



# **RULES OF THE GHANA COMMUNICATION TECHNOLOGY UNIVERSITY APPEALS BOARD**

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**RULES OF THE  
GHANA COMMUNICATION  
TECHNOLOGY UNIVERSITY  
APPEALS BOARD**



**GHANA COMMUNICATION TECHNOLOGY UNIVERSITY  
RULES OF THE APPEALS BOARD, 2023**

**Under the Authority of the Council of  
the Ghana Communication Technology University  
June, 2023**

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IN EXERCISE of the power conferred on the Council of Ghana Communication Technology University by Section 41 of the Ghana Communication Technology University Act, 2020(Act 1022), these Rules are made this June 2023.

## **THE APPEALS BOARD**

### **Jurisdiction of the Appeals Board**

1. Pursuant to section 41 (4) of the Act, the Appeals Board is responsible for hearing and deciding on the following matters during an appeal:

- (a) Acts or omissions in contravention of the Act or the Statutes enacted by the Council;
- (b) Breach of employment contracts by the University;
- (c) The promotion of persons duly employed by the University;
- (d) Grievances by students against the University on matters related to welfare and discipline; or
- (e) Any other matter or dispute referred to the Appeals Board by the Council.

(f) A right to commence an appeal under these rules shall accrue to an applicant after all grievance procedures provided under the University Rules and Regulation, including Conditions of Service have been exhausted

### **Membership of the Appeals Board**

2. In accordance with section 41 (3) of the Act, the Appeals Board's composition shall be as follows:

- (a) A Chairperson who is a retired Justice of the Superior Courts of Judicature or a lawyer qualified to be so appointed;
  - (b) Two lawyers of at least ten years standing at the Bar, who are persons of high moral integrity one of whom is a woman;
- and
- (c) Two persons who are not legal practitioners or employees of the University who are persons of high moral integrity, one of whom is a woman.

### **Chairperson's Alternate**

3. (a) In furtherance of section 41 (6) of the Act, in the absence of the Chairperson, one of the two lawyers as specified in 41 (3) (b), shall act as Chairperson.

### **Tenure of Office of Members of the Appeals Board**

4. (a) A member of the Appeals Board Shall serve on the board for a period of four (4) years and is eligible for re-appointment for an additional term. However, a member shall not be appointed for more than two terms.

(b) A member of the Appeals Board may resign from their position by providing prior written notice of at least three months to the Council, expressing their intention to resign.

(c) A member of the Appeals Board who does not attend or participate in the proceedings or matters relating to, or affecting the Board, without just cause or notice to the Council, for a cumulative period of more than six months in any calendar year ceases to be a member of the Appeals Board.

(d) The Council may at any time revoke the appointment of a member of the Appeals Board for good cause.

(e) Where there is a vacancy under this rule, the Council shall appoint a new person to fill the vacancy in accordance with section 41 (3) of the Act.

(f) If a panel is impacted by a vacancy in its membership, it shall be reconstituted by the Council/the appropriate authority, and the panel will continue to handle any ongoing appeal that was pending before it.

### **Co-opted Member**

5. (a) The Appeals Board may co-opt any competent person or persons to serve as technical advisor on any matter where assistance is required.

(b) For the avoidance of doubt, such a co-opted person shall not vote with members of the Board.

### **Meetings of the Appeals Board**

6. (a) The Appeals Board shall meet during the University's academic calendar only for the dispatch of business.

### **Allowances of members of the Appeals Board & Secretariat**

7. Members of the Appeals Board, a person co-opted by the Appeals Board and the Secretariat shall be paid allowances determined by Council.

## **SECRETARIAT OF THE APPEALS BOARD**

### **Secretariat of the Appeals Board**

8. (1) The Appeals Board shall have a secretariat to facilitate the work of the Board.

(2) The Secretariat shall be serviced by the Office of the Legal Counsel and shall comprise the Legal Counsel or a representative of the Legal Counsel, a Secretary with a legal background of a rank higher or equivalent to an Assistant Registrar and other officers that may be appointed by the University on the advice of the Legal Counsel.

(3) The Secretariat shall

(a) manage the affairs of the Appeals Board;

(b) organise meetings of the Appeals Board;

(c) take the minutes of the meetings or record the proceedings of the Appeals Board and keep such records or minutes and decisions of the Appeals Board;

(d) perform any other assignment assigned by the Appeals Board; and

(e) in consultation with the Vice-Chancellor and the Chairperson propose procedural rules and guidelines to govern the proceedings and meetings of the Appeals Board for the approval of the Council.

### **Cause List**

9. (1) The Secretariat shall maintain a cause list of all appeals pending before the Appeals Board.

(2) The Secretariat shall keep the cause list confidential and only release upon the express instructions of the Chairperson.

## **HEARING OF APPEALS**

### **Filing of an Appeal**

10. (1) A person who is dissatisfied with a decision taken by the University against that person may file a notice of appeal with the Appeals Board within one (1) month after receipt of the decision.

