

**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**

**2009 No. 4.**

THE BUSINESS, TECHNICAL, VOCATIONAL EDUCATION AND  
TRAINING (ESTABLISHMENT OF THE UGANDA NURSES AND  
MIDWIVES EXAMINATIONS BOARD (UNMEB)) REGULATIONS,  
2009.

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# STATUTORY INSTRUMENTS

## 2009 No. 4.

### **The Business, Technical, Vocational Education and Training (Establishment of the Uganda Nurses and Midwives Examinations Board (UNMEB)) Regulations, 2009.**

IN EXERCISE of the powers conferred upon the Minister responsible for education by sections 26 and 29 of the Business, Technical, Vocational Education and Training Act, 2008, Act No.12 of 2008, these Regulations are made this 12th day of February, 2009.

#### **1. Title**

These Regulations may be cited as the Business, Technical, Vocational Education and Training (Establishment of the Uganda Nurses and Midwives Examination Board (UNMEB)) Regulations, 2009.

#### **2. Interpretation**

In these Regulations, unless the context otherwise requires—

“Board” means the Uganda Nurses and Midwives Examinations Board (UNMEB) established by paragraph 3;

“candidate” means a person enrolled by the Board for the purpose of sitting for any of the Board's examinations;

“certificate” means a document awarded by the Board which is duly signed by the authorised officers showing the results obtained by a particular candidate in a particular vocational level nursing and midwifery examination sat by him or her;

“committee” means a committee of the Board;

“constituencies” means bodies or group of stakeholders related to

the functioning of allied health training institutions;

“Currency point” means UGShs.20,000;

“diploma” means a document awarded by the Board which is duly signed by the authorised officers showing the results obtained by a particular candidate in a particular technical level nursing examination sat by him or her;

“examination material” means question papers and any other material which are to be used for the purposes of a public examination and are identified as such;

“Minister” means the Minister responsible for education;

“question bank” means a collection of prepared questions by various tutors from different schools of nursing and midwifery stored in a safe place to enable the setters select and moderate the appropriate questions for the final national examinations;

“setter” means a tutor who sets questions for an examination.

### **3. Establishment of the Board**

There is established a Board to be known as the Uganda Nurses and Midwives Examinations Board (UNMEB).

### **4. Object of the Board**

The object of the Board is to streamline, regulate and coordinate examinations and awards in the nursing and midwifery profession in Uganda.

### **5. Composition of the Board**

(1) The Board shall consist of thirteen members drawn from the constituencies involved in health training, stakeholders, and professionals representing disciplines as follows—

- (a) representative from Universities (department of nursing);- 1
- (b) representative of Tutors of nursing schools; - 1

- (c) outstanding nursing professional who has made a significant contribution to the nursing profession; - 1
- (d) representative of the private for profit nursing schools;- 1
- (e) directorate of Industrial Training; - 1
- (f) Uganda nurses and midwives council; - 1
- (g) Ministry responsible for education; - 1
- (h) Ministry responsible for health; - 1
- (i) Uganda National Examinations Board (UNEB); - 1
- (j) representative Uganda Catholic Medical Bureau (UCMB); - 1
- (k) representative Uganda Protestant Medical Bureau (UPMB);- 1
- (l) representative Uganda Moslem Medical Bureau (UMMB);- 1
- (m) representative of the Health Service Commission. - 1

(2) Members of the Board shall be appointed by the Minister in consultation with the ministry or body represented by the respective office bearer.

(3) The chairperson of the Board shall be appointed by the Minister from among the members of the Board.

## **6. Tenure of office of the Board**

(1) Members of the Board shall hold office for three years and are eligible for re-appointment for one more time.

(2) Of the first members appointed seven members shall hold office for two years and are eligible for re-appointment for one more term for a full term.

## **7. Termination of membership of the Board**

(1) The Minister may at any time remove a person from membership of the Board if he or she is satisfied that the member—

- (a) is incapacitated by physical or mental illness;

- (b) is guilty of gross misconduct or misbehaviour;
- (c) has been absent without approval of the Board for more than three consecutive meetings of the Board; or
- (d) has been convicted of an offence involving fraud, dishonesty or moral turpitude.

(2) A member of the Board may resign his or her office by writing to the Minister through the Chairperson of the Board.

