



The United Republic of Tanzania

THE UNIVERSITY OF DAR ES SALAAM

CHARTER AND RULES, 2007

The State House,
Dar es Salaam,
Tanzania

THE UNITED REPUBLIC OF TANZANIA

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THE UNIVERSITY OF DAR ES SALAAM CHARTER, 2007

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(NO. 7 OF 2005)

CHARTER

Made under section 25

THE UNIVERSITY OF DAR ES SALAAM CHARTER, 2007

Cap. 346
Act No.
7 of 2005

WHEREAS the University of Dar es Salaam, a public university, established under the University of Dar es Salaam Act, 1970, since repealed by the Universities Act, 2005, has applied to the Tanzania Commission for Universities for the grant of a Charter in the manner prescribed under the Universities Act, 2005 and Regulations made thereunder;

AND WHEREAS the Tanzania Commission for Universities has visited and inspected the said University and is satisfied that the objects of the University are consistent with the advancement of university education in Tanzania;

Act No.
7 of 2005
G.N. No.
39 Of 2006

AND WHEREAS the Tanzania Commission for Universities is also satisfied that University of Dar es Salaam has complied with the provisions of the Universities Act, 2005 and the universities (Chartering, Registration and Accreditation Procedures) Regulations, 2006;

AND WHEREAS the Tanzania Commission for Universities after being satisfied with the University's draft Charter submitted it to the Minister responsible for Higher Education, with a recommendation that University of Dar es Salaam, be granted the Charter;

AND WHEREAS the said Minister has submitted the Charter to me with positive recommendations thereon;

AND WHEREAS I am satisfied that the granting of the Charter will be of benefit to the advancement of university education in Tanzania;

NOW, THEREFORE, in exercise of the powers conferred upon me by section 25(2) of the said Universities Act, 2005, I, **JAKAYA MRISHO KIKWETE**, President of the United Republic of Tanzania hereby grant and order with effect from the 31st day of December, 2006 as follows:

PART I
PRELIMINARY PROVISIONS

Citation

1. This Charter may be cited as the University of Dar es Salaam, Charter 2007 and shall be deemed to have come into operation on the 31st day of December, 2006.

Interpretation
Act No.
7 of 2005

2.-(1) In this Charter unless the context otherwise requires-
“Act” means the Universities Act, 2005;
“Affiliated College or Adopted College” means an autonomous higher

education institution accredited to offer degree programmes and confer degrees on behalf of an accredited university”;

“Adopted College” shall have the same meaning as Affiliated College and Vice-Vesa;

“By-laws” means, where the context fits, By-laws made by the Senate under the powers conferred by the Act, and this Charter;

“Campus College” means a non-autonomous institution, set up either within the premises or easy reach of or in close proximity to the University established under the Act;

“Centre or Directorate” means a centre or directorate established under Article 20; and

“Chancellor” means the Chancellor of the University appointed under Article 7;

“Commission” means the Tanzania Commission for Universities established under section 3 of the Act;

“Constituent College” means a college of the University specified in the Fourth Schedule or declared to be or established as such under Article 19;

“Convocation” means the Convocation of the University established under Article 22;

“Council” means the Council of the University established under Article 17;

“Dean of Students” means the Dean of Students appointed under Article 17;

“Dean” means a Dean of a school or a faculty appointed under Article 13;

“Deputy Principals” means the Deputy Principals of a College appointed under Article 11;

“Deputy Vice-Chancellor” means the Deputy Vice-Chancellor of the university appointed under Article 9;

“Director” means the Director of an institute, the University Library, a centre or directorate established under Article 14;

“Faculty” means a Faculty of the University established under Article 20;

“Institute” means an Institute of the University established under Article 20;

“Library” means the library of the University established under Article 20;

“Minister” means the Minister for the time being responsible for higher education;

“President” means the President of the United Republic of Tanzania;

“Principal” means the principal of a college appointed under Article 10;

“Regulations” means Regulations made by the Minister in accordance with the Act;

“Rules” means the University of Dar es Salaam Rules prescribed in the Schedules to this Charter or rules made by the Council in accordance with the Charter;

“School” means a school of the University established under Article 20;

“Senate” means the senate of the University established under Article 18;

“Staff association” means an association of staff of the University established under Article 21;

“Students” Organization” means organization of students provided for under Article 23;

“University” means the University of Dar es Salaam established under the Article 3;

“Vice-Chancellor” means the Vice Chancellor of the University appointed under Article 8;

(2) In this Charter, unless the context otherwise requires, words and phrases used, designations signifying offices, officers, organs or positions of

governance or responsibility and the whole Charter shall be construed with reference to the Act, the Regulations made thereunder and any other applicable written law.

