

The Council shall, in the performance of its functions, have the power—

- (a) to call for any information, documents, records or reports in respect of a teacher or training institution, from any person, body or authority as the Council deems necessary;
- (b) to retain or make a copy of any document or record obtained under paragraph (a);
- (c) through the disciplinary committee of the Council, to investigate or inquire into the conduct of any person registered or licensed under this Act;
- (d) to call for the production of books of accounts, plans or other documents of the Council; and
- (e) to enter and inspect any training institution to ensure compliance with this Act.

12. Seal of Council

(1) The Council shall have a seal which shall be kept in the custody of the registrar of the Council.

(2) The seal of the Council shall be affixed on such documents as the Council may determine.

(3) The seal of the Council shall, upon being affixed on a document of the Council, be authenticated by the signatures of the chairperson and the registrar, and, in the absence of the chairperson, the signatures of any two members of the Council and the registrar of the Council.

(4) Every document purporting to be an instrument issued by the Council and authenticated in the manner prescribed in subsection (3) shall be admissible in evidence without further proof, unless the contrary is shown.

13. Policy guidance by Minister

(1) The Minister may, in writing, give policy guidance to the Council regarding the performance of its functions.

(2) The Council shall comply with the policy guidance given by the Minister under subsection (1).

14. Procedure at meetings of Council

(1) The Council shall conduct its meetings in accordance with the procedure set out in Schedule 2 to this Act.

(2) Subject to subsection (1), the Council may regulate the procedure for the conduct of its business.

15. Remuneration of members of Council

The members of the Council shall be paid such remuneration as the Minister, in consultation with the Minister responsible for finance, may determine.

16. Committees of Council

(1) The Council may appoint committees for the effective discharge of its objectives and functions.

(2) The Council may assign to a committee appointed under subsection (1) such functions and impose such conditions as the Council may determine.

(3) A committee appointed under this section shall have a maximum of five members.

17. Secretariat of Council

The Council shall have a secretariat which shall be responsible for the day-to-day management of the Council and the implementation of the decisions of the Council.

18. Registrar of Council

(1) The secretariat of the Council shall be headed by a registrar.

(2) The registrar shall be appointed by the Minister on the recommendation of the Council, on terms and conditions as shall be specified in the instrument of appointment.

(3) The registrar shall be deputised by a deputy registrar.

(4) The registrar shall be the secretary to the Council and shall be responsible for the day-to-day management of the secretariat of the Council.

(5) The registrar shall, in the performance of his or her functions, be subject to the general control and supervision of the Council.

(6) The Council may, from time to time, in writing, require the registrar to submit a report on the affairs of the Council.

19. Tenure of office of Registrar

(1) The registrar shall hold office for a term of five years and is eligible for reappointment for one more term.

(2) The registrar may vacate office at any time by giving written notice of three months to the Minister and the Council.

(3) The Minister may, on the recommendation of the Council, remove the registrar from office on any of the following grounds—

- (a) gross misconduct or misbehavior in relation to his or her office;
- (b) dishonesty;
- (c) incompetence;
- (d) inability to perform his or her functions arising from infirmity of body or mind; or
- (e) upon being convicted of fraud or an offence involving moral turpitude.

20. Other staff of Council

(1) The secretariat of the Council shall have such staff as may be necessary for the proper and efficient discharge of the functions of the Council.

(2) The Council shall determine the manner of appointing the staff and shall determine the terms and conditions of service and discipline of the staff of the Council.

(3) A public officer may be seconded to the service of the secretariat of the Council in accordance with the Uganda Public Service Standing Orders, 2021.

PART III—FINANCES OF COUNCIL

21. Funds of Council

The funds of the Council shall consist of—

- (a) money appropriated by Parliament;

- (b) grants or donations; and
- (c) revenue received by the Council for services rendered in the course of the discharge of its functions under this Act.

22. Bank accounts

(1) The Council shall, with the approval of the Accountant General, open and maintain bank accounts necessary for the performance of the functions of the Council.

(2) The registrar shall ensure that all monies received by or on behalf of the Council are banked as soon as practicable in a bank account of the Council.

(3) The registrar shall approve the monies to be paid out of any of the bank accounts of the Council.

(4) The registrar shall notify the Council on the status of the bank accounts and advise on the operation or closure of any account.

23. Budget estimates

(1) The registrar shall, not later than four months before the end of each financial year, prepare and submit to the Council for its approval, estimates of income and expenditure of the Council for the next financial year.