## **8. Filling vacancies on the Board**

(1) Where a vacancy occurs among members of the Board whether by resignation, removal, death or otherwise, the vacancy shall be filled in the same manner in which the predecessor was appointed to the vacant office.

(2) A person appointed to fill a vacant office shall only hold office for the unexpired term of office of his or her predecessor and shall, at the expiry of that term be eligible for election or re-appointment as the case may be subject to these Regulations.

## **9. Functions of the Board**

(1) The functions of the Board shall be to—

- (a) conduct business and technical examinations for specialised training institutions in Uganda;
- (b) accredit theory and practical examination centers used for the conduct of the examinations;
- (c) make rules regulating the conduct of the examinations;
- (d) establish and oversee practical and theoretical questions' banks;
- (e) publish past examination papers;
- (f) establish and maintain a database of examination results in safe custody;

- (g) collaborate with other bodies relevant to its functions;
- (h) provide feedback to training institutions on examinations; and
- (i) award certificates and diplomas to successful candidates in such examinations.

(2) The Board shall present the examination results to the Minister for official release to the public.

(3) The Board may, with the prior approval of the Minister, delay, nullify, or withhold the examination results for a reasonable cause.

## **10. Powers of the Board**

The Board may for the purpose of its functions, do all such things and act in all ways necessary for, or incidental to, the object for which it is established, and without prejudice to the general effect of the foregoing, may in particular—

- (a) acquire, hold, charge, alienate and dispose of property both moveable and immovable;
- (b) carry out any improvement upon land or other property held by it;
- (c) derive capital or income from property held by it;
- (d) invest any money not immediately required in any investment or project approved by the Minister;
- (e) enter into agreements with any person or body;
- (f) raise or borrow money in such manner and upon such security as it may from time to time determine;
- (g) delegate any of its powers and functions, other than the approval of estimates or any powers required under these Regulations to be exercised by resolution of the Board, to any member, officer or committee of the Board as it may deem necessary.

## **11. Meetings of the Board**

(1) The Board shall meet at least once in a year and whenever necessary for discharge of its functions.

(2) The chairperson shall preside over all meetings of the Board and in absence of the chairperson members present shall elect one of their number to preside.

(3) The quorum of the meeting shall be at least two thirds of the members excluding the chairperson.

(4) A vacancy in the Board shall not affect the proceedings of the Board in which quorum is realized or any decision made in that proceeding.

(5) The Board may co-opt any suitable person or persons as advisor or advisors to assist at any meeting of the Board, but a person co-opted shall have no right to vote on any matter coming before the Board for decision.

(6) Subject to the provisions of this regulation, the Board shall regulate its own proceedings.

## **12. Secretariat of the Board**

(1) The Board shall be housed at an appropriate location determined by the Ministry responsible for education.

(2) The Board shall have a secretariat consisting of—

- (a) Executive Secretary;
- (b) Deputy Secretary;
- (c) Principal Examination Officer (2);
- (d) Senior Examination Officer (2);
- (e) Examination Officer (2);
- (f) Principal Administrative Officer;
- (g) Assistant Administrative Officer (2);
- (h) Principal Accountant;



- (i) Records Officer;
- (j) Secretary;
- (k) Clerks (4);
- (l) Office Attendant;
- (m) Receptionist;
- (n) Driver; and
- (o) such other persons as the Board may, on the recommendation of the Executive Secretary, appoint.

(3) All persons listed in subregulation (2) shall be appointed by the Board.

(4) The Executive Secretary, the Deputy Secretary, and the Principal Examinations Secretary shall be professionals in the nursing or midwifery profession or both and shall be persons who possess—

- (a) at least a masters degree in education or medical education;
- (b) experience of at least ten years in managing the Nurses and Midwives Final National Examinations at institutional level;
- (c) experience in setting, moderating and marking of the written and OSCE/OSPE (practical examinations);
- (d) working experience of at least fifteen years, five of which shall be at management level in a nurses or midwives training institution or both.

(5) The Executive Secretary may recommend to the Board for appointment such other staff as may be necessary for the proper and efficient discharge of its functions.

