

Rwanda

## Presidential Order establishing Rwanda Technical and Vocational Education and Training Board

Presidential Order 123 of 2020

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## Presidential Order 123 of 2020

Published in Official Gazette special on 15 October 2020

**Assented to on 15 October 2020**

**Commenced on 15 October 2020**

*[This is the version of this document from 15 October 2020.]*

**We, KAGAME Paul,**

President of the Republic;

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 112, 121, 122, 139 and 176;

Pursuant to Organic Law n° 001/2020.O.L of 08/06/2020 establishing general provisions governing public institutions especially in Article 4;

On proposal by the Minister of Public Service and Labour;

After consideration and approval by the Cabinet, in its meeting of 14/08/2020;

**HAVE ORDERED AND ORDER:**

### Chapter One General provisions

#### Article One – Purpose of this Order

This Order establishes Rwanda Technical and Vocational Education and Training Board. It also determines its mission, responsibilities, organisation and functioning.

#### Article 2 – Establishment

Rwanda Technical and Vocational Education and Training Board abbreviated as “RTB” is established.

#### Article 3 – Head Office

The head Office of RTB is located in the City of Kigali. It may be relocated elsewhere on the Rwandan territory when considered necessary.

The RTB may, in order to fulfil its responsibilities, have branches within the country where necessary upon approval by its supervising Authority.

#### Article 4 – Category

RTB is a non-commercial public institution.

## **Chapter II**

### **Mission and responsibilities**

#### **Article 5 – Mission**

The mission of RTB is to promote quality education in technical and vocation education and training from level one (1) to five (5) aimed at fast tracking socio-economic development of the country.

#### **Article 6 – Responsibilities**

RTB has the main following responsibilities:

- 1° to design and distribute curricula, teaching materials, trainer's guides, methodologies and establish training methods for technical and vocation education and training from level one (1) to five (5);
- 2° to promote the use of information and communication technology in technical and vocation education and training from level one (1) to five (5);
- 3° to coordinate and fast track technical and vocation education and training programs and activities;
- 4° to coordinate programs and activities to ensure trainers development, build their capacities and monitor their management;
- 5° to advise the Government on all activities which can fast track technical and vocation education and training development in Rwanda.

## **Chapter III**

### **Organisation and functioning**

#### **Article 7 – Supervising authority of RTB**

RTB is supervised by the Ministry in charge of education.

#### **Article 8 – Management organs**

The management organs of RTB are the following:

- 1° the Board of Directors;
- 2° the Executive Organ.

#### **Section One – Board of Directors**

#### **Article 9 – Composition of the Board of Directors and their term of office**

The Board of Directors of RTB is composed of seven (7) members.

Members of the Board of Directors serve a term of office of five (5) years renewable once.

## **Article 10 – Additional responsibilities of the Board of Directors**

Subject to the provisions of Organic Law establishing general provisions governing public institutions, the Board of Directors of RTB has the following additional responsibilities:

- 1° to conclude a performance contract with the supervising authority of RTB and make follow up on its execution;
- 2° to approve the draft budget proposal of RTB and make a follow-up on the budget execution;
- 3° to approve activity report, use of property and financial report for the previous year;
- 4° to approve the draft organizational structure;
- 5° to submit a quarterly and annual report to the supervising authority of RTB.

## **Article 11 – Powers of the Board of Directors**

The Board of Directors of RTB is the supreme management and decision-making organ. It is invested with extensive powers to make decisions regarding administration, human resources and the property of RTB in accordance with laws.

## **Article 12 – Reasons for loss of membership in the Board of Directors**

A member of the Board of Directors loses membership when:

- 1° the term of office expires;
- 2° he or she resigns in writing;
- 3° he or she is no longer able to perform his or her duties due to illness or disability;
- 4° he or she is sentenced to a term of imprisonment equal to or exceeding six (6) months in a final judgement;
- 5° he or she is absent in meetings for three (3) consecutive times without valid reasons;
- 6° he or she manifests any behaviour likely to compromise his or her dignity, that of his or her work or his or her position;
- 7° he or she jeopardises the interests of the RTB;
- 8° he or she is convicted of the crime of genocide or genocide ideology;
- 9° he or she no longer fulfils the requirements considered at the time of his or her appointment;
- 10° he or she dies.

In case a member of the Board of Directors of RTB leaves his or her duties before the expiration of his or her term of office, the competent authority appoints his or her substitute to complete his or her predecessor's term of office.

## **Article 13 – Duties of the Chairperson of the Board of Directors**

The Chairperson of the Board of Directors of RTB has the following duties:

- 1° to chair the meeting of the Board of Directors and coordinate its activities;
- 2° to convene and preside over meetings of the Board of Directors;
- 3° to submit to the supervising authority of RTB minutes of meetings of the Board of Directors;

- 4° to submit the reports of RTB to relevant organs as approved by the Board of Directors;
- 5° to make a follow up on the implementation of the resolutions of the Board of Directors;
- 6° to perform other duties falling within its responsibilities as the Board of Directors may assign to him or her.

### **Article 14 – Duties of the Deputy Chairperson of the Board of Directors**

The Deputy Chairperson of the Board of Directors of RTB has the following duties:

- 1° to assist the Chairperson and replace him or her in case of absence;
- 2° to perform any other duty as may be assigned by the Board of Directors falling within its responsibilities.

### **Article 15 – Convening and holding of meeting of the Board of Directors and modalities for decision-making**

The meeting of the Board of Directors of RTB is held once a quarter and whenever necessary upon invitation by its Chairperson or Deputy Chairperson in case of absence of its Chairperson, at their own initiative or upon request in writing by at least one third ( $\frac{1}{3}$ ) of its members.

