

**CENTRE FOR EDUCATION, INNOVATION RESEARCH AND
DEVELOPMENT ACT [CHAPTER 25:34]**

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ZIMBABWE

ACT

To provide for the establishment and function of the Centre for Education, Innovation Research, and Development; to provide for the management and regulation of education, innovation and Research and to provide for and matters incidental to or connected with the foregoing.

ENACTED by the Parliament and the President of Zimbabwe.

PART I

PRELIMINARY

1 Short title

This Act may be cited as the Education, Innovation, Research and Development Centre Act [*Chapter 25:34*].

2 Interpretation

In this Act—

“Centre” means the Centre for Education, Innovation, Research and Development;

“Chief Director” means the Chief Director in the Ministry Responsible for Centre who shall be the liaison person of Centre for Education, Innovation, Research and Development Council and Government;

“Eminent Scientist” means a scientist who is a holder of at least master’s degree with a minimum of 21 relevant publications;

“Chief Scientist” means the Chief Scientist of Centre appointed in terms of section 8;

“Council” means the Centre Council constituted in terms of section 7;

“Fund” means the Centre Fund established by section 13;

“institute” means the institute referred to in section 9;

“member” means a member of the Council;

“Minister” means Minister of Higher and Tertiary Education, Innovation, Science and Technology Development or any other Minister to whom the President may, from time to time, assign the administration of this Act;

“Principal Scientist” means the Principal Scientist referred to in section 10.

3 Object of Act

The object of the Act is to undertake research and innovation through fostering High-Quality Education, Innovation, Research and Development in strategically important sectors that have impact on the economy and society of Zimbabwe by harnessing a renowned pull of talent in the public (Government, Universities and Research Institutes) and private industry.

4 Scope of application

This Act shall apply to the public and private industry and all institutions of higher and tertiary education in Zimbabwe which include the following—

- (a) universities;
- (b) teachers’ colleges;
- (c) polytechnic colleges;
- (d) industrial training colleges;
- (e) vocational training Centres; and
- (f) institutions that undertake research and innovation.

PART II

CENTRE FOR EDUCATION, INNOVATION, RESEARCH AND DEVELOPMENT

5 Establishment of Centre

There is hereby established an institution to be known as Centre for Education, Innovation, Research and Development, which shall be a body corporate capable of suing and being sued in its own name and of performing all acts that bodies corporate may by law perform.

6 Functions and powers of Centre

- (1) The Centre shall have the following functions—
 - (a) to support the development and demonstration of technology-based products, processes and services;
 - (b) to create techno jobs across the economy, for graduates from all institutions of higher and tertiary learning in Zimbabwe;
 - (c) to provide engineering and technological solutions to industry and the community and generate income;
 - (d) to promote and encourage institutions of higher and tertiary education, industry and community partnerships in engineering, technology and innovation;
 - (e) to create an enabling environment that supports innovation and technology business enterprises and connect the Zimbabwe economy with the global innovation industry;
 - (f) to increase productivity through Science, Technology, Engineering and Mathematics innovation across all of Zimbabwe’s productive and social sectors;

- (g) to establish Centre satellite institutes distributed in all Provinces of Zimbabwe focusing on priority programmes for strategic sectors that have impact to the economy and society including but not limited to Health and environment, security and Protection, mobility and transport, production and supply services, information communication technologies, energy and natural resources, geospatial, aeronautical and Space Sciences, food technology, electronics and electro- mechanical systems and climate resilience, water and sanitation technologies ,smart agriculture and genomics;
- (h) to coordinate and house programme-based synergies among Universities, Teachers Colleges, Polytechnics, Industrial training Colleges, Vocational training Centres and Research and innovation institutions in tackling national challenges for the modernisation and industrialisation of Zimbabwe; and
- (i) to improve Zimbabwe's economic status through production and export of intellectual property.

7 Constitution of Council

(1) There is hereby constituted a Council to be known as the Centre for Education Innovation Research and Development Council.

(2) The Council shall be the governing body of the Centre which shall exercise general oversight over the institution and its affairs.

(3) The Council shall consist of not less than nine members and not more than fifteen members appointed by the President upon recommendation by the Minister and in accordance with any directions the President may give him or her.

