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## **LAW N°22/2006 OF 28/04/2006 ESTABLISHING THE INSTITUTE OF LEGAL PRACTICE AND DEVELOPMENT**

We, **KAGAME Paul**,  
President of the Republic;

**THE PARLIAMENT HAS ADOPTED, AND WE SANCTION, PROMULGATE THE FOLLOWING LAW AND ORDER IT TO BE PUBLISHED IN THE OFFICIAL GAZETTE OF THE REPUBLIC OF RWANDA.**

### **THE PARLIAMENT:**

The Chamber of Deputies in its session of March 29, 2006;

The Senate in its Session of March 3, 2006;

Given the Constitution of the Republic of Rwanda of June 4<sup>th</sup>, 2003, as amended to date, especially in its articles 62, 66, 67, 88, 90, 91, 92, 93, 95, 108, 118 and 201;

Given the Organic Law n°20/2003 of 03/08/2003 organising national education in Rwanda;

Given the Law n°14/2004 of 26 May 2004 establishing the general provisions governing public institutions especially in its article 17;

Given the Law n° 20/2005 of 20/10/2005 governing the organisation and functioning of higher education;

Having reviewed Law n° 04/2003 of 11/02/2003 establishing the National Centre for Judicial Training and Development as amended to date.

### **ADOPTS:**

### **CHAPTER ONE: GENERAL PROVISIONS**

#### **Article one:**

There is hereby established an Institute of Legal Practice and Development hereinafter referred to as "ILPD", in brief terms.

ILPD is a national institution of higher education with legal status. It has academic, financial and administrative autonomy. The ILPD is supervised by the Ministry in charge of Justice.

**Article 2:**

ILPD's headquarters is located in Nyanza District, the Southern Province and may be transferred to any other location in Rwanda whenever necessary upon proposal by the Board of Directors.

**Article 3:**

The main responsibilities of ILPD are as follows:

- to provide legal professional education to those persons holding at least a Bachelor's Degree in Law;
- to provide training to the personnel dealing with justice and thereto related activities;
- to promote and widespread the research related to law;
- to collaborate with other higher learning and research institutions within and outside Rwanda in as to academic research fields aimed at promoting law and justice;
- to support any other initiative aimed at promoting justice and law.

**Article 4:**

ILDP and its supervising authority shall conclude a performance contract relating to a plan of action and which indicates evaluation modalities. Such contract shall also specify the powers, rights and obligations of each party in fulfilling the mission of ILDP. Such a contract shall be valid for a period of the mandate of the members of the ILDP's Board of Directors; and it shall be signed by the Chairperson of the Board of Directors and the Minister in charge of justice.

**CHAPTER II: STRUCTURES OF THE INSTITUTE****Article 5:**

ILDP is comprised of the following organs:

- the Board of Directors;
- the Academic Senate;
- the office of the Rector
- the Boards of Faculties
- the Boards of Departments

## **SECTION ONE: THE BOARD OF DIRECTORS**

### **Article 6 :**

ILPD is governed by a decision making board referred to as the Board of Directors. It shall have full and permanent powers and responsibilities in order to ensure that the institute fulfils its responsibilities.

### **Article 7:**

The Board of Directors shall comprise the following persons:

- 1° the Chairperson of the Board of Directors;
- 2° the Rector of ILDP who is also the Board's rapporteur;
- 3° the Vice-Rector in charge of academic affairs;
- 4° the Vice-Rector in charge of Administration and Finance;
- 5° the Director of students' services department;
- 6° the Representative of the Ministry in charge of higher education;
- 7° the Representative of the Ministry in charge of justice;
- 8° the Representative of the Ministry in charge of public service;
- 8° a Representative of the academic and research staff of ILDP elected by his or her peers;
- 9° a Representative of the administrative and technical staff of ILDP elected by his or her peers;
- 10° two (2) representatives of students elected by their peers and one being a female;
- 11° the representative of the Supreme Court;
- 13° the representative of the Parquet Général de la République;
- 14° one Dean representing the Deans of the Faculties of Law in recognized higher learning institutions and who is elected by his or her peers;
- 15° The representative of the Bar Association.