(3) For avoidance of doubt, the provisions of this Charter are co-extensive and in furtherance of the provisions of the Act and shall always be read and construed together with and subject to the Act.

PART II
ESTABLISHMENT OF THE UNIVERSITY

Establishment of
the University

3.-(1) There is hereby established a University to be known as the University of Dar es Salaam.

(2) The University under sub-Article (1) shall be a body corporate with the common seal by the name and style of the University of Dar es Salaam, and shall in its corporate name be capable of -

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging, leasing, licensing the use of, hiring and hiring out and disposing of any movable or immovable property;
- (c) borrowing such sums as it may require for its purposes;
- (d) investing in land, debenture stocks, preferential shares, units in unit trusts and other securities but not to invest in the equity of any company, other than a company in which the University has 95% or more share interest and established for the execution of any of the functions of the University, without specific approval of the Council.
- (e) doing or performing all such other things or acts as are necessary for the proper performance of its functions under, and for the furtherance of the provisions of, the Charter and which may lawfully be done or performed by a body corporate.

(3) The Common Seal of the University shall -

- (a) be kept in such custody as the Council may direct and shall not be used except upon the order of the Council;
- (b) be authenticated by the signature of the Vice-Chancellor, or of one other member of the Council duly authorized by the Council in that behalf and of the Deputy Vice-Chancellor responsible for administration; and
- (c) when affixed to any document and duly authenticated under this Regulation, be judicially noticed, and, unless the contrary is proved, any necessary order or authorization of the Council under this Rule shall be presumed to have been duly given.

Cap. 346

(4) The university shall be successor to the University of Dar es Salaam established by the University of Dar es Salaam Act, (now repealed) and subject to this Charter and the prescribed Rules -

- (a) all subsisting and valid appointments and terms and conditions of service, enrolments, authorizations, decisions and pending disciplinary proceedings, other things, including rights and liabilities made, given, taken, done or incurred under the repealed Act, shall be deemed to be valid, continuous and enforceable according to their respective tenor by or, as the case may be, against the University;
- (b) all funds, assets both movable and immovable, including institutions of the University of Dar es Salaam subsisting at the commencement of this Charter shall, without further assurance, automatically and fully vest in the University and the Council;

- (c) all subsisting regulations, rules, by-laws, orders, directions or other subsidiary legislation made, given or issued under the repealed Act or any other written law and which are in force before the effective date, shall remain in force after the effective date until they are repealed or replaced by Rules made under this Charter; and
- (d) any reference to the University of Dar es Salaam in any contract or document shall for all purposes be deemed to be a reference to the University established under this Article.

Objects and
functions of the
University

4.-(1) The objects of the University shall be to advance learning and knowledge by teaching, research, consultancy and service to the Society particularly in industry, agriculture, commerce, business, management, education, health, law, science, engineering, lands, architecture, planning, information and communication technology, informatics, technology and environment, arts, social sciences and in close association with the Government of the United Republic and the Revolutionary Government of Zanzibar and other public and private stakeholder interests.