(4) The Council shall consist of the following members—

- (a) the Chief Scientist who shall be an *ex officio* member;
- (b) Chief Director who shall be an *ex officio* member;
- (c) a registered chartered accountant;
- (d) a legal practitioner registered in terms of the Legal Practitioners Act [Chapter 27:07];
- (e) one person with a techno entrepreneurial background;
- (f) a person selected through the Ministry representing the Small and Medium Enterprises Sector; and
- (g) not more than six (6) eminent scientists.

(5) In appointing members of the Council, the President shall—

- (a) designate one member as Chairperson and another as Vice-chairperson of the Council:

Provided that if the Chairperson is male, the Vice-chairperson shall be female or *vice versa*;

and

- (b) observe sections 17 and 18 of the Constitution.

(6) Members shall be appointed on merit for their professional qualifications, ability and experience.

(7) The Minister shall as soon as possible publish the names of persons appointed to the Council by notice in the Government *Gazette*.

(8) The Council may appoint any person to committees and boards of institutes, as it deems necessary, in pursuance of its operations, and may come up with specific terms of reference for such person or committee.

(9) The provisions relating to the work of the Council are set out in the Schedule.

8 Appointment and duties of Chief Scientist

(1) There is hereby established the office of the Chief Scientist who shall be appointed by the President upon recommendation from the Minister.

(2) The Chief Scientist shall hold office for a period of five years and shall be eligible for reappointment for only one term based on performance.

(3) Any appointment in terms of subsection (1) must be on a performance-based contract.

(4) No person shall be appointed as Chief Scientist if he or she—

- (a) does not have a minimum of a doctoral qualification and at least five years' experience in a science discipline; or
- (b) has been adjudged or otherwise declared insolvent or bankrupt in terms of a law in force in any country, and has not been rehabilitated or discharged; or
- (c) has made an assignment to or arrangement or composition with his or her creditors in terms of a law in force in any country, and the assignment, arrangement or composition has not been rescinded or set aside; or
- (d) is a member of Parliament.

(5) The appointment of the Chief Scientist shall terminate if he or she would be required in terms of paragraph 4 of the Schedule to vacate his or her office had that paragraph applied to him or her.

(6) The Chief Scientist shall, subject to the Council's directions, be responsible for—

- (a) ensuring that the functions of the Centre as set out in section 5 are carried out; and
- (b) supervision and management of Centre's staff, activities, funds and property; and
- (c) the recruitment and retention of staff necessary for the proper discharge of the functions of the Centre on such terms and conditions as may be determined by the Centre; and
- (d) performing such other functions on behalf of the Centre as the Centre may assign to him or her.

(7) Any assignment of functions in terms of subsection (6)—

- (a) may be made generally or specially and subject to such conditions, restrictions, reservations and exceptions as the Council may determine;
- (b) may be revoked by the Centre at any time;
- (c) shall not preclude the Centre itself from exercising the function.

9 Provincial Institutes

(1) For the better discharge of its functions, the Centre may establish Provincial Institutes as it considers necessary.

(2) Every Provincial Institutes shall be managed by the board consisting of the Principal Scientist and two other members appointed by the Centre for their relevant experience.

10 Principal Scientist

(1) The Centre shall appoint a Principal Scientist for every Provincial Institute established.

(2) The Principal Scientist shall be the head of the Provincial Institute and shall perform such other functions as may be appointed to him or her by the Chief Scientist.

(3) The Principal Scientist shall report to the Chief Scientist.

11 Execution of contracts and instruments of Centre

An agreement, contract or instrument approved by the Council may be entered into or executed on the Centre's behalf by any person generally or specially authorised by the Council for that purpose.

12 Reports of Centre

(1) In addition to any annual report which the Centre may be required to submit to the Minister in terms of the Public Finance Management Act [*Chapter 22:19*], the Centre—

- (a) shall submit to the Minister such other reports as the Minister may require;
- (b) may submit to the Minister such other reports as Centre considers desirable; in regard to the operations, undertakings and activities of the Centre; and
- (c) shall submit reports to Parliament.

(2) The Centre shall give the Minister all information relating to the operations, undertakings and activities of the Centre that the Minister may at any time require.