**Article 8:**

The Board of Directors shall particularly be responsible for the following:

1. participating in the elaboration of the ILDP's academic policy and following up its implementation; preparing the ILDP's internal rules and regulations;
2. preparing the ILDP's budget proposal;
3. approving the recommendations of the Academic Senate as to the appointment of teaching and research personnel and the conferring of academic awards within ILDP;
4. making proposals to the Minister in charge of higher education concerning the establishment of centers, faculties and departments of ILDP;
5. approving donations, grants and aids that are accorded to ILDP;
6. submitting each year activity and financial reports to the Minister in charge of justice;
7. approving agreements entered into between ILDP and higher learning, research institutions and other institutions in general;
8. performing any other activity that would help ILDP achieve its objectives.

**Article 9:**

Apart from those whose membership to the Board of Directors is by virtue of their functions in ILDP and students that are elected by their peers, other members shall be appointed by a Prime Minister's Order for a three (3) year term of office renewable once.

The Chairperson shall be elected from among those members who come from outside ILDP.

**Article 10:**

At its first meeting, the Board of Directors shall elect from among its members the Vice-Chairperson. He or she shall be elected from those members who come from outside ILDP and shall replace the Chairperson of the Board in case of his or her absence.

**Article 11:**

The Board of Directors shall hold its ordinary meeting once a quarter upon invitation by the Chairperson or, in case of his or her absence by the Vice-Chairperson.

**Article 12:**

The Board of Directors shall lawfully meet if at least one half (1/2) of its members are present and if at least one half (1/2) of those members coming from outside ILDP are present.

**Article 13:**

The Board of Directors shall make its decisions by consensus. In case of failure, the decisions shall be made upon an absolute majority of the votes of members present at the meeting. In case of a tie, the voting shall be repeated. In case of another tie at the second time, the Chairperson shall have a casting vote.

**Article 14:**

The Board of Directors may invite any resourceful person to attend the meeting and provide assistance on specific and relevant matters. Such a person shall have no voting right.

**Article 15:**

The invitation to the meeting of the Board of Directors shall be in writing and reach members at least fifteen (15) working days before for an ordinary meeting, and two (2) working days before for an extraordinary meeting. The invitation shall also indicate the venue, date, time and the agenda of the meeting.

**Article 16:**

The decisions of the meeting of the Board of Directors shall be signed by its members present immediately after the meeting and sent to the Minister in charge of justice at least five (5) working days as of the day on which they are made. Where the same Minister finds such decisions contravening the law or the ILDP general interest, he or she shall, in writing, cause their implementation to be cancelled.

Such writing shall provide reasons that led to the cancellation of those decisions. Where a period of fifteen (15) working days elapses without the Minister in charge of justice giving his or her views, such decisions shall be presumed as definitively approved.

**Article 17:**

Minutes of the meeting of the Board of Directors shall be written by its rapporteur. They shall be signed by the person who chaired the meeting and its rapporteur and shall be sealed with the seal of ILDP.

**Article 18:**

Members of the Board of Directors who are present in the meeting of the Board of Directors shall receive allowances determined by a Presidential Order.

**Article 19:**

A member of the Board of Directors shall leave such an office if:

- he or she becomes incapable of duly performing his or her duties;
- he or she is sentenced to an imprisonment of six (6) months or more;
- he or she is characterized by whatever kind of discrimination;
- he or she is associated with mismanagement of ILDP's property;
- he or she resigns through in writing;
- he or she is absent in meetings for three (3) consecutive times in a year without justified reasons;
- he or she acts against the ILDP's interest;
- he or she becomes incapable of performing his or her duties due to physical or mental illness after confirmation by an authorized doctor
- he or she is definitively sentenced due to the crime of genocide;
- he or she confesses and admits the crime of genocide;
- it is clear that he or she no longer fulfils the requirements considered at the time of his
- or her appointment in the Board of Directors;
- he or she dies.

**Article 20:**

The Board of Directors of ILDP shall make a report to the Minister in charge of justice and indicate that a given person no longer deserves or that a given seat falls vacant in accordance with the provisions of article 19 of this law, which is approved by the organ that appointed him or her. Such a person shall be replaced in accordance with the provisions of article 9 of this law.

## **Section II: Attributions of the Academic Senate**

### **Article 21:**

The Academic Senate is the supreme organ, which is in charge of academic and research affairs of ILDP.

### **Article 22:**

The Academic Senate shall comprise the following persons:

- the Rector who is the Chairperson;
- the Vice-Rector in charge of Academic Affairs, who is the Vice-Chairperson and the Rapporteur;
- the Vice-Rector in charge of Administration and Finance;
- one professor who is elected by his or her peers from the teaching staff of every faculty of ILDP and specialized centers affiliated to ILDP;
- two (2) representatives of the teaching staff that are elected by their peers;
- the Deans of Faculties;
- the Heads of Departments;
- the Director of the Library;
- the representative of Students' Association who is in charge of Academic Affairs;
- two (2) representatives of students that are elected by their peers, one being a female.