(2) Without prejudice to the generality of sub-Article (1), the objects and functions of the University shall be -

- (a) to assume a leading role in the responsibility for university education within the United Republic and to make provision for centres and places of learning, education (including continuing education), professional or vocational training and research;
- (b) to endeavour to excel in knowledge and human resource capacity building by ensuring a balance between quantity and quality and avoiding imparting elitist values to the products of the University;
- (c) to ensure, as a matter of principle, integration of research, teaching and consultancy and public service at the immediate subject area level with a view to building a distinctive characteristic of the products of the university as creative scientific professionals and the services of the University and of its staff as symbols of creative scientific professionalism;
- (d) to ensure and promote gender balance, equality and equity in its policies, programmes and regulations relating to teaching, research, consultancy and public services;
- (e) to provide, promote and maintain centres of excellence and exemplary good management in terms of knowledge creation, skills development, effective entrepreneurship and formation of a responsible attitude for the betterment of the society as well as its mode of governance;
- (f) to be a producer and supplier of key policy makers, experts and personnel in-charge of key positions in industry, public and private institutions, governmental and non-governmental institutions;
- (g) to advance the frontiers of, enhance, preserve and transmit knowledge;
- (h) to prepare students for work as scientists or professionals by providing academic and professional or vocational courses of instruction and to take such other steps as may be necessary or desirable towards ensuring an output of mainly job-creators who possess professional qualifications or skills as opposed to job-seekers;
- (i) to stimulate and promote intellectual, cultural, scientific and technological development;
- (j) to create a sense of public responsibility in the educated and to promote respect for learning and pursuit of truth;
- (k) to promote research into economic, political, social, cultural, scientific, technological, legal and other matters generally and with particular

- reference to the interests of Tanzania and mankind in general;
- (l) to institute professorships and other posts and offices and to make appointments thereto in line with such organizational structure as shall be approved by the Council;
 - (m) to institute and award fellowships, scholarships, bursaries, medals, prizes and other distinction awards and forms of assistance or sponsorship for the advancement and dissemination of knowledge;
 - (n) to provide opportunities for student to engage in productive services and activities;
 - (o) to hold examinations, to confer degrees, diplomas, certificates or other awards upon persons who have followed courses of study approved by the Senate and have satisfied such other requirements as may be prescribed by the Senate and to confer honorary degrees;
 - (p) to cooperate with the Government of the United Republic of Tanzania and the peoples of Tanzania in the planned and orderly development of education, science and technology in the United Republic;
 - (q) to establish mutually negotiated, beneficial and durable links with institutions of learning and research within Tanzania and in other countries;
 - (r) to erect, equip and maintain libraries, laboratories, workshops, museums, art galleries, lecture halls, theatres and rooms, halls of residence and other buildings and facilities required for the purposes of the University including providing its community with a good working and living environment in the University campuses;
 - (s) to establish pension, superannuation and provident fund schemes for the benefit of its officers, staff or employees or any section thereof and to enter into arrangements with the Government, an insurance company, trustee company or other organization or any person or persons for the operation of such schemes jointly, severally or otherwise;
 - (t) to affiliate other institutions or to admit the members thereof to any of its privileges and to accept attendance at courses of study in such institutions for relevant awards of the University and/or place them in such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such rules and by-laws as may from time to time be determined by the University or to recognise any members of the teaching staff of any College, Institute or similar institution of higher education whether affiliated to the University or not as teachers of the University;
 - (u) to do, in accordance with the general law of the United Republic, including the Charter, and these Rules all such acts and things, whether or not incidental to these objects, powers and functions and whether within or without the united Republic as may be requisite in order to further these objects, powers and functions or any of them.

Powers of the University

5.-(1) The University shall be a teaching, research and examining body and shall, subject to the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule hereto, have the following powers-

- (a) to offer programmes leading to degrees, diplomas certificates and other awards in its name;
- (b) to award certificates, diplomas, postgraduate diplomas, and other awards in its own name upon persons who have followed courses of study

approved by the Senate and have satisfied such other requirements as may be prescribed by the Senate;

- (c) to confer degrees and honorary degrees (*honoris causa*); and
- (d) to do such other things as are conferred upon it by the Act, the Regulations made thereunder and this Charter.