The invitation is submitted in writing to the members of the Board of Directors at least fifteen (15) days before the meeting is held.

However, an extraordinary meeting is convened in writing not less than three (3) days before the meeting is held.

Items to be considered by the Board of Directors in the first quarter of the year include the approval of the financial and activity reports of the previous year.

In every quarter, the Board of Directors of RTB must examine the financial and activity reports relating to the previous quarter and submit them to the supervising authority of RTB.

The quorum for a meeting of the Board of Directors is two thirds ( $\frac{2}{3}$ ) of its members. However, when a meeting is convened for the second time it takes place regardless of the number of members present.

The Director General of RTB attends meetings of the Board of Directors.

Modalities for decision-making by the Board of Directors of RTB are determined by internal rules and regulations of RTB.

### **Article 16 – Invitation of a resource person to the meeting of the Board of Directors**

The Board of Directors of RTB may invite in its meeting any person from whom it may seek advice on a certain item on the agenda.

The invited person is not allowed either to vote or to follow debates on other items on the agenda.

### **Article 17 – Approval of resolutions and minutes of the meeting of the Board of Directors**

Resolutions of the meeting of the Board of Directors of RTB are signed by its members immediately after the end of the meeting, and a copy thereof is sent to the supervising authority of RTB within five (5) days.

The head of the supervising authority of RTB gives his or her views on the resolutions of the meeting of the Board of Directors within fifteen (15) days from receipt thereof. If this period expires before giving his or her views, the resolutions of the meeting are considered definitively approved.



The minutes of the meeting of the Board of Directors of RTB are signed by the Chairperson and its rapporteur and approved during the next meeting. A copy of minutes of the meeting is sent to the supervising authority of RTB within fifteen (15) days from the date of approval.

### **Article 18 – Rapporteur of the Board of Directors**

The Director General of RTB serves as the rapporteur of the meeting of the Board of Directors but he or she has no right to vote in decision making.

The Director General of RTB does not participate in the meetings that make decisions on issues that concern him or her. In that case, members of the Board of Directors at the meeting elect among themselves a rapporteur.

### **Article 19 – Personal interest in issues on the agenda**

A member of the Board of Directors of RTB who has a direct or indirect interest in the issue to be considered must immediately inform the Board of Directors about where that interest lies.

A member of the Board of Directors who disclosed his or her interest in the issue to be considered cannot attend the meeting deliberating on that issue.

When it happens that many or all members of the Board of Directors have a direct or indirect interest in the issues to be considered in such a way that it is impossible to take decision on the issues, the issues are submitted to the supervising authority of RTB to decide thereon within thirty (30) days.

## **Section 2 – Executive Organ**

### **Article 20 – Composition of Executive Organ**

The Executive Organ of RTB is comprised of Director General. It may also have a Deputy Director General when considered necessary.

### **Article 21 – Additional responsibilities of the Executive Organ**

Subject to the provisions of organic law governing establishing general provisions governing public institutions, the Executive Organ of RTB has the following other responsibilities:

- 1° to monitor and coordinate daily activities of RTB;
- 2° to perform any other duty as may be assigned by the Board of Directors falling within the responsibilities of RTB.

### **Article 22 – Powers and responsibilities of the Director General**

The Director General of RTB has the power of decision making in the administrative and financial management of RTB in accordance with relevant laws. He or she coordinates and directs the activities of RTB.

Specially, the Director General of RTB, has the following duties:

- 1° to make a follow-up on the daily activities of RTB, human resources management and the use of the budget;
- 2° to serve as the legal representative of RTB and publicise its activities;
- 3° to serve as the spokesperson of RTB;
- 4° to implement the resolutions of the Board of Directors of RTB;

- 5° to ensure the management of equipment and property of RTB and submit related report to the Board of Directors;
- 6° to prepare the action plan and activity report;
- 7° to prepare the draft internal rules and regulations of RTB;
- 8° to prepare the draft action plan and draft budget proposal of RTB and submit them to the Board of Directors;
- 9° to ensure the execution of the budget and management of the property of RTB;
- 10° to attend the meetings of the Board of Directors and act as rapporteur;
- 11° to perform any other duty as may be assigned by the Board of Directors falling within the mission of RTB.

## **Chapter IV**

### **Property and finance**

#### **Article 23 – Property and its sources**

The property of RTB is comprised of movable and immovable assets.

The property of RTB comes from the following sources:

- 1° State budget allocations;
- 2° State and development partners' subsidies;
- 3° income from services rendered;
- 4° interests from its property;
- 5° loans granted to RTB as approved by the Minister in charge of finance;
- 6° donations and bequests.

#### **Article 24 – Budget**

RTB prepares its annual budget to be adopted by the relevant authority.

#### **Article 25 – Use, management and audit of the property of RTB**

The use, management and audit of the property of RTB are carried out in accordance with relevant laws.

The internal audit service of RTB submits its report to the Board of Directors of RTB and gives a copy to the Director General of RTB.

The Office of the Auditor General of State Finances carries out audit of the management and use of the finance and property of RTB.

#### **Article 26 – Annual financial Report**

Within three (3) months following the closure of the financial year, the Director General of RTB submits the annual financial statements to the supervising authority of RTB after their approval by the Board of Directors in accordance with laws governing management of State finance and property.

## **Chapter V**

### **Final provisions**

#### **Article 27 – Authorities responsible for the implementation of this Order**

The Prime Minister, the Minister of Public Service and Labour and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.

#### **Article 28 – Repealing provisions**

All prior provisions contrary to this Order are repealed.

#### **Article 29 – Commencement**

This Order comes into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.