### **Article 23:**

The Academic Senate shall, in its first meeting, elect a Deputy-Rapporteur from among its members. He or she shall be elected among Deans of Faculties or Directors of specialized centers affiliated to ILDP.

### **Article 24:**

Apart from those members of the Academic Senate by virtue of their duties, other members shall be elected for a three (3) year term of office renewable once.



**Article 25:**

The Academic Senate shall have the following main responsibilities:

- to prepare academic and research strategies and programs of ILDP and submit them to the Board of Directors for approval;
- to make regulations relating to criteria for admission of students joining ILDP, regulations relating to examinations and academic awards issued by ILDP and submit them to the Board of Directors for approval;
- to evaluate the results of examinations and approve them;
- to make recommendations to the Board of Directors on appointments and promotion of the teaching and research staff;
- to lead and supervise the conduct of academic and research programs of Faculties and Departments of ILDP;
- to make recommendations to the Board of Directors as to the establishment, division, modifications, suppression or merging of centers, departments or faculties of ILDP;
- to submit to the Board of Directors an annual report on all academic and research activities of ILDP;
- to perform any other duty as it may be assigned by the Board of Directors.

**Article 26:**

The Academic Senate shall in its functions be assisted by the Boards of Faculties and Departments in order to achieve its objectives.

**Article 27:**

The Academic Senate shall hold its ordinary meeting once every two (2) months upon the invitation by its Chairperson or, in case of his or her absence, by the Vice-Chairperson.

It may also hold extraordinary meeting whenever necessary upon the invitation by the Chairperson or, in case of his or absence, by the Vice-Chairperson.

**Article 28:**

The Academic Senate shall lawfully meet at least one half (1/2) of its members are present.

The Academic Senate shall make its decisions upon consensus and in case of failure to reach the consensus, they shall be made upon an absolute majority vote of those members present. In case of a voting tie, the Chairperson shall have a casting vote.

### **Section 3: The management of ILDP**

#### **Article 29:**

The management of ILDP shall comprise the following persons:

- the Rector of ILDP;
- the Vice-Rector in charge of Academic Affairs;
- the Vice-Rector in charge of Administration and Finance;
- the Director of Students Services;
- the Deans of Faculties;
- the Heads of Departments;
- the Human Resource Manager;
- the Director of the Library of ILDP.

#### **Article 30:**

The Rector of ILDP shall be appointed by a Presidential Order for a four (4) year term of office, which is renewable once.

#### **Article 31:**

The Rector of ILDP shall manage and coordinate all activities of ILDP as regards academic, administrative and financial management.

He or she shall particularly have the following responsibilities:

- to implement the decisions of the Board of Directors;
- to submit to the Board of Directors the budget proposal of ILDP;
- to ensure the utilization and management of the ILDP's finances;
- to ensure the welfare and discipline of students and the personnel;
- to represent ILDP within and outside the country;
- to prepare annual activity and financial reports to be submitted to the Board of Directors;

- to designate a person who replaces him or her in case of absence of the Vice-Rector in charge of Academic affairs;
- to perform any other duty relating to his or her attributions and which may be assigned to him or her by the Board of Directors..

The Board of Directors and the Management shall conclude a performance contract relating to a plan of action and which shall at least indicate and specify the rights and obligations of each party and the conditions required in order for ILDP to fulfil its responsibilities.

#### **Article 32:**

While performing his or her duties, the Rector of ILDP shall be assisted by the senior staff referred to in article 29 of this law and other organs in accordance with their hierarchy and responsibilities.

#### **Article 33:**

The Vice-Rectors of ILDP shall be appointed by a Prime Minister's Order for a four (4) year term of office, which is renewable once.

#### **Article 34:**

The Vice-Rector in charge of Academic Affairs shall have the following responsibilities:

- to coordinate all academic and research activities of ILDP;
- to supervise the academic and research staff;
- to arrange for the meetings of the Academic Senate and ensure the implementation of the decisions taken therein;
- to deputize for the Rector and represent him or her before the law;
- to perform any other duty which is related to his or her attributions as may be assigned to him or her by the Rector of ILDP.