(2) The Council shall for each financial year, prepare and submit to the Minister for approval, a budget containing the estimates of the income and expenditure of the Council for the following financial year.

24. Accounts

(1) The Council shall keep proper books of accounts and records of its transactions and affairs.

(2) The registrar shall submit to the Council, annual books of accounts and the financial report of the Council for approval.

25. Audit

The Council shall cause to be prepared, statements of accounts of the Council for each financial year and submit the statements to the Auditor General within two months after the end of the financial year.

26. Annual report

(1) The Council shall prepare an annual report in respect of each financial year completed containing—

- (a) the financial statements of the Council;
- (b) a report on the operations of the Council; and
- (c) any other information regarding the financial statements of the Council as the Minister may request.

(2) The Council shall, within forty-five days after the end of each financial year, submit to the Minister the annual report referred to under subsection (1).

(3) The Minister shall, within two months after receipt of the annual report, submit the report to Parliament with any statement which he or she considers necessary.

PART IV—REGISTRATION OF TEACHERS**27. Registration of teachers**

(1) A person who wishes to be a teacher in Uganda shall be registered in accordance with this Act.

(2) A person shall not be registered as a teacher under this Act unless he or she is eligible to be registered as a teacher under section 28.

(3) Notwithstanding section 28, the Council may require a person applying to be registered as a teacher to undertake a competence test to determine his or her suitability for registration.

(4) The competence test referred to in subsection (3) may be conducted by the Council or by any institution authorised by the Council to conduct the competence test on behalf of the Council.

(5) An application under this section shall be in the form prescribed by regulations made under this Act.

28. Eligibility for registration

(1) A person is eligible to be registered as a teacher, if he or she—

(a) possesses a degree in education; and

(b) has undertaken an internship programme in accordance with the teacher internship programme prescribed in Schedule 3 to this Act and regulations made under this Act.

(2) The degree in education referred to in subsection (1) (a) shall be from a training institution recognised by the National Council for Higher Education.

(3) Where the degree in education referred to under subsection (2) is not obtained from a training institution in Uganda, the person shall have his or her degree equated by the National Council for Higher Education before applying for registration.

29. Internship programme

(1) A person shall, for purposes of section 28 (1) (b) undertake an internship programme as prescribed in Schedule 3 to this Act and regulations made under this Act.

(2) The internship programme referred to in subsection (1) shall be conducted under the supervision of the head teacher of the education institution and the Ministry.

30. Issuance of certificate of registration

(1) Where the Council is satisfied that a person is eligible to be registered, the Council shall register the teacher and issue a certificate of registration.

(2) The Council may issue a certificate of registration subject to such conditions as the Council may deem fit.

(3) The certificate of registration shall be in a form prescribed by regulations made under this Act.

31. Cancellation of certificate of registration

(1) The Council may cancel a certificate of registration where—

- (a) the holder of the certificate of registration made a false or misleading statement leading to his or her registration that would have disqualified the person from being registered, if the Council discovers the fact after registration;
- (b) the holder of the certificate of registration violates any of the terms and conditions of the certificate of registration;
- (c) in the opinion of the Council, it is in the public interest to cancel the certificate; or
- (d) the holder of the certificate of registration contravenes any of the provisions of this Act or regulations made under this Act.

(2) Where the Council cancels a certificate of registration, the holder of the certificate of registration shall surrender the certificate to the Council within one month from the date of cancellation.

(3) A person who fails to surrender a certificate of registration under subsection (2) to the Council under subsection (2) commits an offence and is liable, on conviction, to a fine not exceeding two hundred and fifty currency points or a term of imprisonment not exceeding five years or both.

32. Effect of cancellation of certificate of registration

A person whose certificate of registration is cancelled under section 31 (1) shall—

- (a) be removed from the register of teachers; and
- (b) not practice as a teacher in Uganda.

PART V —LICENSING OF TEACHERS

33. Practising licence

(1) A person who wishes to teach in Uganda shall have a practising licence issued by the Council.

(2) For the avoidance of doubt, a person shall not teach in any education institution in Uganda without a valid practising licence issued by the Council.

(3) A person who contravenes this section commits an offence and is liable, on conviction, to a fine of not exceeding one hundred currency points or imprisonment for a period not exceeding four years or both.

34. Application for practicing licence

(1) A person shall, upon payment of the prescribed fee, apply to the Council for a practising licence.