PART III

FINANCIAL PROVISIONS

13 Funds of Centre

The funds of the Centre shall consist of—

- (a) such moneys as may be payable to the Centre from moneys appropriated for the purpose by Act of Parliament;
- (b) any loans, donations, bequests or grants made to the Centre after consultation with the Minister;
- (c) any fees or charges in respect of any services rendered by the Centre;
- (d) any other moneys or assets as may accrue to the Centre, whether in the course of its operations or otherwise.

14 Investment of moneys not immediately required by Centre

Moneys not immediately required by the Centre may be, with the approval of the Minister, invested in such a manner as the Council considers appropriate, including but not limited to—

- (a) equity, money markets, joint ventures, offshore markets, endowments; and
- (b) such other investment vehicles as the Council deems fit.

15 Financial year of Centre

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

16 Accounts of Centre

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

(2) As soon as possible after the end of each financial year, the Centre shall prepare and submit to the Minister a statement of audited accounts in respect of that financial year or in respect of such other period as the Minister may direct.

17 Audit of Centre's accounts

(1) The Centre shall appoint as auditors one or more persons approved by the Minister who are registered as public accountants in terms of the Public Accountants and Auditors Act [*Chapter 27:12*] to audit the accounts of the Centre.

(2) The auditors appointed in terms of subsection (1) shall make a report to the Centre and the Minister on the statement of accounts prepared in terms of section 17 and such report shall state whether or not in their opinion the statement of accounts gives a true and fair view of the financial affairs of the Centre.

(3) In addition to subsection (2), the Minister may require the Centre to obtain from the auditors appointed in terms of subsection (1) such other reports, statements or explanations in connection with the funds, operations, investments and property of the Centre as the Minister may consider expedient.

(4) If in the opinion of the auditors appointed in terms of subsection (1)—

- (a) they have not obtained the information and explanations they require; or
- (b) any accounts and records relating thereto have not been properly kept; or
- (c) the Centre has not complied with any provision of this Act;

the auditors shall include in the report made in terms of subsection (2) or (3), as the case may be, statements to that effect.

(5) If in terms of the Audit Office Act [*Chapter 22:18*] the Centres' accounts are required to be audited by the Auditor-General, any reference in this section to auditors appointed in terms of subsection (1) shall be construed as a reference to the Auditor-General.

18 Powers of auditors

(1) The auditors appointed in terms of section 16(1) shall be entitled at all reasonable times to require to be produced to them all accounts and other records relating thereto kept by the Centre and to require from the Chief Scientist or any member or agent or employee of the Centre such information and explanations as in the auditors' opinion are necessary for the purpose of their audit.

(2) If the Chief Scientist or any member or agent or employee of the Centre fails without reasonable cause to comply with the requirement of an auditor in terms of subsection (1), he or she 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.

19 Centre to make certain charges to revenue account

The Centre shall charge to its revenue account all proceeds which, in the normal conduct of business, are regarded as proper to be charged to the revenue account and, in so doing, shall make proper provision in each financial year for—

- (a) the depreciation or diminution in value of its assets;
- (b) the payment of interest on and all other charges and expenses incurred in connection with its activities.

20 Establishment and object of Centre for Education, Innovation, Research and Development Fund

(1) The Centre shall establish a fund to be known as the Centre for Education, Innovation and Research Development Fund. The management and control of which shall be vested in the Council as trustee of the Fund.

(2) The object of the Fund shall be to fund projects which cause industry including—

- (a) support acquisition of material and infrastructure resources for education, innovation, research and development;
- (b) fund the development of start-ups projects administered by the Centre;
- (c) promote research, development and innovation;
- (d) stimulate and commercialise innovation;
- (e) train personnel for competence in the field of Science Technology Engineering and Mathematics;
- (f) provide technical, consultancy and advisory services;
- (g) any undertaking which in the opinion of the Council, is calculated to promote education, innovation, technology, research and development;
- (h) provide funding to projects on competitive basis for institutes of the Centre.

21 Administration of Fund

(1) Subject to this Act, the Fund shall be administered by the Chief Scientist on behalf of and in accordance with any policy directions by the Council.

(2) With the approval of the Council, the Centre shall open one or more banking accounts into which all moneys received on behalf of the Centre Fund shall be paid.

