

STATUTORY INSTRUMENTS SUPPLEMENT
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S T A T U T O R Y I N S T R U M E N T S

2008 No. 35.

**THE UNIVERSITIES AND OTHER TERTIARY INSTITUTIONS (BASIC
REQUIREMENTS AND MINIMUM STANDARDS FOR PROCUREMENT
EDUCATION AND TRAINING) REGULATIONS, 2008.**

ARRANGEMENT OF REGULATIONS

Regulation.

1. Title
2. Interpretation

Minimum standards for procurement study

3. Minimum standards for procurement study.

STATUTORY INSTRUMENTS

2008 No. 35.

The Universities and Other Tertiary Institutions (Basic Requirements and Minimum Standards for Procurement Education and Training) Regulations, 2008.

(Under sections 5(i), 123 and 128 of the Universities and Other Tertiary Institutions Act, 2001 and section 7(c) of the Public Procurement and Disposal of Public Assets Act, 2003)

IN EXERCISE of the powers conferred upon the National Council for Higher Education by the Universities and Other Tertiary Institutions Act, No.7 of 2001, these Regulations are made this 14th day of August, 2008.

1. Title.

These Regulations may be cited as the Universities and Other Tertiary Institutions (Basic Requirements and Minimum Standards for Procurement Education and Training) Regulations, 2008.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Universities and Other Tertiary Institutions Act, No.7 of 2001;

“Institution” means a legally recognized university or non-university centre of higher learning;

“National Council” means the National Council for Higher Education established by section 4 of the Act;

“Other Degree Awarding Institution” means such institution as defined in section 2 of the (Amendment) Act, 2006;

“Procurement Authority” means the Public Procurement and Disposal of Public Assets Authority;

“tertiary institution” means a public or private tertiary institution as defined in section 2 of the Act;

“university” means a public or private institution as defined in section 2 of the Act.

3. Minimum standards for courses of study.

(1) Institutions shall in conducting academic and professional teaching of programmes leading to the award of certificates, diplomas and degrees, comply with the minimum standards for procurement study set by the National Council.

(2) The National Council shall continuously update the minimum standards of the procurement programmes basing on the changes in the curricula/syllabi.

(3) The basic requirements and minimum standards for procurement education and training leading to the award of certificates, diplomas and degrees are set in out in the Schedule.

SCHEDULE

Regulation 3(3)

NATIONAL COUNCIL FOR HIGHER EDUCATION

BASIC REQUIREMENTS AND MINIMUM STANDARDS FOR PROCUREMENT EDUCATION AND TRAINING

(Sections 5(i) and 128 of the Universities and Other Tertiary Institutions Act, 2001 and section 7(c) of the Public Procurement and Disposal of Public Assets Act, 2003)

1.0 Inputs

The following are the required inputs for the education and training.

1.1. Infrastructure and equipment

The institution offering programme(s) shall have adequate physical facilities and equipment for staff and students, to ensure an effective teaching and learning environment.

| | | | | | |
|-----|-------------------------------|---|-----------|---|------|
| (a) | Computers | : | Student | - | 1:20 |
| (b) | Lecture room | : | Per class | - | 1:1 |
| (c) | Number of Computer laboratory | | | - | 1 |
| (d) | Number of library | | | - | 1 |

The above notwithstanding, facilities shall conform with Schedules 4 and 5 of Statutory Instrument No. 80 of 2005 and to the standards for physical facilities in Part IV of Statutory Instrument No. 85 of 2005

1.2 Minimum number and qualification of teaching staff

The institution shall have adequate qualified teaching staff, with a minimum of two qualified staff on full time basis with the following minimum qualifications in the relevant fields.

| <i>Program</i> | <i>Qualifications of teaching staff</i> |
|-------------------------------|---|
| (a) Certificate Program | : Diploma |
| (b) Diploma Program | : Degree |
| (c) Bachelor's Degree Program | : Masters Degree |
| (d) Post Graduate Diploma | : Masters Degree |
| (e) Masters Degree program | : Masters Degree |

The Teacher: Student Ratio shall be - 1:50

1.3 Students' Admission Policy and selection criteria.

Admission standards specifying clear selection procedures that conform to the standards and guidelines of the Ministry responsible for education and NCHE, where applicable, shall be adhered to. The above notwithstanding the minimum entry requirements for each program shall be:

- (1) Minimum entry requirements for Bachelor's degree
 - (a) Direct entry from schools - Uganda Certificate of Education (UCE) with at least 5 passes and at least two principal passes at Uganda Advanced Certificate of Education (UACE) obtained at the same sitting or its equivalent.
 - (b) Mature Age Entry - aged 25 years and above and has passed mature age entry examinations with 50% and above. The National Council shall accredit the mature age entry examinations.
 - (c) Diploma entry - obtained at credit/distinction level in the relevant field from a recognized institution.
 - (d) Bridging/access/remedial courses for students who have done their secondary education outside Uganda, which shall be accredited by the National Council.
- (2) Minimum entry requirements for Master's degree shall be a bachelor's degree.
- (3) Minimum entry requirements for a doctoral degree shall be a Masters degree.
- (4) Minimum course duration
 - (a) 3 years for undergraduate degree with the exception of in-service courses which may last two years.
 - (b) At least 1 year for Masters.
 - (c) At least 3 years for Ph.D.
- (5) Minimum entry requirements for an ordinary diploma-
 - (a) Uganda Certificate of Education (UCE) with at least 5 credits.

- (b) Uganda Advanced Certificate of Education (UACE) with 1 principal pass and two subsidiaries obtained at the same sitting or its equivalent. Qualifications equivalent to Uganda Advanced Certificate of Education (UACE) as shall be determined by the National Council in consultation with the Uganda National Examinations Board.
 - (c) Certificate from a recognized institution
- (6) Minimum entry requirement for an advanced/higher diploma shall be an ordinary Diploma.
 - (7) Minimum entry requirement for a postgraduate diploma shall be a Bachelors Degree.
 - (8) Minimum entry requirement for a certificate is a Uganda Certificate of Education (UCE) with at least 3 passes obtained at the same sitting.
 - (9) Institutions of higher education shall observe the set conditions, criteria and procedures for selecting students into programmes and courses. Those criteria, conditions and procedures shall be published in the institution's prospectus.

1.4 Guideline on development of procurement programs

The procurement occupational profile (Appendix) shall be adhered to in drawing the curriculum. The scope and depth of coverage for each competence area shall depend on the respective level of program offered.

The curriculum shall specify for each program (certificate, diploma, degree or master) being offered the following details:

- (i) Name of the course
- (ii) The course code
- (iii) Weight of the course (number of credit units)
- (iv) Year and semester of the course
- (v) Awards
- (vi) Awarding body

For every course within the program, the following details shall be specified:

- (i) The name(s) of the teaching staff

- (ii) The context of the course within the program
- (iii) The course objectives, course outline and content
- (iv) The assessment method/criteria
- (v) The reference materials
- (vi) Mode of delivery

1.5 Duration of programmes and contact hours

The duration of programmes and number of contact hours between staff and students in higher education institutions shall be in accordance with Regulations issued by the National Council.

- (a) Programme/course duration shall be clearly specified in terms of semesters and calendar months or years at the start of each academic year. Students shall be availed the course outlines with assessment procedures;
- (b) For institutions operating under the semester system, each semester shall last a minimum of fifteen (15) weeks of teaching followed by an examinations period; and
- (c) Each course shall be allocated a minimum of two (2) hours per week.

1.6 Examination regulation and standardization of awards

- (1) Candidates shall have a minimum attendance of 75% of lectures to be eligible to sit for examinations.
- (2) Institutions of higher learning shall ensure that all their candidates are fully notified in writing on the examination regulations and procedures, at the beginning of the academic year.
- (3) Institutions shall ensure that there is consistency in the formats of examinations and transparency in their conduct. Each paper examined shall have a marking scheme for every paper.
- (4) Each institution shall put in place mechanisms for quality assurance in its examinations. Such mechanisms shall include the moderation of examinations, ensuring proper conduct of examinations as well as marking by both internal and external examiners to ensure validity and reliability of results.