### **13. Functions of the Executive Secretary**

The Executive Secretary shall—

- (a) be the Chief Executive of the Board and shall in the performance of his or her duties be responsible to the Board;
- (b) be the Secretary to the Board, responsible for recording all the proceedings of the meetings of the Board and its committees and shall keep custody of all records and documents of the Board;
- (c) be head of the Board's Secretariat, responsible for the management of funds, property and overall administration and organization of its business;
- (d) develop and recommend the rules and regulations on the conduct of the examinations;
- (e) prepare and ensure smooth conduct of the nursing and midwifery national examinations;
- (f) prepare the examination results in a timely manner and present the results to the Board;
- (g) keep sequential record of examinations and its processes;
- (h) keep database of examinations and results;
- (i) prepare timely feedback on examinations to schools;
- (j) prepare for Board members local and international meetings;
- (k) ensure that local and international research is carried out;
- (l) keep the seal of the Board in safe custody and ensure it is not used or affixed to any document except in accordance with a resolution adopted by the Board;
- (m) keep the sealed certificates, diplomas, and pass slips in safe custody;
- (n) update the tutors on the current examination technique;
- (o) exercise the powers of the Board when the Board is not sitting

subject to the final approval of the Board;

- (p) carry out all such other things as are necessary to achieve the object and functions of the Board.

#### **14. Committees of the Board**

The Board shall have the following committees—

- (a) Finance, Administration and Development Committee;
- (b) Appointments, Welfare and Disciplinary Committee;
- (c) Examination Committees;
- (d) Examinations Research Committee;
- (e) Examinations Security Committee; and
- (f) such other committees as the Board may from time to time consider necessary to appoint.

#### **15. Functions of the committees of the Board**

(1) The Finance Administration and Development Committee shall consider and recommend to the Board—

- (a) the conditions of service of officers and other employees of the Board, including setters, examiners, and moderators;
- (b) the fees to be charged from candidates taking examinations of the Board;
- (c) to consider and recommend ways and methods of raising funds for the Board; and
- (d) all other matters involving estimates of income and expenditure accounts of the Board.

(2) An Examination Committee shall—

- (a) ensure the security of examination papers and scripts;
  - (b) consider and approve the nature of examinations to be set;
  - (c) approve arrangements for the conduct of examinations provided by the Board;
  - (d) approve setters, moderators, invigilators, supervisors, chief examiners, and examiners;
  - (e) ensure the maintenance of standards appropriate to the subjects taken and to the candidates taking examinations;
  - (f) consider and recommend reports on past examinations for consideration by the Board.
- (3) The Examination Research Committee shall—
- (a) consider and approve research proposals submitted by the Secretariat;
  - (b) consider and approve research reports for dissemination;
  - (c) advise the various examination committees on the findings of the research carried out by the Secretariat;
  - (d) review examination results statistics with a view to improving examination techniques; and
  - (e) consider such other matters as may be referred to it by the Board.

## **16. Composition and meetings of committees**

(1) The Finance, Administration and Development Committee shall consist of—

- (a) Chairperson of the Board, who shall be the Chairperson of the Committee;
- (b) a representative of the Ministry responsible for education, who is a member of the Board;

- (c) a representative of the Ministry of Health, who is a member of the Board;
- (d) the Director of the Directorate of Industrial Training who is a member of the Board;
- (e) a representative of the universities, who is a member of the Board;
- (f) a representative of the Uganda Nurses and Midwives Council, who is a member of the Board;
- (g) a representative of the Health Service Commission, who is a member of the Board;
- (h) the Chairperson of the Examinations Committee elected by the Board, who is a member of the Board.

(2) The Finance, Administration and Development Committee may call upon any number of persons to act as advisors or help it in any way in the discharge of its functions.

(3) Five members of the Committee shall form a quorum.

(4) An Examination Committee shall each consist of—

- (a) a representative from the training institutions, who shall be the Chairperson;
- (b) the representative of the Ministry responsible for education, who is a member of the Board;
- (c) the representative of the Uganda Nurses and Midwives Council, who is a member of the Board;
- (d) the member of the Board from Health Service Commission;
- (e) the representative of the universities who is a member of the Board;

(f) one representative of the medical bureaux, who is a member of the Board;

(g) the representative of the tutors, who is a member of the Board.