Membership of
the University

- 6.-(1) Members of the University shall consist of-
- (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellors;
 - (d) Principals of Colleges of the University;
 - (e) Deputy Principals of Colleges of the University;
 - (f) Dean of Students;
 - (g) members of the Council;
 - (h) members of the Senate;
 - (i) Deans and Associate Deans of Schools and Faculties and Directors and Deputy and Associate Directors of Institutes, the Library, Centres and Directorates;
 - (j) members of Boards and Academic Committee of Colleges, and of Boards of Schools, Faculties, Institutes, the University Library and Centres and Directorates;
 - (k) Heads of academic departments and units;
 - (l) members of Academic Staff of the University;
 - (m) members of Administrative and technical staff of the University;
 - (n) students;
 - (o) members of the Convocation and Alumni Association; and
 - (p) such other members of the staff of the University or any other body formally admitted into affiliation or association with the University or with any of its Colleges as the Council may from time to time determine.
- (2) The Rules prescribed in the First Schedule to this Charter or any other Rules to be made by the Council shall have effect as to the duration of membership of the University, appointments and termination of such membership, the rights, duties and, if any, privileges attaching thereto and other related matters.

PART III

ADMINISTRATION OF THE UNIVERSITY

The Chancellor

- 7.-(1) There shall be a Chancellor, who shall be the head of the University.
- (2) Appointment of the Chancellor shall be effected in accordance with relevant provisions of the Act, this Charter and the First and Second Schedules to this Charter.
- (3) The Chancellor shall, in the name of the University, confer Degrees, and grant Diplomas, Certificates and other awards of the University, and shall have such other non-executive functions and privileges as are or shall be provided under the Rules or as may be prescribed.
- (4) Whenever the Chancellor is absent from the United Republic or is for any other reason unable to perform the functions of his/her office, the President or any person authorized by him in that behalf, may appoint a person to perform the functions of the office of the Chancellor during such absence or inability.

The Vice-

- 8.-(1) There shall be a Vice Chancellor of the University who shall be the

Chancellor	chief executive academic and administrative officer of the University and <i>ex-officio</i> Chairman of the Senate and of the Governing Board of every Constituent College of the University. (2) Appointment of the Vice Chancellor shall be effected in accordance with provisions of paragraph 5(1) and (2) of the First Schedule and in the manner prescribed in the Second Schedule to this Charter.
Deputy Vice-Chancellors	9.-(1) There shall be a Deputy Vice-Chancellor or more than one Deputy Vice-Chancellor as the Council on the advice of the Senate, shall deem appropriate. (2) The Deputy Vice Chancellors under sub-Article (1)- (a) shall be responsible to, the chief advisor of, and assistant to the Vice-Chancellor in respect of such matters of the University as shall be assigned to them or their offices and as may be prescribed; and (b) may deputize for the Vice-Chancellor during his absence or during a vacancy in the office of the Vice-Chancellor.
Principals of affiliated Colleges and Campus Colleges	10. There shall be a Principal for- (a) every constituent College and every connected college of the University who shall be the chief executive academic and administrative officer of the College and <i>ex-officio</i> Chairperson of the Academic Committee thereof; (b) every campus college of the University, who shall be responsible to the Vice-Chancellor for the academic and administrative matters of the University in the College and <i>ex-officio</i> Chairperson of the Academic Committee thereof.
Deputy Principals of affiliated Colleges and campus Colleges	11.-(1) For every Constituent College and every Connected College of the University, there shall be a Deputy Principal or Deputy Principals who, severally and or together- (a) shall be responsible to, the chief advisor of, and assistant to the Principal in respect of such matters of the College as shall be assigned to him or them or his or their office(s) and as may be prescribed; and (b) may deputize for the Principal during his absence or during a vacancy in the office of the Principal. (2) The number of Deputy Principals, not exceeding three, shall be determined by the Council upon the recommendation of the Principal and on the advice of the Academic Committee and the Governing Board of the College, and the Senate of the University. (3) For every Campus College of the University there shall be a Deputy Principal or not more than two Deputy Principals, who, severally and/or together- (a) shall be responsible to, the chief advisor of, and assistant to the Principal in respect of such matters of the College as shall be assigned to him/them or his/their office(s) and as may be prescribed; and (b) may deputize for the Principal during his absence or during a vacancy in the office of Principal.
The Dean of Students	12. There shall be a Dean of Students of the University who shall be the administrative head thereof of the students affairs at the University.
Deans of Schools and Faculties	13. There shall be a Dean for every School and every Faculty of the University who shall be the academic and administrative head thereof and the Chairperson of the Board of the School or, as the case may be, the Faculty.