(2) A person specified in sub-rule (1) may apply to the Appeals Board, within six months from the date of receipt of the decision, for an extension of time to file an appeal if the specified time within which to file an appeal has lapsed.

(3) The Appeals Board may grant an application for extension of time under sub-rule (2) where the applicant shows good and just cause.

(4) An appeal filed under sub-rule (1) shall be

(a) in the form set out in Form 1 or 2 of the Schedule;

and

(b) filed with the Secretariat by depositing two copies of the original form in the office of the Registrar.

(5) A notice of appeal shall state the following:

- (a) the decision that is being appealed against, and
- (b) when the decision was made.

(6) An appellant may attach any relevant documents in support of the appeal.

(7) Any appeal filed by an appellant which does not conform to these Rules shall not be heard by the Appeals Board and the Secretariat shall take the necessary steps to assist the appellant to file an appeal which conforms to these Rules.

### **Hearing of Appeal**

11. (1) An appeal filed in accordance with these Rules shall be heard by a panel comprising the Chairperson and any two members of the Appeals Board.

(2) A panel shall be constituted by the Chairperson or in the absence of the Chairperson, the Chairperson's alternate.

(3) An appellant may appear before the Appeals Board alone or with a legal representative.

(4) A lawyer who appears before the Appeals Board shall ensure processes filed by the lawyer on behalf of the appellant bears a valid Solicitor's Licence number issued by the General Legal Council.

(5) The Appeals Board may conduct oral hearings and may take testimonies of witnesses when available or necessary.

(6) The Appeals Board may conduct its own investigations into the matter, in addition to considering the written or oral testimonies of the parties.

(7) An appellant shall not argue any matter which has not been stated in the notice of appeal.

(8) The principles of natural justice shall apply to all proceedings or the hearing of all matters before the Appeals Board.



(9) Where provision is not expressly made by these Rules regarding the practice and procedure which apply to any cause or matter before the Appeals Board, the Appeals Board shall determine the practice and procedure to be adopted which in the opinion of the Appeals Board may be necessary in determining the matter before the Board.

(10) Any Rules made under sub-rule (9) above shall be publicised and made available or served on the parties within a reasonable time.

**Non-appearance of Appellant**

12. (1) Where an appellant fails to appear before the Appeals Board for a hearing and has not filed a written submission to the Appeals Board, the Appeals Board may dismiss the appeal.

(2) Where an appellant fails to appear before the Appeals Board for a hearing and has filed a written submission, the Board may proceed to determine the matter in the absence of the appellant.

(3) Where an appeal has been dismissed in accordance with sub-rule (1), the Appeals Board may direct the appeal to be re-entered for hearing on the terms determined by the Appeals Board.

**Non-appearance of Respondent**

13. Where a respondent fails to appear before the Appeals Board for a hearing and has not filed a written submission, the Appeals Board may proceed to hear the appeal in the absence of the Respondent.

**Withdrawal of Appeal**

14. (1) An appellant may, at any time during the pendency of the appeal, file a notice to withdraw the appeal by stating the reasons for the withdrawal.

(2) A notice filed under sub-rule (1) shall be signed by the appellant and addressed to the Chairperson of the Appeals Board.

**Decision of the Appeals Board**

15. (1) The appeal process shall be completed expeditiously, and the Board shall deliver its decision within one (1) month after the conclusion of appeal.

(2) A matter before the Appeals Board shall be decided by a simple majority.

(3) For purposes of this rule, an appeal shall be considered closed when final arguments have been concluded.

(4) A member of the Appeals Board who has a dissenting opinion shall state it in writing and give the reasons for the dissent. Any dissenting opinion shall form part of the record and ruling of the Board.

(5) The period specified in sub-rule (1) shall not include public holidays, Sundays and vacation periods of the University.

(6) Decisions of the Appeals Board shall be final save for manifest error or error of law

## **CORRECTIONS IN A DECISION**

Clarification, Explanation and Correction of mistakes or errors in a decision by the Appeals Board

16. (1) The Appeals Board, with notice to either Party to an appeal or on the request of a party to an appeal, may:

- (a) correct some clerical mistake(s) in its decision;
- (b) correct any error in its decision which arose from any accidental slip or omission; and
- (c) clarify or explain its decision or any part thereof.

## **REVIEW OF DECISION**

### **Review of Decisions of the Appeals Board**

17. (1) The Appeals Board may upon its own motion or upon an application of a party review its decisions where:

- (a) there have been exceptional circumstances which have resulted in a miscarriage of justice; or
- (b) there has been a discovery of new matter or evidence which, after the exercise of due diligence, was not within the knowledge of the parties or could not be produced by the party at the time the decision was given.
- (c) there has been an error of law or a manifest error on the face of the record or decision

(2) A review may only be made on an application by either the appellant or respondent to the appeal.

(3) A person specified in sub-rule (2) who is dissatisfied with a decision of the Appeals Board may file an application for review of the decision of the Appeals Board with the GCTU Appeals Board Rules, 2023 Secretariat not later than fourteen (14) days after receipt of the written decision of the Appeals Board.