#### **Article 35:**

The Vice-Rector in charge of Administration and Finance shall have the following responsibilities:

- to prepare the organizational chart of ILDP and ensure the follow-up of its functioning;
- to make a planning as regards receipts and expenses of ILDP and supervise their utilization;

- to prepare the budget proposal of ILDP;
- to promote income generating activities;
- to make a quarterly report indicating expenses and receipts;
- to make an accounting report at the end of every year;
- to perform any other duty which is related to his or her attributions as may be assigned to him or her by the Rector of ILDP.

**Article 36 :**

The Dean of a Faculty or the Head of Department shall be elected by the teaching and research staff of ILDP in his or her respective faculty, department or center and shall be approved by the Board of Directors upon request by the Academic Senate.

**Article 37:**

The organization and functioning of Faculties and Departments shall be specified in the ILDP internal rules and regulations and shall be determined in accordance with the law governing the organization and functioning of higher education in the Republic of Rwanda and other laws and regulations.

**Article 38:**

Benefits of the Rector of ILDP shall be determined in accordance with legal provisions that govern benefits accorded to the Directors of public institutions.

**CHAPTER III: THE STAFF OF ILDP**

**Article 39 :**

The staff of ILDP shall comprise the following categories:

- the teaching and research staff;
- the administrative and technical staff;
- the support staff.

**Article 40 :**

The teaching and research staff of ILDP shall comprise those persons who were appointed as permanent or part time lecturers and researchers.

The Superior Council for Higher Education shall determine the criteria applicable when it comes to their appointment, promotion, classification and sanctions.

**Article 41:**

Administrative and technical staff shall comprise those persons that help the management of ILDP to achieve its objectives.

**Article 42:**

The support staff shall comprise those employees of ILDP not referred to in articles 40 and 41 of this law.

**Article 43:**

The rights and duties of the teaching and research staff, administrative and technical staff as well as those of support staff shall be governed by the general statutes for public service, the Labor Code, this law and the internal rules and regulations of ILDP.

**Article 44:**

The internal rules and regulations shall determine modalities of evaluating the staff of ILDP, which shall base upon the provisions of the law governing the organization and functioning of higher education in the Republic of Rwanda.

**CHAPTER IV: STUDENTS OF ILDP****Article 45:**

A student of ILDP shall be any person meeting its admission requirements for ordinary or special academic programs.

**Article 46:**

The Board of Directors of ILDP shall base on the standards set by the Superior Council for Higher Education and determine the admission requirements of ILDP.

**Article 47:**

The rights and duties of a student of ILDP in relation to academic matters, discipline and social welfare shall be governed by the ILDP's general regulations on academic matters and students social welfare.

**CHAPTER V: ASSETS OF ILDP****Article 48:**

The assets of ILDP shall comprise of immovable and movable assets and shall derive from:

- state budget;
- income generated from various activities and services of ILDP;
- tuition fees ;
- grants, donations, aids and legacy;
- the property that formerly belonged to National Centre for Judicial Training and development located in the District of Nyanza.

**Article 49:**

The management and utilisation of the ILDP's property shall be determined by the Board of Directors in accordance with the law.

**Article 50:**

The audit for the property of ILDP shall be conducted by the following :

- the ILDP's internal auditor;
- the Office of Auditor General of State finances.

**Article 51:**

The ILDP's budget shall be managed and used in accordance the law governing public finances.

**CHAPTER VI: FINAL PROVISIONS**

**Article 52:**

The Law n° 04/2003 of 11/02/2003 establishing the National Centre for Judicial Training and Development as modified and complemented to date and all previous legal provisions contrary to this law are hereby abrogated.

**Article 53:**

This Law shall come into force on the date of its publication in the Official Gazette of the Republic of Rwanda.

Kigali, on 28//04/2006

The President of the Republic  
**KAGAME Paul**  
(sé)

The Prime Minister  
**MAKUZA Bernard**  
(sé)

The Minister of Justice  
**MUKABAGWIZA Edda**  
(sé)

The Minister of Public Service and Labour  
**Prof. NSHUTI Manasseh**  
(sé)

The Minister of Education  
**Dr. MUJAWAMARIYA Jeanne d’Arc**  
(sé)

The Minister of Finance and Economic Planning  
**MUSONI James**  
(sé)

**Seen and sealed with the Seal of the Republic:**

The Minister of Justice  
**MUKABAGWIZA Edda**  
(sé)