(2) An application for a practising licence under subsection (1) shall be accompanied by—

- (a) a copy of the certificate of registration;

- (b) proof of payment of the prescribed fees; and
- (c) any other requirement as may be prescribed by regulations.

35. Application by persons not Ugandans

(1) Where the person making an application under section 34 is not registered under this Act, he or she shall show proof that—

- (a) he or she is registered or recognised as a teacher in the country where he or she has been practising by an authority equivalent to the Council; and
- (b) has been teaching for the past three years.

(2) An applicant under subsection (1) shall, in addition to the requirements under subsection 34 (2), submit—

- (a) a work permit granted under the Uganda Citizenship and Immigration Control Act;
- (b) a certificate of good conduct issued by Interpol; and
- (c) his or her academic qualifications, equated by the National Council for Higher Education.

36. Issuance of practising licence

(1) The Council shall, upon receipt of an application under section 34, consider the application and where the Council is satisfied that the person meets the requirements of section 34 or 35, issue a practising licence to the applicant.

(2) The Council may issue a practising licence subject to such conditions as the Council may consider necessary and may, from time to time, add, vary or substitute the conditions as it deems appropriate.

(3) A practising licence issued under this Act shall be valid for a period of four years from the date of issue.

(4) A practising licence issued under this Act shall be in the form prescribed by regulations.

(5) A practising licence issued under this Act is not transferable.

37. Refusal to issue practising licence

(1) The Council may refuse to grant a practising licence where the applicant does not meet the requirements under section 34 or 35 or any other requirements prescribed by regulations.

(2) Where the Council refuses to grant a practising licence under subsection (1), the Council shall give reasons for the refusal in writing to the applicant.

38. Renewal of practising licence

(1) A teacher licensed under this Act shall, within two months before the expiry of the practising licence, apply to the Council for renewal of the practising licence.

(2) An application for renewal of a practising licence shall be in accordance with regulations made under this Act.

(3) The Council shall, where it is satisfied that the teacher has complied with the requirements for renewal of a licence, renew the practising licence.

(4) A practising licence renewed under subsection (3) shall not be issued subject to any condition which is less advantageous than that already attached to it unless the person seeking the renewal has been given an opportunity to be heard by the Council.

39. Suspension or revocation of practising licence

(1) The Council may suspend a practising licence issued under this Act for a period determined by the Council where—

- (a) the teacher violates the terms and conditions of the licence;
or

(b) the Council finds that the conduct of the teacher is not sufficiently grave to warrant revocation of the licence under subsection (4).

(2) The Council may, upon suspending a practising licence, set conditions to be met by the teacher whose practising licence has been suspended, before the suspension is lifted.

(3) Where the teacher fails to meet the conditions set by the Council under subsection (2) within the period specified in the letter of suspension, the Council shall revoke the licence.

(4) The Council may revoke a practising licence issued under this Act, where the holder of the licence—

- (a) breaches the professional code of conduct for teachers so as to warrant a revocation of the licence; or
- (b) is convicted of a capital offence.

(5) Where the Council revokes a practising licence, the Council shall, within twenty-one working days from the date of revocation of the licence, give the teacher reasons for the revocation of the practising licence in writing.

40. Temporary practising licence

(1) A person who is not a citizen of Uganda and who intends to teach in Uganda for a period not exceeding six months shall apply to the Council for a temporary practising licence to teach in Uganda.

(2) A person making an application under subsection (1) shall—

- (a) possess academic qualifications recognised by the National Council for Higher Education and the Council;
- (b) be recognised as a teacher in accordance with the laws or standards of the country where he or she has been practising as a teacher for the past three years; and

(c) possess a certificate of good conduct issued by Interpol.

(3) The Council may require a person applying for a temporary practising licence to appear in person, before the Council for an oral or written examination to determine his or her competence.

41. Disapplication of Part V from specified categories of persons

(1) This Part shall not apply to—

(a) an intern teacher;

(b) a student undertaking school practice;

(c) a teacher attached to an education institution as a visiting teacher for a period not exceeding three months for purposes of building the capacity of other teachers licensed under this Act; and

(d) a person who provides skills or facilitates in a particular subject for less than two weeks.

(2) The Minister may, by regulations, prescribe the conduct of persons referred to in subsection (1) (d).