(4) An application for review shall

(a) be supported by an affidavit sworn to by the applicant, and

(b) accompanied with a written statement of the applicant's case which clearly sets out all relevant grounds on which the applicant relies.

(5) An application for review shall be on notice to all parties affected by the application or decision.

(6) A matter before the Appeals Board under rule 17 hereof shall be heard by the full membership of the Board and a decision shall be made by simple majority.

(7) The Secretariat shall make available a written copy of the decision to the parties no later than twenty-one (21) days after delivery of the decision of the Board.

## **MISCELLANEOUS**

### **Interpretation**

18. In these Rules, unless the context otherwise requires,

“Act” means the Ghana Communication Technology University Act, 2020 (Act 1022);

“Academic calendar” means the first day of August to the 31st day of July the following year pursuant to Statute 59 of the

Statutes of the Ghana Communication Technology University, 2020;

“Appeals Board or Board” means the GCTU

Appeals Board established under section 41 of the Act;

“Appellant” means the person applying for the appeal, review or seeking clarification;

“Good cause” includes but shall not be limited to the conviction of a person for a felony under the laws of Ghana, conduct of an immoral, scandalous or disgraceful nature incompatible with the duties of the office; conduct consisting of failure or persistent refusal, inability or neglect to perform the duties of the office, breach of trust or confidentiality and any matter of a scandalous nature occurring during the tenure of a member’s term.

“Respondent” refers to the person responding to an appeal, application for review or clarification;

“Statutes” refers to the Statutes of the Ghana Communication Technology University, 2020;

and “University” refers to the Ghana Communication Technology University established under section 1 of the Ghana Communication Technology University Act, 2020 (Act 1022).

**SCHEDULE**

**FORM 1 - NOTICE OF APPEAL**

(rule 10 (1))

1. THE APPELLANT APPEALS AGAINST THE AWARD OF THE

.....

2. THE PARTICULARS REQUIRED TO BE GIVEN ARE AS FOLLOWS

a. NAME AND STAFF NO.

.....  
.....  
.....  
.....  
.....

ADDRESS OF THE APPELLANT

.....  
.....

TEL NO..... (HOME).....

(OFFICE)..... (MOBILE)

EMAIL.....

b. DESCRIPTION OF THE SUBJECT MATTER OF THE APPEAL

PLEASE TICK THE APPLICABLE BOX

1. ACTS OR OMISSIONS IN CONTRAVENTION WITH THE GHANA COMMUNICATION TECHNOLOGY UNIVERSITY ACT OR THE STATUTES OF THE UNIVERSITY.

2. BREACH OF EMPLOYMENT

3. PROMOTION

c. DATE DECISION WAS GIVEN.....

PARTICULARS OF DECISION

.....  
.....  
.....  
.....  
.....  
.....  
.....

e. GROUNDS AND REASONS FOR THE APPEAL  
(PLEASE USE AN EXTRA SHEET IF NEEDED)

.....  
.....  
.....  
.....

IF YOU ARE REPRESENTING YOURSELF

DATE OF SUBMISSION: .....

SIGNATURE OF APPELLANT: .....

IF YOU ARE REPRESENTED BY COUNSEL

DATE OF SUBMISSION.....

NAME OF LAWYER.....

SOLICITOR'S LICENCE NUMBER.....

Lodged with:

Secretariat of the Appeals Board

Office of the Registrar

Ghana Communication Technology University

Tesano-Accra

Notes

1. The Notice of Appeal must be submitted to the Registrar within 14 days from the date of receiving the Decision
2. Two (2) copies of the Notice must be lodged

**FORM 2 - NOTICE OF APPEAL**

(JUNIOR MEMBERS)

(rule 10 (1))

To be completed by students only.

1. NAME OF STUDENT

.....

2. STUDENT IDENTIFICATION NUMBER

.....

3. ADDRESS (RESIDENTIAL AND / OR POSTAL)

.....  
.....  
.....

4. TELEPHONE NUMBER(S)

.....  
.....

5 EMAIL ADDRESS

.....

6. DECISION UNDER APPEAL

(Specify the decision being appealed Against. Please attached a copy of the received letter, if applicable)

.....  
.....  
.....

7. REASONS FOR APPEALING AGAINST THE DECISION

(Please use an extra sheet if needed)

.....



**IF YOU ARE REPRESENTING YOURSELF:**

Date of submission: \_\_\_\_\_

Signature of Student/Appellant: \_\_\_\_\_

**IF REPRESENTED BY A LAWYER:**

Date of Submission: \_\_\_\_\_

Name of Lawyer: \_\_\_\_\_

\_\_\_\_\_  
Solicitor's Licence Number: \_\_\_\_\_

Lodged with:

Secretariat of the Appeals Board

Office of the Registrar

Ghana Communication Technology University

Tesano-Accra

**Notes**

1. The Notice of Appeal must be lodged with the Registrar within 14 days of the date of the receipt of decision
2. Two(2) copies of the Notice must be lodged



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