- (5) Students have a right of appeal if they are dissatisfied with the conduct of examinations, treatment or assessment of their work. Each institution shall put in place an appeal mechanism and publicize it to students.
- (6) Courses given for each programme shall be appropriately weighted. Scores in students' Grade Point Average (GPA) shall be a result of assigned grades as follows:

| | | | | |
|---------|------------|------------|-----------|----------|
| A (80+) | B+ (70-79) | B- (60-69) | C (50-59) | D (0-49) |
| 5 | 4 | 3 | 2 | 1 |

- (7) Classification of final awards, all institutions shall use a five Point rating System in averaging the final grade of a graduate.
- (8) The following classification of awards shall be used:
- | | | | |
|-----------------------------|----|---|-----------|
| First Class | A | = | (4.4-5.0) |
| Second Class Upper Division | B+ | = | (4.0-4.3) |
| Second Class Lower Division | B | = | (3.0-3.9) |
| Pass | C | = | (2.0-2.9) |
| Fail | D | = | (0-1.9) |

1.7 Learning Materials and Equipment

| | | | |
|--|----------------|---|------|
| Essential Textbooks: | Students Ratio | - | 1:5 |
| Computer: | Student Ratio | - | 1:20 |
| Subscriptions to national and International procurement journals | | - | 2 |

2.0 Teaching and learning process

For effective teaching and learning to take place, the following shall be the requisites;

2.1 Teaching and learning

- Scheming and planning is properly done by the teaching staff;
- the course content is appropriate for the level of the program;
- the teaching staff collaborates and supports students;
- the teaching staff demonstrates a sound up-to-date knowledge of the course;

- (e) there is a positive teaching staff/student relationship;
- (f) appropriate teaching and learning methods are used;
- (g) involvement of students in the learning process;
- (h) teaching and learning is built on previous experience; and
- (i) formative assessment is used appropriately.

2.2 Internship/industrial training

The following shall be the requirements for internship/industrial training;

- (a) Minimum duration: 4 weeks
- (b) Assessment criteria shall be specified

2.3 Output

- (a) Graduates completed
- (b) Qualifications attained
- (c) Improved transparency, accountability and value for money in a professional procurement environment
- (d) Indicators
 - (i) Graduate with right attitude towards work hence increased productivity and effectiveness, creativity and adaptability;
 - (ii) Transformation of society;
 - (iii) Integrity hence reduced corruption;
 - (iv) Reduced production cost and improved labor relations
 - (v) Improved work environment
 - (vi) Nation/organisations getting value for money
 - (vii) Fairness & transparency

3.0 Role of training institutions

- (1) Institutions involved in procurement training and education shall set their standards in compliance with this standard. Institutions shall submit annual reports on the basic requirements and standards for procurement education and training they have set for each program to the relevant regulatory agencies and give a copy to PPDA.

- (2) Institutions shall keep an up to date record of basic requirements and standards for procurement education and training they have established. Institutions may consult PPDA and any other relevant Government or non-governmental organ for the smooth implementation of these standards.

3.1 The role of the Procurement Authority

In accordance the relevant laws, the Procurement Authority shall:-

- (a) work with all the key stakeholders to implement these standards;
- (b) carry out market surveys to assess the standards required in procurement and disposal capacity in Uganda;
- (c) review procurement education and training standards in consultation with other competent authorities;
- (d) coordinate consultative meetings in procurement education and training of key stakeholders;
- (e) participate in inspection, investigation, audit and quality assurance of procurement training institutions;
- (f) recommend to relevant authorities to take appropriate action against any person for breaching these standards;
- (g) develop guidelines related to procurement and disposal capacity building to compliment other policies; and
- (h) ensure that procurement standards are approved by the relevant authorities and disseminated to all stakeholders.

3.2 The role of employers

Employers are important stakeholders and shall play the following roles.

- (a) participate in tracer studies;
- (b) offer opportunity for internship;
- (c) design of job descriptions and specifications;
- (d) appraise procurement practitioners; and
- (e) update the procurement occupational profile.