Directors of Campus Institutes, the Library, Centres and Directorates	14. There shall be a Director for every Campus Institute, the Library, Centre and Directorate, who shall be the academic and administrative head of the Institute, the Library, Centre or, as the case may be, Directorate.
Associate Deans and Associate Directors of Campus Schools, Faculties, Institutes, the Library, Centres and Directorates	15. There shall be - (a) an Associate Dean for every School and every Faculty; and (b) an Associate Director for every Campus Institute, the Library, Centre and Directorate, who shall be the assistant to the Dean or, as the case may be, Director, and deputize for the Dean or Director during his absence or during a vacancy in the office of the Dean or, as the case may be, Director. (2) There may be more than one Associate Dean of a School or Faculty and more than one Associate Director of an Institute, the Library, Centre or, as the case may be, Directorate.
Staff of the University	16.-(1) There shall be staff of the University whose appointment and other terms of service shall be as provided for in the First Schedule. (2) The staff of the University shall be responsible for the general execution of the academic and administrative functions of the University and related matters and bearing such title designations and occupying such offices as are provided in the Act or, in accordance thereof, under the Rules contained in the First Schedule hereto and as may be prescribed.
The Council	17.-(1) There shall be a Council of the University which shall, subject to the Act, the Regulations made thereunder and the Rules contained in the first Schedule and the Third Schedule to the Charter- (a) be the governing body and principal policy-making organ of the University, including constituent, connected and associate colleges, institutes, centres and directorates of the University; (b) have custody and use of the Common Seal; (c) be responsible for the management and administration of the University revenue and other property of the University, movable and immovable; and (d) subject to the powers of the Senate or, as the case may be, Academic Committee provided in the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule hereto, have general control over the conduct of the affairs of the University with power to manage all matters not provided otherwise by this Charter or by the Rules contained in the Third Schedule to this Charter. (2) The provisions of the Third Schedules to this Charter shall have effect as to proceedings of the Council, tenure of office of members and all matters relating to the Council.
The Senate	18. There shall be a Senate of the University which shall, subject to the powers of the Council as provided in the Act, the Regulations made thereunder, this Charter and pursuant to the Rules contained in the First Schedule to this Charter- (a) be the principal overall decision-making organ in respect of all the academic matters and all matters incidental thereto of the University; and

- (b) be responsible for the academic work of the University both in teaching, research and consultancy and for the regulation and superintendence of the education of the students of the University.

Constituent, Connected, Adopted and other Affiliated Institutions	19.-(1) Subject to the Act, the Regulations made thereunder, this Charter and any other written law, the University may affiliate or adopt as its branch a college, an institute, a centre or directorate in terms as provided under the Rules contained in the First Schedule hereto or as shall be provided under other Rules and/or By-laws. (2) The existing Constituent Colleges of the University are as specified in the Seventh Schedule to this Charter.
Campus Colleges, Schools faculties, institutes, the Library, Centres and Directorate	20.-(1) There shall be Campus Colleges, Schools, Faculties, the Library, Institutes, Centres and/or Directorates within the University each comprising one or more related branches of teaching and/or research, organized as, for a campus college or campus colleges, a school/faculty or schools/faculties or, as the case may be, an academic department or unit as may, from time to time, be established by the Council on the recommendation of the Senate in accordance with the Act, the Regulations made thereunder and the Rules contained in the First Schedule hereto. (2) Schools, Faculties, Institutes, Centres and Libraries of the University are as specified in the Fourth Schedule to this Charter.