42. Exemption of persons from Part IV and Part V by Minister

The Minister may, by statutory order—

(a) exempt any person or category of persons from the requirements of Part IV and Part V of this Act; and

(b) prescribe the procedure and manner in which a person or category of persons exempted under paragraph (a) shall engage in teaching in education institutions.

PART VI—TEACHER QUALIFICATIONS AND CONDUCT

43. Teacher training

(1) A person who wishes to teach a degree in education in a training institution shall possess the relevant qualifications.

(2) A training institution shall not employ a person to teach a degree in education unless the person possesses the relevant qualifications.

(3) The relevant qualifications referred to in subsection (1) shall be determined by the National Council for Higher Education in consultation with the Council.

(4) A person who contravenes this section commits an offence and is liable, on conviction-

- (a) to a fine not exceeding seven hundred currency points, in the case of a training institution; or
- (b) to a fine not exceeding two hundred and fifty currency points or imprisonment for a term not exceeding two years, in the case of a natural person.

44. Minimum qualifications for admission to teacher training

(1) A training institution shall not admit a person to study a programme in education unless the person possesses the minimum admission requirements.

(2) The minimum admission requirements referred to in subsection (1) shall be determined jointly by the National Council for Higher Education and the Council.

(3) A training institution which contravenes this section commits an offence and is liable, on conviction to a fine not exceeding seven hundred currency points.

45. Continuous professional development

(1) Every teacher who engages in teaching shall undertake continuous professional development.

(2) A teacher shall undergo continuous professional development as the Minister may, on recommendation of the Council prescribe by regulations.

(3) The Council shall not renew the practising licence of a teacher who fails to meet the requirements of continuous professional development as prescribed by the Minister.

(4) The Council may suspend the practising licence of a teacher who engages in teaching and fails to undertake continuous professional development as prescribed by this Act and regulations.

(5) The Council may recognise continuous professional development undertaken by teachers outside Uganda.

PART VII—PROFESSIONAL DISCIPLINE

46. Conduct of teachers

(1) A teacher registered or licensed under this Act shall, at all times, conduct himself or herself in a manner that does not bring the teaching profession into disrepute.

(2) For the purposes of subsection (1), conduct of a teacher that does not bring disrepute to the teaching profession includes—

- (a) handling the affairs of the profession with the highest degree of honesty, skill and integrity;
- (b) observing the professional code of conduct for teachers prescribed by regulations made under this Act;
- (c) informing the Council of any person or education institution engaged in a practice that contravenes this Act and regulations made under this Act; and
- (d) taking the necessary precautions during his or her duties to prevent tarnishing the teaching profession.

(3) A teacher who refuses or neglects to adhere to the conduct referred to in subsection (2) is deemed to have committed professional misconduct and is liable to disciplinary action by the Council.

(4) The Minister shall, on the recommendation of the Council, by regulations, prescribe the professional code of conduct for teachers.

47. Disciplinary committee of Council

(1) Section 16, the Council shall constitute a disciplinary committee to handle cases of professional discipline of teachers registered or licensed under this Act.

(2) The disciplinary committee shall consist of five members who shall be selected from among the members of the Council, one of whom shall be the advocate.

(3) The disciplinary committee shall elect a chairperson from among its members.

(4) At any meeting of the disciplinary Committee, quorum shall be formed by three members, including the Chairperson and the advocate.

48. Complaints against teachers

(1) A person may lodge with the Council a complaint against a teacher registered or licensed under this Act whose conduct amounts to professional misconduct.

(2) For the purposes of this section, the conduct of a teacher amounts to professional misconduct if he or she engages or acts in a manner contrary to section 46 and the professional code of conduct for teachers prescribed by regulations made under this Act.

49. Inquiry into complaints

The Minister shall, by regulations, provide for the procedure and mechanism of holding inquiries and the general handling of complaints by the disciplinary committee of the Council.

50. Powers of disciplinary committee

The disciplinary committee shall have power to—

- (a) summon witnesses to attend disciplinary hearing;
- (b) require the discovery and production of any documents;
- (c) receive evidence; and
- (d) requisition any public record or copies thereof from any office.

51. Power to co-opt and expert advice

The disciplinary committee may co-opt an expert to give an expert opinion in any field which is the subject of inquiry.

52. Decisions of disciplinary committee and the right to appeal

(1) The disciplinary committee shall handle a complaint and make a decision in writing.

(2) The registrar shall, in writing, inform the teacher and the employer of the teacher under disciplinary proceedings of the decision of the committee.

(3) A person aggrieved by the decision of the committee may appeal to the High Court.

