

Manpower Planning and Development (National Academies of Sciences) Regulations, 2023

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IT is hereby notified that the Minister of Higher and Tertiary Education, Innovation, Science and Technology Development has, in terms of section 6(e) as read with section 69 of the Manpower Planning and Development Act [*Chapter 28:02*], made the following regulations:—

*Title*

1. These regulations may be cited as the Manpower Planning and Development (National Academies of Sciences) Regulations, 2023.

*Interpretation*

2. In these regulations—

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“Minister” means the Minister responsible for science and technology;

“NAS” means National Academies of Sciences.

*Establishment of the National Academies of Sciences (NAS)*

3.(1) There is hereby established a body to be known as National Academies of Sciences.

(2) NAS shall be a body corporate, capable of suing and being sued in its corporate name.

*Objective of NAS*

4. The objective of the NAS is to promote, coordinate and oversee the functions of the Academies.

*NAS Secretariat*

5. (1) There is hereby established a Secretariat, to be known as the NAS Secretariat which shall ensure the proper and efficient management of the NAS.

(2) The Academies are controlled and governed in accordance with this law by the Secretariat headed by the Registrar appointed by the President on the recommendation of the Minister on such terms and conditions as the Minister may fix.

(3) The Registrar shall ensure that the objectives of the Academies are actively pursued and shall exercise general control over the performance of the functions of the Academies.

(4) The Secretariat shall consist of the following persons—

- (a) Registrar;
- (b) Deputy Registrar;
- (c) officers of NAS.

(5) Subject to the general control of the Minister, the Registrar shall be responsible for—

- (a) registration of all Academies of Sciences;

- (b) appointment of officers and supervising the activities of the secretariat of the NAS in the course of their employment;
  - (c) coordination of all Academies of Sciences.
- (6) NAS shall pay to its employees such remuneration, allowances and other benefits from funds provided for in terms of section 8 as approved by the Minister.

*Functions of NAS Secretariat*

6. The functions of the Secretariat shall be to—
- (a) oversee the functions of the NAS;
  - (b) give effect to the objective of the NAS;
  - (c) register all the Academies of Sciences;
  - (d) regulate the activities of all the Academies of Science;
  - (e) promote and maintain excellent standards in Academies of Sciences;
  - (f) organise forums for the interchange of ideas in Academies of Sciences;
  - (g) facilitate regional and international linkages with other Academies;
  - (h) promote national awareness, understanding and appreciation of the role of Academies of Sciences in national development;
  - (i) identify how Academies of Sciences can contribute to solving national challenges;
  - (j) initiate and fund multi-disciplinary studies related to Academies of Sciences;
  - (k) carry out any other tasks as may be requested by the Minister from time to time.

*Powers of Minister*

7.(1) The Minister may give NAS such general directions relating to the policy of NAS is to observe in the exercise of its functions as the Minister considers to be necessary in the national interest, which policy directions must—

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- (a) not be inconsistent with any provision of these regulations; and
- (b) be issued in good faith, apply prospectively and not retrospectively, and be of general applicability; and
- (c) clearly delimit the scope of their application and shall otherwise not be vague or ambiguous in their terms; and
- (d) clearly express the national interest at stake; and
- (e) must be clear (whether expressly or by necessary implication) that they apply or are in force for a fixed or indefinite period, or that they expire on the happening of any event.

*Funds of NAS*

8. The funds of the NAS shall consist of—

- (a) such moneys as may be payable to the NAS from moneys appropriated for the purpose by an Act of Parliament; and
- (b) fees, charges and other income accruing to the NAS from services rendered; and
- (c) such other moneys as may vest in or accrue to the NAS, whether during their operations, donations or otherwise.

*Financial year of NAS*

9. The financial year of the Academies shall be the period of twelve months ending on the 31st December in each year.

*Accounts of NAS*

10. (1) The Registrar shall ensure that proper accounts and other records relating to such accounts are kept in respect of all NAS's activities, funds and property, including such accounts and records as the Minister may direct.

(2) Not later than two months after the end of each financial year of the NAS, the Registrar, shall prepare and submit to the Minister

a statement of accounts in respect of that financial year or such other period as the Minister may direct.

*Audit of NAS accounts*

11. (1) Subject to the Audit Office Act [*Chapter 22:03*], the NAS shall appoint as auditors one or more persons approved by the Minister who are registered as public auditors in terms of the Public Accountants and Auditors Act [*Chapter 27:12*].

(2) The accounts kept by the NAS in terms of section 10(1) shall be examined by the auditors appointed in terms of subsection (1).

(3) The auditors appointed in terms of subsection (1) shall make a report to the Minister on the statement of accounts prepared in terms of section 10(2) and such report shall state whether in their opinion the statement of accounts gives a true and fair view of the NAS's affairs.

(4) In addition to the report referred to in subsection (3), the Minister may require from the Registrar through the auditors appointed in terms of subsection (1) such other reports, statements or explanations regarding the NAS's operations, funds and property as the Minister may consider expedient, and the auditors shall forthwith comply with any such requirement.

*Powers of auditors*

12. (1) An auditor referred to in section 11 shall be entitled at all reasonable times to require to be produced to him or her all accounts and other records relating to such accounts which are kept by the NAS or its agents and to require from any member of the NAS or employee or agent of the NAS such information and explanations as in the auditor's opinion are necessary for the purposes of his or her audit.

(2) Any employee or agent of the NAS who fails without just cause to comply with a requirement of an auditor in terms of subsection (1) shall be guilty of an offence and liable to a fine not exceeding level 4 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

*Reports of NAS*

13. (1) In addition to any report which the NAS is required to submit to the Minister in terms of this law or the Audit Office Act [Chapter 22:03], the NAS—

- (a) shall submit to the Minister such other reports as the Minister may require; and
- (b) may submit to the Minister such other reports as the NAS considers advisable; regarding the operations and property of the NAS.

(2) The Minister shall, within six months of the end of the NAS's financial year, lay before Parliament a report submitted to him or her by the NAS in terms of subsection (1), together with the statement of accounts and auditor's report for the preceding financial year of the NAS.

*Exemption from liability for NAS*

14. No liability shall attach to the NAS or to any employee of the NAS for any loss or damage sustained by any person as a result of the *bona fide* exercise or performance of any function which by or in terms of this Act is conferred or imposed upon the NAS:

Provided that this section shall not be construed so as to prevent any person from recovering compensation for any loss or damage sustained by him or her which was caused by negligence.

*Transitional provision*

15. The Zimbabwe Academy of Sciences shall continue in existence but it has to register with the NAS in terms of this law.