PART IV
ASSOCIATIONS AND ORGANIZATIONS

Staff Associations	21.-(1) There may be an Academic Staff Association representative of all members of the Academic Staff and an Administrative Staff Association representative of all members of the Technical Administrative Staff of the Technical University to be established in accordance with the Act, the Regulations made thereunder and the Rules contained in the First Schedule to this Charter. (2) The Council may approve the establishment of such other staff association(s) as it deems fit upon application and submission of a constitution by members of staff desirous of forming an association within the University with objects which are not in conflict with the objects of the University and the provisions of any written law. (3) Staff associations established within the University and approved by the Council and the Labour Union established within the University are as stipulated in the Fifth Schedule to this Charter.
The convocation and Alumni Associations	22. Subject to the Act, the Regulations made thereunder and pursuant to the Rules contained in the First Schedule to this Charter there shall be a Convocation of the University and there may be established an Alumni Association of the University or discipline-based alumni associations in the University.
Students' Organizations	23.-(1) There shall be a Students' Organization representative of all students of the University and such other students' organizations as have objects that are not in conflict with the objects of the University and the provisions of any other written law and as the Council may approve. (2) Subject to the Act and the Regulations made thereunder, matters concerning administration, welfare and discipline of students shall be conducted in accordance with the applicable provisions of the First Schedule.

PART V
SUBSIDIARY LEGISLATION

Rules prescribed in the First Schedule	24. The Rules contained in the First Schedule to this Charter shall- (a) form part of this Charter and shall remain in force until they are revoked or replaced; and (b) have effect as to the regulation of all matters regarding- (i) the governing of the University, its members, constituents and colleges; (ii) the administration, welfare and discipline of students; (iii) the establishment of offices, appointments, terms and conditions of service; and (iv) the promotion of the objects of this Charter.
Power of the Council to make Rules	25.-(1) The Council may, subject to the Act and from time to time make Rules for the University which may amend, or repeal the Rules contained in the First Schedules hereto for the time being in force: Provided that no such Rules shall have effect until approved by the Commission in accordance with the Act, the Regulations made thereunder and this Charter. (2) In the performance of its functions under the Charter and these Rules, the Council shall, subject to the provisions of the Act, Regulations made thereunder and this Charter, make Rules for the governance, control, academic instruction and administration of the University and for the better carrying out of the purposes of the Charter and the Rules and, in particular and without prejudice to the generality of the foregoing, may make Rules: (a) prescribing provisions as to the duration of membership of the University, termination of such membership, the rights, duties and privileges attaching thereto and other related matters; (b) prescribing the provisions for the exercise of the privileges, powers and functions conferred on the Chancellor; (c) prescribing the provisions for proposing candidates for appointment by the President of one of them as Chancellor of the University and governing the terms and conditions of the position of Chancellor; (d) prescribing the provisions for the appointment of and terms and conditions for the position of Vice Chancellor, Deputy Vice Chancellor, the Secretary to Council and Corporate Counsel of the University in furtherance of the relevant provisions of the Charter and these Regulations; (e) prescribing the provisions for the appointment of and terms and conditions for the position of Principal and Deputy Principal of a College, Dean and Associate Dean of a School, Dean and Associate Dean of a Faculty and Director and Associate Director of an Institute, the Library, Centre or Directorate; (f) for the establishment, composition, functions, procedure and powers of colleges, schools, faculties, institutes, the University library, centres or directorate, departments, units etc, of the University and their organs of governance, as well as the members and the <i>quorum</i> for meetings of the organs of governance; (g) for the description of the degrees, diplomas, certificates and other awards which may be conferred or granted by the University; (h) for the requirements and the manner of conferment or grant of such

- degrees, diplomas, certificates and other awards;
- (i) for the conduct of examinations;
- (j) prescribing allowances, fees and charges;
- (k) for the settlement of the terms and conditions of service, including the appointment, dismissal, termination, remuneration and retiring benefits of the officers and other employees of the University;
- (l) for the provisions on staff welfare and of rules of discipline for conducting proceedings against officers, staff and employees of the University;
- (m) for the appointment of members of the Council other than those specified under Rule 12 of these Rules;
- (n) prescribing for the administration of any college, school, faculty, institute, the University Library, centre or directorate or unit established under the Charter;
- (o) providing for the general welfare of the students;
- (p) prescribing for the administration of students which may provide that the contravention of any such Rules shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence;
- (q) prescribing the composition, functions, procedure and powers of the Students Disciplinary Authority and of the Students Disciplinary Appeals Committee and the rights, duties and privileges of the members thereof;
- (r) prescribing provisions governing the appointment and the duration thereof, the rights, duties and privileges of holders of the position of Professor *Emeritus*;
- (s) prescribing conditions relating to financial matters; and
- (t) providing for or prescribing anything which, under the Charter and these Rules, may be provided for or prescribed by Rules or which, in the opinion of the Council, is necessary to provide for the furtherance of the objects, powers and functions of the University.