PART IV

GENERAL

22 Minister may give Centre directions on matters of policy

(1) Subject to subsection (2), the Minister may give the Centre such directions of a general character relating to the policy which Centre is to observe in the exercise of its functions, as the Minister considers to be requisite in the national interest.

(2) Before giving the Centre a direction in terms of subsection (1), the Minister may inform the Council, in writing, of the proposed direction and the Centre shall, within thirty days or such further period as the Minister may allow, submit to the Minister, in writing, its views on the proposal and the possible effects which the proposal may have on the development and marketing of technology and innovation in particular and on research and the national economy as a whole.

(3) After receipt of the views of the Centre submitted in terms of subsection (2), the Minister may confirm, alter or withdraw any proposed direction to the Centre and, where the Minister has confirmed a direction, whether altered or not, the Centre shall forthwith comply with the direction.

(4) When any direction has been received by the Centre in terms of this section, the Centre shall set out in Centre's annual report the direction received by it, the views expressed by it in terms of subsection (2), and the final direction, if any, given to it.

23 Regulations

(1) Subject to subsections (3) and (4), the Council may make regulations prescribing anything which under this Act is required or permitted to be prescribed or which, in the opinion of the Council, is necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Regulations made in terms of subsection (1) may provide for—

- (a) the manner in which the fund may be invested;
- (b) terms and conditions for—
 - (i) members of Council;
 - (ii) boards; and
 - (iii) committees;
- (c) fees for the services rendered by the Centre;
- (d) matters relating to Innovation and Research.

(3) Regulations made in terms of subsection (1) may provide penalties for a contravention thereof not exceeding a fine of level 5 or imprisonment for a period of six months or to both such fine and such imprisonment.

(4) Regulations made in terms of subsection (1) shall be of no force until they have been approved by the Minister and published in a statutory instrument.

SCHEDULE (*Section 11*)

PROVISIONS RELATING TO CENTRE COUNCIL

Paragraph

1. Disqualifications for appointment as member.
2. Terms and conditions of office of members.
3. Vacation of office by appointed members.
4. Suspension of appointed members of Council.
5. Filling of vacancies on Council.
6. Meetings and procedure of Council.
7. Committees of Council.
8. Remuneration and allowances of members of Council and committees.
9. Disclosure of interests by members of Council and committees.
10. Minutes of proceedings of Council and committees.
11. Validity of decision and acts of Council and committees.

Disqualifications for appointment as member

1. (1) Subject to this Act, a person shall not be qualified for appointment as a member if—

- (a) he or she has, in terms of a law in force in any country—

- (i) been adjudged or otherwise declared insolvent or bankrupt and has not been rehabilitated therefrom; or
- (ii) made an assignment or composition with his or her creditors which has not been rescinded or set aside;
- (b) or he or she has in the last five years been convicted in Zimbabwe or in any other country of any offence involving dishonesty or any other offence for which a term of imprisonment without the option of a fine, whether or not any portion of that sentence has been suspended has been imposed; or
- (c) he or she is a member of Parliament.

(2) A person shall not be qualified for appointment as a member, nor shall he or she hold office as a member, if he or she is a member of two or more other statutory bodies.

(3) For the purposes of subparagraph (2)—

- (a) a person who is appointed to a Council or other authority which is a statutory body or which is responsible for the administration of the affairs of a statutory body shall be regarded as a member of that statutory body;
- (b) “statutory body” means—
 - (i) any commission established by the Constitution; or
 - (ii) anybody corporate established directly by or under an Act for special purposes specified in that Act, the membership of which consists wholly or mainly of persons appointed by the President, Vice-President, a Minister or any other statutory body or by a Commission established by the Constitution.

Terms and conditions of office of members

2. (1) An appointed member of the Council shall hold office for four years and shall be eligible for re-appointment only once based on performance.

(2) On the expiry of the period for which an appointed member of the Council has been appointed, he or she shall continue to hold office until he or she has been re-appointed or his or her successor has been appointed:

Provided that a member shall not continue to hold office in terms of this subsection for more than six months.

(3) Members of the Council shall hold office on such conditions as the Minister may fix.