53. Sanctions of disciplinary committee

(1) Where a teacher is found guilty of professional misconduct under this Act, the Council may invoke any of the following sanctions—

- (a) refusal to issue or renew a licence;
- (b) revoke or suspend a licence;
- (c) cancel a certificate of registration;
- (d) cause the removal of the teacher from the register; or

- (e) impose a fine on the teacher, not exceeding two hundred and fifty currency points.

(2) The Council may, where it deems it necessary, direct a teacher to undergo continuous professional development until the teacher attains a level of professionalism satisfactory to the Council.

(3) Disciplinary proceedings under this Act shall not bar any person from proceeding with any criminal, civil or administrative proceedings against a teacher against whom a complaint is lodged.

PART VIII—GENERAL

54. Register of teachers

(1) The Council shall maintain a register of teachers in a form prescribed by regulations.

- (2) The Council shall remove a teacher from the register—
 - (a) where the teacher has made a request, in writing, that his or her name be removed from the register;
 - (b) where the teacher is found guilty of professional misconduct and the Council deems it necessary to remove his or her name from the register;
 - (c) where the teacher is convicted of a capital offence; or
 - (d) where the teacher dies and the Council has obtained proof of death.

55. Restoration of name on register of teachers

(1) A teacher whose name has been removed from the register under section 54 (2) (a) may, where he or she has justifiable reasons, apply to the Council to restore his or her name on the register.

(2) The Council may consider the application to restore the name of the teacher on the register where the Council finds the reasons under subsection (1) sufficient to allow the restoration of a name.

56. Correction of errors on register of teachers

(1) The registrar may, with the approval of the Council, from time to time, make alterations or correct errors on the register.

(2) A person, who wishes to make a change or correction in any of the particulars entered in the register, shall notify the registrar of the change in writing.

(3) A notification under subsection (2) shall be in a form prescribed by regulations and shall be accompanied by certified copies of documents attesting to the intended change.

57. Publication of registered and licensed teachers

(1) The registrar shall, not later than the 31st day of March of every year, cause to be published in the *Gazette* and in a newspaper of wide circulation in Uganda, all teachers registered or issued with a practising licence under this Act.

(2) The publication referred to in subsection (1) shall be prima facie evidence that a person whose name appears in the register is duly registered and licensed under this Act.

58. Appeal against decisions of Council

A person aggrieved by a decision of the Council under this Act may appeal to the High Court.

59. Offence of engaging in teaching after deregistration or revocation of practising licence

(1) A person commits an offence who—

(a) contravenes, in any way, the conditions of his or her certificate of registration or practising licence;

(b) engages in teaching after he or she has been notified of his or her deregistration, or of the cancellation or revocation of his or her certificate of registration or practising licence;

- (c) permits any person to teach or continues to employ any teacher in a education Institution after being notified of the deregistration or revocation of the practising licence of the teacher he or she employs; or
- (d) knowingly employs any person as a teacher in contravention of this Act.

(2) A person who commits an offence under subsection (1) is liable, on conviction, to a fine not exceeding five hundred currency points or to imprisonment for a term not exceeding five years or both.

(3) Where an offence under this section is committed by a body corporate, the body corporate is liable, on conviction, to a fine not exceeding five hundred currency points.

60. General offences

(1) A person commits an offence who—

- (a) purporting to be a teacher, falsely uses any name or title;
- (b) not being registered, licensed or otherwise authorised under this Act, holds himself or herself out as a teacher, whether openly or covertly;
- (c) willfully procures or attempts to procure himself or herself to be registered under this Act by false or fraudulent representation, either verbally or in writing; or
- (d) aids or abets another person to hold himself or herself out or to procure registration or licensing under this Act using fraudulent means.

(2) A person who commits an offence under subsection (1) is liable, on conviction, to a fine not exceeding two hundred and fifty currency points, or imprisonment for a term not exceeding two years or both.

61. Regulations

(1) The Minister may, in consultation with the Council, make regulations generally for the better carrying into effect of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may, make regulations prescribing—

- (a) the professional code of conduct for teachers;
- (b) the manner in which continuous professional development may be conducted;
- (c) procedures for the registration and licensing of teachers;
- (d) procedures for conducting disciplinary hearings and inquiries;
- (e) any form required for any matter under this Act;
- (f) any fees to be charged under this Act;
- (g) the period within which appeals or notifications may be made; and
- (h) procedures for the management of internship programmes for teachers.