(5) The Examination Research Committee shall consist of—

(a) a Chairperson appointed by the Board;

(b) a representative of the Ministry of Health, who is a member of the Board;

(c) a representative of the universities who is a member of the Board;

(d) a representative of the Medical Bureau, who is a member of the Board;

(e) a representative of the Uganda Nurses and Midwives Council, who is a member of the Board;

(f) a representative of the Health Service Commission, who is a member of the Board;

(g) two other members elected by the Board from among their number.

(6) The quorum for a meeting of the committee shall be five members.

(7) The Chairman, members of the Board, and any other persons attending any meeting of the Board or a committee shall be paid such remuneration or allowances as the Minister, in consultation with the Minister responsible for finance, may determine.

## **17. Financing the Board**

(1) The funds of the Board shall consist of—

(a) grants from the Government;

(b) money that may become payable to the Board in the discharge

of its functions;

- (c) interest on investment and deposits;
- (d) gifts and donations;
- (e) money that may be raised by the Board.

(2) All funds received by the Board shall be deposited to the credit of the Board in a bank approved by the Board.

(3) The Board shall keep books of accounts and proper records.

(4) The accounts of the Board shall be subjected to annual audit by the Auditor General.

(5) The Board shall give a report on its work and progress for the previous year to the Minister at the beginning of each financial year.

(6) The Board shall submit to the Minister, in reasonable time, for approval, estimates of the income and expenditure of the Board for the next financial year.

## **18. Award of certificates and diplomas**

(1) The Board shall award academic certificates or diplomas to successful candidates.

(2) The certificates or diplomas awarded shall be in a form approved by the Board and shall bear the seal and the signatures of the chairperson and Executive Secretary of the Board.

(3) The Board shall forward the list of successful candidates to the Uganda Nurses and Midwives Council for registration.

## **19. Settlement of disputes**

(1) A candidate who is aggrieved by the decision of the Board on examination conduct or results may appeal to the Board for reconsideration.

(2) An appeal made by any candidate shall be by petition stating the facts and grounds of appeal.

- (3) The Board may confirm, modify or reverse its decision.
- (4) The decision of the Board is final.

## **20. Alteration or cancellation of examinations**

(1) The Board may determine that it is necessary to change the date, time, or conditions of the administration of the examination or cancel the administration of the examination to protect the safety of the candidates or the integrity of the Board.

(2) Alterations or cancellation may also be made if the examination is hindered by any cause that could not be reasonably prevented by the Board, including natural disasters such as fire, flood, earthquake, storm, outbreak of disease, or by acts of military insecurity, political or government authority.

(3) If any such event occurs, candidates shall be notified as soon as possible.

## **21. Penalties for examination offences**

(1) Any person who—

- (a) knowingly or negligently reveals the contents of any examination material to unauthorised person, whether a candidate or not;
- (b) with intent to fail or pass a candidate, alters the work, data, or information or scores of a candidate;
- (c) willfully and maliciously damages examination material;
- (d) with intent to impersonate, presents or attempts to present himself or herself in the place of an enrolled candidate;
- (e) with intent to gain employment or admission, presents a forged certificate or diploma purported to have been issued by the Board;
- (f) sells, buys, borrows, lends or steals certificates or diplomas issued by the Board with intent to impersonate;



- (g) withholds any information which is prejudicial or likely to be prejudicial to the proper functioning of the Board;

commits an offence and is liable, on conviction, to a fine not exceeding twenty currency points or imprisonment not exceeding one year or both.

(2) The Board may suspend or withdraw an examination centre that fails to maintain the requirements, regulations and ethical standards of an accredited examination centre.

## **22. Savings and transition**

Any contracts made, anything done, and any certificates or diplomas issued by the Uganda Nurses and Midwives examinations Board prior to the commencement of the Business Technical Vocational Education and Training Act, 2008 and these Regulations shall be deemed to have been made, done or issued under the provisions of the Act and these Regulations and shall be valid and binding on the Board.

## **23. Miscellaneous provisions**

With the approval of the Minister, the Board may make rules for the conduct of the business of the Board including—

- (a) regulating assessment of courses and students;
- (b) code of conduct and ethical standards for staff;
- (c) fees to be paid by the candidates;
- (d) prescribing the procedure for registration of candidates;
- (e) prescribing procedure for appointment of setters, moderators and examiners;
- (f) the books of accounts to be kept;
- (g) the payment of terminal benefits for staff;
- (h) any matter other which the Board may deem necessary for the proper running of the examinations.