Vacation of office by appointed members

3. (1) An appointed member of the Council shall vacate his or her office and his or her office shall become vacant—

- (a) one month after the date he or she gives notice in writing to the Minister of his or her intention to resign his or her office or after the expiry of such other period of notice as he or she and the Minister may agree; or
- (b) on the date he or she begins to serve a sentence of imprisonment, whether or not any portion has been suspended, imposed without the option of a fine—
 - (i) in Zimbabwe, in respect of an offence; or
 - (ii) outside Zimbabwe, in respect of conduct which, if committed in Zimbabwe, would have constituted an offence;
- (c) or if he or she becomes disqualified in terms of paragraph 1(1)(a), (b) or (c) or (2) to hold office as a member; or

- (d) if he or she is required in terms of subparagraph (2) or (3) to vacate his or her office as a member.

(2) The Minister may require an appointed member of the Council to vacate his or her office if the member—

- (a) has been guilty of conduct which renders him or her unsuitable to continue to hold office as a member; or
- (b) has failed to comply with any condition of his or her office fixed in terms of paragraph 2; or
- (c) has ceased to possess any qualification by reason of which he or she was appointed; or
- (d) is mentally or physically incapable of efficiently performing his or her duties as a member.

(3) The Minister, on the recommendation of the Council, may require an appointed member of the Council to vacate his or her office if the Minister is satisfied that the member has been absent without the consent of the chairperson of the Council from three consecutive meetings of the Council, of which he or she has been given at least seven days' notice, and that there was no just cause for the member's absence.

Suspension of appointed members of Council

4. The Minister may suspend from office an appointed member of the Council against whom criminal proceedings are instituted for an offence involving dishonesty and, whilst that member is so suspended, he or she shall not carry out any duties or be entitled to any remuneration or allowances as a member.

Filling of vacancies on Council

5. On the death of, or the vacation of office by, an appointed member, the President shall within three months, appoint a person to fill the vacancy.

Meetings and procedure of Council

6. (1) The Council shall hold its first meeting on a date and place fixed by the Minister, and thereafter shall meet for the dispatch of business and adjourn, close and otherwise regulate its meetings and procedure as it thinks fit:

Provided that the Council shall meet at least four times in each financial year.

(2) The chairperson of the Council—

- (a) may convene a special meeting of the Council at any time; and
- (b) shall convene a special meeting of the Council on the written request of the Minister or not fewer than two members, which meeting shall be convened for a date not sooner than seven days and not later than thirty days after the chairperson's receipt of the request.

(3) Written notice of a special meeting convened in terms of subparagraph (2) shall be sent to each member not later than forty-eight hours before the meeting and shall specify the business for which the meeting has been convened.

(4) No business shall be discussed at a special meeting convened in terms of subparagraph (2) other than—

- (a) such business as may be determined by the chairperson of the Council, where he or she convened the meeting in terms of subparagraph (2)(a); or
- (b) the business specified in the request for the meeting, where the chairperson of the Council convened the meeting in terms of subparagraph (2)(b).

(5) The chairperson of the Council or, in his or her absence, the vice-chairperson shall preside at all meetings of the Council:

Provided that, if the chairperson and vice-chairperson are both absent from any meeting of the Council, the members present may elect one of their number to preside at that meeting as chairperson.

(6) Six members shall form a quorum at any meeting of the Council.

(7) Subject to subparagraph (12), anything authorised or required to be done by the Council may be decided by a majority vote at any meeting of the Council at which a quorum is present.

(8) With the Council's approval, the chairperson of the Council may invite any person to attend a meeting of the Council or a committee, where the chairperson considers that the person has special knowledge or experience in any matter to be considered by the Council or the committee, as the case may be, at that meeting.

(9) A person invited to attend a meeting of the Council or of a committee in terms of subparagraph (8) may take part in the proceedings of the Council or the committee as if he or she were a member thereof, but shall not have a vote on any question before the Council or committee, as the case may be.

(10) Subject to subparagraph (11) and to paragraph 9, at meetings of the Council each member present shall have one vote on any question before the Council and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to a deliberative vote.

(11) The Chief Scientist shall not take part in the discussion of, and shall not vote on, any question before the Council which involves his or her tenure of office or conditions of service.

(12) Any proposal circulated among all members and agreed to in writing by a majority of them shall have the same effect as a resolution passed by a duly constituted meeting of the Council and shall be incorporated into the minutes of the next succeeding meeting of the Council:

Provided that, if a member requires that such a proposal be placed before a meeting of the Council, this subparagraph shall not apply to the proposal.