62. Amendment of Schedules

(1) The Minister may, by Statutory Instrument with the approval of Cabinet, amend Schedule 1 to this Act.

(2) The Minister may, by statutory instrument, amend Schedule 2 and 3 to this Act.

63. Repeal of Part V and Fourth Schedule of Act No.13 of 2008

Part V of the Education (Pre Primary, Primary and Post Primary) Act, 2008 relating to the registration and licensing of teachers and the Fourth Schedule are repealed.

64. Savings

(1) At the commencement of this Act, any teacher who is registered under the Education (Pre Primary, Primary and Post Primary) Act, 2008 shall be deemed to have been registered under this Act.

(2) A person who at the commencement of this Act, holds a valid licence to teach, granted under the Education (Pre Primary, Primary and Post Primary) Act, 2008 shall continue teaching until the licence expires.

(3) Where a licence referred to in subsection (2), expires or is cancelled or revoked, any other licence to be subsequently issued shall be in accordance with the provisions of this Act.

65. Transitional

(1) Notwithstanding section 64 (1), a teacher, who at the commencement of this Act is registered under the Education (Pre Primary, Primary and Post Primary) Act, 2008 but whose qualifications are not in compliance with the eligibility requirements under section 28, shall, within ten years from the commencement of this Act, comply with the requirements for eligibility under section 28 of this Act.

(2) Section 28 (1) (b) shall not apply to a teacher who is registered before the commencement of this Act.

(3) A registered teacher who, at the commencement of this Act is teaching without a practising licence, shall apply to the Council for a practising licence two years after the commencement of this Act.

SCHEDULE 1

CURRENCY POINT

Section 3

A currency point is equivalent to twenty thousand shillings.

SCHEDULE 2

MEETINGS OF THE COUNCIL

Section 14

1. Meetings of Council

(1) The Chairperson of the Council shall convene every meeting of the Council at such time and place as the Council may determine, and the Council shall meet for the discharge of business at least once in every three months.

(2) The Chairperson may, at any time, convene a special meeting of the council the within seven days, if requested to do so in writing by at least five members of the Council.

(3) Notice of a meeting of the Council shall be given in writing to each member, at least fourteen working days before the day of the meeting.

(4) The Chairperson shall preside at every meeting of the Council and in the absence of the Chairperson, the vice chairperson shall preside and in the absence of the chairperson and the vice chairperson, the members present shall appoint a member from among themselves to preside at that meeting.

2. Quorum

(1) The quorum for a meeting of the Council is five members.

(2) All decisions at a meeting of the Council shall be by a majority of the votes of the members present and voting and in case of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his or her deliberative vote.

3. Minutes of meeting

(1) The Council shall cause to be recorded and kept, minutes of all meetings of the Council in a form approved by the Council.

(2) The minutes kept under subparagraph (1) shall be confirmed by the Council at the next meeting and signed by the Chairperson of that meeting and the Secretary to the Council, unless a different procedure is adopted by the Council.

4. Decision by circulation of papers

(1) Subject to paragraph (2), the decisions of the Council may be made by the circulation of the relevant papers among the members and the expression of their views in writing, but any member is entitled to request that the decision be deferred until the subject matter is considered at a meeting of the Council.

(2) A decision made by circulation of papers under this paragraph is not valid unless it is supported by at least more than five members.

5. Power to co-opt

(1) The Council may co-opt any person who, in the opinion of the Council, has expert knowledge on any matter to be considered by the Council, to attend and take part in the proceedings of the Council.

(2) A person co-opted under this paragraph may take part in any discussion at the meeting of the Council on which his or her advice is required, but shall not have a right to vote at that meeting.

6. Validity of proceedings not affected by vacancy

The validity of any proceedings of the Council shall not be affected by a vacancy in its membership or by any defect in the appointment or qualification of a member.

7. Disclosure of interest of members

(1) A member of the Council who is in any way directly or indirectly interested in a contract made or proposed to be made by the Council, or in any other matter which falls to be considered by the Council, shall disclose the nature of his or her interest at a meeting of the Council.

(2) A disclosure made under subparagraph (1) shall be recorded in the minutes of that meeting.

(3) A member who makes a disclosure under subparagraph (1) shall not—

(a) be present during any deliberation of the Council with respect to that matter; or

(b) take part in any decision of the Council with respect to that matter.