APPENDIX

PROCUREMENT OCCUPATIONAL PROFILE DUTIES AND TASKS

A. MANAGEMENT OF THE PROCUREMENT UNIT

| | | | | | |
|--------------------|---------------------------------------|--|---------------------------------------|-----------------|-------------------|
| A1 Plan work | A2 Organise resources | A3 Direct work | A4 Control the unit and its resources | A5 Manage staff | A6 Prepare Budget |
| A7 Coordinate work | A8 Maintain health and safety at work | A9 Carry out procurement process mapping | | | |

B. PROCUREMENT PLANNING

| | | | | | |
|--|---|---|------------------------|--|---|
| B1 Advise Entity on procurement planning | B2 Prepare work and procurement plans | B3 Determine /review quantities required | B4 Determine lead time | B5 Advise on appropriate procurement methods | B6 Determine priority and timing of requirement |
| B7 Consolidate procurement plans | B8 Implement approved procurement plans | B9 Review and update approved procurement plans | B10 Forecast demand | B11 Monitor and re-order requirements | |

C. STATEMENT OF REQUIREMENTS (SPECIFICATIONS/TERMS OF REFERENCE/ SCHEDULE OF WORK)

| | | | |
|---|---|---|--|
| C1 Prepare specifications/terms of reference/schedule of work | C2 Review specifications/ terms of reference/schedule of work | C3 Develop database of specifications/ terms of reference/ schedule of work | C4 Network with identified specialists in specifications/ terms of reference/ schedule of work |
|---|---|---|--|

D. SOLICITATION (TENDER/BID) DOCUMENTS

| | | | |
|--|--|--|--|
| D1. Determine bids submission procedure | D2. Determine bidding conditions and requirements | D3. Prepare appropriate bid documents | D4. Include appropriate evaluation criteria in the bid document |
| D5. Include detailed statement of requirements in the bid document | D6. Propose expected terms and conditions of the resulting contract in the bid document. | D7. Work out appropriate advertising and bidding periods and plan bid advertisements | D9. Coordinate the consultative process and approval of the bid document |

E. SOURCE FOR PROVIDERS

| | | | |
|--|---|--|---|
| E1. Plan and invite providers from local and overseas supply markets | E2. Pre-qualify providers | E3. Manage pre-qualified providers lists | E4. Determine provider sourcing strategy |
| E5. Develop professional working relationship with providers | E6. Manage pre-bid and site meetings with providers | E7. Prepare for receipt of bids from providers | E8. Develop provider appraisal mechanisms |

F. EVALUATION BIDS

| | | | |
|--|--|------------------------------------|----------------------------------|
| F1. Determine detailed evaluation methodology, criteria and sub-criteria in accordance with bid document | F2. Apply appropriate bid evaluation methodology | F3. Prepare bid evaluation reports | F4. Advise on best evaluated bid |
|--|--|------------------------------------|----------------------------------|

G. POST QUALIFICATION

| | | | |
|--|------------------------------------|--|--|
| G1. Determine capacity of bidder to perform contract | G2. Carry out due diligence on bid | G3. Fulfill and manage post award pre-contracting requirements | |
|--|------------------------------------|--|--|

H. CONTRACT FORMATION

| | | | |
|---|--------------------------------|--|--|
| H1. Determine general and special terms and conditions for the different types of contracts | H2. Prepare contract documents | H3. Prepare contract implementation plan | H4. Approve/Recommend signing of contracts |
| H5. Notify bidders and other stakeholders of contract formed | | | |

I. MANAGE CONTRACT

| | | | |
|---|----------------------------------|---|--------------------------------------|
| I1. Check compliance to terms and conditions of contracts | I2. Monitor contract performance | I3. Confirm performance of contract to satisfactory standards | I4. Manage warranties and securities |
| I5. Keep contract performance documents | | | |

J. COMMUNICATION

| | | | |
|---|---|---|--|
| J1. Obtain approve for procurement activities | J2. Manage procurement related meetings | J3. Prepare, update and submit and regret notices | J4. Prepare, update and submit procurement reports |
| J5. Coordinate procurement issues with relevant authorities | J6. Communicate horizontally and vertically | J7. Disseminate information to relevant users | |

K. RECORDS MANAGEMENT

| | | | |
|-------------------------|-----------------------|----------------------|----------------------|
| K1. Capture information | K2. Store information | K3. Retrieve records | K4. Maintain records |
| K5. Secure records | | | |

L. LAWS, REGULATIONS, GUIDELINES & POLICIES

| | | | |
|--|--|--|--------------------------------------|
| L1. Advise on procurement law, policies and procedures | L2. Prepare and present draft procurement policies, procedures and proposals | L3. Interpret commercial and procurement laws and procedures | L4. Advise on cooperative purchasing |
| L5. Analyse, interpret taxes applicable to the procurement | | | |