Committees of Council

7. (1) For the better exercise of its functions, the Council may establish one or more committees in which the Council may vest such of its functions as it considers appropriate:

Provided that the vesting of any function in a committee shall not divest the Council of that function, and the Council may amend or rescind any decision of the committee in the exercise of that function.

(2) On the establishment of a committee in terms of subparagraph (1), the Council—

- (a) shall appoint at least one member of the Council as a member of the committee, and that member or one of those members, as the case may be, shall be chairperson of the committee; and
- (b) may appoint as members of the committee, on such terms and conditions as the Council may fix, co-opted persons who are not members of the Council.

(3) Meetings of a committee may be convened at any time and at any place by the chairperson of the Council or the chairperson of the committee.

(4) Subject to paragraphs 10 and 11, the procedure to be followed at any meeting of a committee and the quorum at any such meeting shall be as fixed by the Council.

(5) For the better exercise of its functions, the Council may establish one or more committees and vest in the committees such of its functions as it thinks fit:

Provided that the vesting of any functions in a committee shall not divest the Council of those functions in relation to any matter that has not been decided by the committee.

(6) Where it has established a committee, the Council—

- (a) shall appoint at least one member of the Council to be a member of the committee and shall designate that member, or one of those members to be chairperson of the committee; and
- (b) subject to subsection (3), may appoint persons who are not members of the Council to be members of the committee.

(7) The Council shall not appoint a person to be a member of a committee if he or she is disqualified in terms of section 7 from appointment as a member of the Council.

(8) The office of a member of a committee of the Council shall terminate—

- (a) in the case of a member who is a member of the Council, upon his ceasing to be a member of the Council;
- (b) in the case of a member who is not a member of the Council, if he or she would be required in terms of section 7 to vacate office had that section and paragraphs (a), (b) and (c) of subsection (1) of section 8 applied to him.

(9) Subject to this section, members of committees of the Council shall hold office on such conditions as the Council may fix for members of committees generally.

(10) The chairperson of the Council may at any time and place convene a meeting of a committee of the Council.

(11) Subject to provisions of the Act, the procedure to be followed at any meeting of a committee of the Council shall be fixed by the Council.

Remuneration and allowances of members of Council and committees

8. Every member of the Council or of a committee shall be paid—

- (a) such remuneration, if any; and
- (b) such allowances to meet his or her reasonable expenses incurred in connection with the business of the Council or the committee, as the case may be;

as the Council may fix with the approval of the Minister in consultation with the Minister responsible for Finance.

Disclosure of interests by members of Council and committees

9. (1) In this section—

“associate”, in relation to a member, means—

- (a) a person who is related to the member by blood or by marriage; or
- (b) a partner, employee or employer of the member; or

- (c) anybody of persons, whether corporate or unincorporated, of which the member is a director or in which the member holds any office or position other than that of an auditor or in which the member holds a controlling interest.

(2) A member shall take no part in the consideration or discussion of, or vote on, any question before the Council which relates to any matter in which he or she or his or her associate has an interest.

(3) Nothing in this section shall be taken to prevent members of the Council or of a committee of the Council from taking part in the consideration of, or voting on, any matter that affects members generally in there, capacity as persons liable to pay revenue.

(4) Any person who contravenes subparagraph (2) shall be guilty of an offence and liable to a fine not exceeding level 6 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Minutes of proceedings of Council and committees

10. (1) The Council shall cause minutes of all proceedings of and decisions taken at every meeting of the Council and of every committee to be entered in books kept for the purpose.

(2) Any minutes referred to in subparagraph (1) which purport to be signed by the person presiding at the meeting to which the minute relate or by the person presiding at the next following meeting of the Council or the committee concerned, as the case may be, shall be accepted for all purposes as *prima facie* evidence of the proceedings and decisions taken at the meeting concerned.

Validity of decisions and acts of Council and committees

11. No decision or act of the Council or a committee or act that is authorised by the Council or a committee shall be invalid solely because there was a vacancy in the membership of the Council or the committee or because a disqualified person purported to act as a member of the Council or the committee, as the case may be, at the time the decision was taken or the act was done or authorised.