(4) For purposes of determining whether there is a quorum, a member withdrawing from a meeting or who is not taking part in a meeting under subparagraph (3) shall be treated as being present.

8. Council may regulate its procedure

Subject to this Act, the Council may regulate its own procedure.

SCHEDULE 3

Section. 28 (1) (b), 29(1)

TEACHER INTERNSHIP PROGRAMME

1. Management of internship

The Ministry, through the department responsible for teacher education, shall be responsible for the overall management of the internship program for teachers.

2. Qualification for internship

An internship programme shall, for purposes of this Schedule, be undertaken by a person with a Bachelor's degree in education.

3. Intern teacher

(1) A person undergoing internship under paragraph (1) shall be known as an intern teacher.

(2) The Ministry shall be responsible for the placement and posting of persons undertaking the internship programme.

4. Internship to take place in accredited education institution

A person shall undertake an internship programme at an education institution accredited by the Ministry to train intern teachers.

5. Internship placement

(1) Placement for internship shall be made once a year, following a call for applications by the Permanent Secretary.

(2) A person who intends to undertake internship shall apply to the Ministry for placement.

6. Commencement of internship

(1) The internship programme for an intern teacher shall commence upon the posting of the applicant to an education institution accredited by the Ministry.

(2) The internship programme shall be for a period of twelve months, starting from the date of reporting at the education institution.

7. Supervision of internship

(1) A person undertaking an internship programme shall be under the supervision of the head teacher of the education institution where he or she is undertaking the internship and the Ministry.

(2) The head teacher shall allocate a supervisor to an intern teacher for each area of practice to be covered during the internship programme.

(3) The supervisor shall have the following roles and responsibilities—

- (a) receiving the intern teachers;
- (b) carrying out orientation of the intern teachers;
- (c) mentoring and coaching intern teachers;
- (d) providing guidance and counseling to intern teachers;
- (e) assigning responsibilities and allocating duties to intern teachers;
- (f) assessing the performance of intern teachers on a regular basis;
- (g) closely supervising and providing continuous feedback to the intern teachers;
- (h) ensuring adherence to the professional code of conduct for teachers;
- (i) making reports on the performance of intern teachers; and
- (j) ensuring that intern teachers get adequate hands-on practical skills.

(4) A supervisor shall, at the completion of his or her area of supervision, make a report referred to under paragraph (3) (i) and submit the report to the head teacher.

8. Obligations of intern teacher

An intern teacher shall have the following obligations—

- (a) apply to the ministry for internship placement;

- (b) observing discipline at all times during internship; and
- (c) complying with all internship training requirements.

9. Accreditation of schools

The Ministry shall accredit schools to conduct internship programmes.

10. Areas of practice

(1) An intern teacher shall be required to undertake training in all areas of practice during internship.

(2) For the avoidance of doubt, assessment of intern teachers shall be carried out in all areas of practice.

(3) An intern teacher shall, during an internship programme—

(a) be exposed to leadership, organisation and management skills including—

- (i) making a termly timetable;
- (ii) organising staff meetings and taking minutes;
- (iii) assuming the roles of a class teacher and teacher on duty;
- (iv) holding or conducting assemblies for learners;
- (v) participating in mobilisation of resources for the education institution;
- (vi) being a patron or leader of a school club;
- (vii) performing the functions of dormitory teachers;
- (viii) representing heads of department in school activities and functions; and
- (ix) organising departmental activities;
- (x) ability to positively influence others;

- (b) learn and exhibit the curriculum interpretation and adaptation, assessment and pedagogical practices including-
- (i) ability to prepare a scheme of work, lesson plan and relevant instructional materials;
 - (ii) presentational skills, including use of learner centred methodologies, classroom environment, class management and discipline, time management, grouping of learners, deep knowledge of subject matter, language use and feedback management, audibility and appearance;
 - (iii) ability to carry out assessment in the learning process including—
 - (1) assessment as; which is the ability to assess learning and evaluation, including the intern teacher to carrying out an analysis of learner results;
 - (2) assessment for; which is the ability of an intern teacher to conduct continuous assessment of learners in a class;
 - (3) assessment of; which is the ability of an intern teacher to provide summative assessment at the end of term or year; and
 - (4) development of assessment tools.
- (c) gain professional experience and teacher symbolism including—
- (i) professional attributes, that is to say, being pleasant, appealing, a good time manager, a good listener, decent dressing and appearance, not being drunk on duty or drunk in the community, calm, honest, kind, approachable, collaborative, able to control knowledge base during teaching and learning and use the knowledge to guide the science and art of teaching, rapporteur of best teaching practices and use the practices to instruct learners and work with adults in the school setting, disposition and