M. VALUE MANAGEMENT

| | | | |
|--|------------------------------|--|-------------------------------------|
| M1. Carry out value analysis of procurements | M2. Undertake market surveys | M3. Analyse and advise on market conditions and trends | M4. Determine value of procurements |
|--|------------------------------|--|-------------------------------------|

N. FINANCIAL OPERATIONS

| | | | |
|---|-------------------|---|---|
| N1. Shop and buy low value procurements | N2. Cash handling | N3. Determine procurement cash flow projections | N4. Prepare and account for the Procurement |
|---|-------------------|---|---|

O. NEGOTIATION

| | | | |
|----------------------------------|-----------------------------|---------------------------|--|
| O1. Develop negotiation strategy | O2. Design negotiation plan | O3. Carry out negotiation | |
|----------------------------------|-----------------------------|---------------------------|--|

P. CONFLICT AND DISPUTE RESOLUTION

| | | | |
|-------------------------------------|------------------------|---|------------------------------------|
| P1. Receive and document complaints | P2. Analyse complaints | P3. Advise on appropriate conflict and dispute resolution mechanism | P4. Resolve conflicts and disputes |
|-------------------------------------|------------------------|---|------------------------------------|

Q. INTERNATIONAL PROCUREMENT MANAGEMENT

| | | | |
|--|---|---|-------------------------------------|
| Q1. Manage international procurement processes | Q2. Advise on appropriate INCOTERM and other trade terms to use in procurements | Q3. Manage the use of letters of credit and other payment systems | Q4. Advise and monitor cargo agents |
| Q5. Advise on applicable taxes on imports | Q6. Customs clear imports | | |

R. DISPOSAL

| | | | |
|---------------------------------------|--|--|---|
| R1. Plan equipment /asset replacement | R2. Advise on appropriate disposal procedures /methods | R3. Advise or manage the valuation of assets | R4. Consolidate lists of items for disposal |
| R5. Prepare disposal documentation | R6. Seek relevant approval to dispose the items | R7. Dispose as per approved procedures | |

S. LOGISTICS MANAGEMENT

| | | | |
|--|---|--|---|
| S1. Determine stock holding standard and procedure | S2. Plan space utilization and maintain store houses, yards and equipment | S3. Receive, verify, inspect issue and dispatch goods according to approved procedures for goods | S4. Design and maintain an identification coding system for goods |
| S5. Design and manage appropriate location systems | S6. Bin and store items safely and securely | S7. Determine consumption and carry out stock control | S8. Carry out stock checking and stock taking, and analyse /interpret related discrepancies |
| S9. Carry out stock valuation | S10. Keep stores record and account for all received and issued goods | S11. Control rejected and unwanted materials | S12. Transport and Distribution |

T. ICT AND E-PROCUREMENT

| | | | |
|-------------------------------|---------------------|-------------------|--------------------------------------|
| T1. Introduction to computers | T2. Word processing | T3. Spread sheets | T4. Internet web browsing and e-mail |
|-------------------------------|---------------------|-------------------|--------------------------------------|

U. RISK MANAGEMENT

| | | | |
|-------------------------|---------------------|---------------------|--------------------|
| U1. Risk identification | U2. Risk assessment | U3. Risk Allocation | U4. Risk Avoidance |
|-------------------------|---------------------|---------------------|--------------------|

V. PROFESSIONAL CODE OF CONDUCT

| | | | |
|--------------------------|----------------|-------------------|--|
| V1. Ethics and integrity | V2. Corruption | U3. Due diligence | |
|--------------------------|----------------|-------------------|--|

ADDITIONAL GENERAL REQUIREMENTS

| | |
|--|---|
| <p>1. Attitude/Traits/Behavior</p> <p>High interpersonal skills Respectful Creative Smart Principled Team Player Quality work Focused Un-wasteful Cheerful Disciplined</p> | <p>2. Generic Knowledge & Skills</p> <p>Use of Computers Knowledge of basic computer Planning Communication Knowledge of costing Time management</p> |
| <p>T3. Tools and Equipment</p> <p>Computers</p> | <p>T4. Future Trends</p> <p>Computer literacy Knowledge on digital equipment Management and Human resource skills Procurement Self-employment Clearing and forwarding Use of Procurement agents Procurement of Common User items e-procurement</p> |

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