- skills to approach all aspects of work in a reflective, collegial and problem solving manner, view learning to teach as a lifelong process and disposition and skills for working towards improving teaching as well as schools;
- (ii) personal attributes; including cleanliness, passion to teach, positive attitude towards assignments, emotional management, natural and genuine and devoid of pretence and artificiality, humorous, have values and positive attitude e.g. being open-minded, fair and impartial;
- (d) exhibit resourcefulness and adaptability to new learning environment including the ability of the intern teacher to adapt to new places, culture, hard to reach areas, hard to work and hard to settle places and the ability to improvise in a resource constrained environment;
- (e) learn communication skills including—
- (i) interpersonal communication; which is the ability to communicate with fellow intern teachers, learners, teachers, parents and other stakeholders of the education institution;
 - (ii) public speaking; which is the ability to deliver a speech to a big audience;
 - (iii) report writing; which is the ability to write effectively what other people have communicated or what has been researched according to the generally acceptable standards;
 - (iv) active listening; which is the ability to focus, understand and respond to another person's words, feelings and emotions and providing feedback;
- (f) exhibit innovation skills; including having a high sense of imagination and creativity, proposing new ideas and continuous improvement in teaching and learning;

- (g) self-evaluate; including identifying areas where the intern teacher needs to change, take constructive criticism, appreciate his or her strengths and weaknesses and identifying key areas of growth;
- (h) care for learners and psycho-social well-being and support;
- (i) organise and participate in co-curricular activities;
- (j) participate in continuous learning by attending seminars, networking and observation of other teacher's classes and provide a report to the Supervisor;
- (k) keep records by keeping assessment records of learners, attendance sheets and class registers;
- (l) participate and document health, safety and environmental protection practices and make necessary recommendations to management;
- (m) participate in community involvement; including participating in community activities such as home visits, community meetings and religious gatherings;
- (n) conduct counselling and career guidance; including, the ability to identify and assess learners with psychosocial needs, build therapeutic relationships with learners and apply different technics in counselling, including listening, observation, empathy and making reports on cases handled;
- (o) conflict management and resolution, ability to resolve matters at classroom level and knowing when to escalate the matter where necessary to the next level of management and providing reports to the headteacher;
- (p) participate in school programmes; including attending and participating in special school events and co-curricular activities;
- (q) education technology; by embracing the current technology used under the education sector and having the ability to leverage the existing and changing technologies to solve problems and advance learning;

- (r) identify the elements of a learner on the basis of—
 - (i) learner ability; including special needs;
 - (ii) learner aptitude;
 - (iii) learner interest;
 - (iv) learner family and home background; and
 - (v) learner attitudes.

(2) An intern teacher shall pass all the areas of practice specified in paragraph (1).

11. Oath of secrecy

(1) A person accepted to undertake internship shall take the oath of secrecy and oath of allegiance in accordance with the Oaths Act.

(2) An intern teacher shall sign a commitment form of adherence to the professional code of conduct.

12. Evaluation and assessment

(1) An intern teacher shall be assessed continuously by his or her supervisor throughout the internship period.

(2) Every intern teacher shall be assessed using a standard assessment form at the end of every area covered.

(3) The assessment of every intern teacher shall be the collective responsibility of all the relevant supervisors.

(4) Appraisal of intern teachers shall be open and transparent.

(5) In case of unsatisfactory performance in a particular area of practice, an intern teacher shall be required to repeat the area of practice for the same period of time in that centre before proceeding to another area of practice.

13. Certificate

(1) The Ministry shall, upon proof of satisfactory completion of the internship programme by an intern teacher, issue a certificate of completion.

(2) An intern teacher who fails the same discipline twice shall reapply to the Ministry for placement to redo the internship.

Cross References

Constitution of the Republic of Uganda, 1995.

Education (Pre Primary, Primary and Post Primary) Act, Act No.13 of 2008.

Education Service Act, Act No. 6 of 2002.

Insolvency Act, 2016 No. 14 of 2011.

Local Governments Act, 1997 Cap. 243

Oaths Act, Cap. 19.

Uganda Citizenship and Immigration Act, 1999, Cap. 66.

Universities and Other Tertiary Institutions Act, Act No. 7 of 2001.