(3) Notwithstanding the provisions of sub-Article (1), the Council shall not make, amend or revoke any subsidiary legislation relating to the functions or privileges of the Chancellor, the Vice Chancellor or the Senate without first ascertaining the opinion of the Senate.

(4) Rules shall only be made by a resolution passed at a meeting of the Council supported by a majority of not less than two thirds of the members present and voting, being not less than half of the total membership of the Council.

Procedure for making Rules

26.-(1) Where the Council desires to make Rules, notice of any proposed Rules (and the date upon which it is proposed that it should come into effect) shall be given to the Council not less than fourteen days before the date of the meeting of the Council at which it is to be considered.

(2) The Council shall, before passing any Rules, consider a report from the Senate and shall not, except on the recommendation of the Senate, pass any Rules-

- (a) relating to courses of study, degrees, diplomas, certificates or other awards of the University;
- (b) for functions of the boards of schools, faculties, institutes, the Library, centres and/or directorates;
- (c) concerning affiliation or adoption of, or association with, other institutions; and
- (d) pertaining to the recognition of academic staff and the constitution of any Joint Committees of the Council and the Senate.

(3) The Rules made by the Council under this Charter shall be published in the *Gazette*.

Power of a
Senate to make
By-laws

27. Subject to the Act, the Regulations made thereunder, this Charter, and pursuant to the Rules contained in the First Schedule hereto, the Senate may make By-laws to regulate the academic work of the University, the admission education, examination and certification of the students of the University, and such other matters as lie within the functions of the Senate.

Revocation or
amendment of
Charter

28. The President may, by notice published in the *Gazette* subject to the provisions of the Act and relevant procedures as may be prescribed, revoke or amend the provisions of the Charter.

PART VI
MISCELLANEOUS PROVISIONS

Gender
discrimination

29. Subject to the Act, the Regulations made thereunder, this Charter and pursuant to the Rules contained in the First Schedule, men and women shall be equally eligible for the holding of any office in the University and for membership of any of its constituent bodies, for the holding of all degrees, diplomas, certificates and other awards and for the pursuit of all courses of study in the University.

Gender balance
principal to be
observed

30. The principle of gender equality or balance as provided in the Act, the Regulations made thereunder and the Rules contained in the First Schedule to this Charter shall be observed and implemented by all persons exercising powers under the said Act, Regulations and Rules.

No test of
religion, race,
ethnicity

31. No test of religion, race, ethnicity, sex, physical condition, ideology or political belief/orientation or other similar criteria shall be imposed upon any person in order to entitle him or her to be admitted to the University or to hold any office therein or to graduate thereat or to hold or enjoy any advantage or privilege thereof.

Provision of
suitable
environment for
teaching and
learning

32. The University shall provide conducive teaching and learning environment including-

- (a) academic facilities including library services and equipment for the academic programmes and the manner in which they are to be maintained; and
- (b) a structural, physical and technological environment as well as equipment, facilities and amenities suitable for the respective appropriate requirements of both male and female staff and students and for the academic and other needs of staff and students who have physical disabilities and/or are otherwise vulnerable requiring special teaching or learning aids including hearing, sight and movement aids.

Prohibition on
declaration of
dividend

33. The University shall not make any dividend, gift, division or bonus in money unto or between any of its members except by way of prize, allowance, reward or special grant for duly authorized work done or to be done in furtherance of the objects of the University.

FIRST SCHEDULE

(Under Article 24)

THE UNIVERSITY OF DAR ES SALAAM RULES

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THE UNIVERSITY OF DAR ES SALAAM RULES, 2007

PART I
PLELIMINARY PROVISIONS

Citation and commencement	1. These Rules may be cited as the University of Dar es Salaam Rules 2007, and shall be deemed to have come into operation on the 31 st day of December, 2006.
Interpretation	2. In these Rules, unless the context otherwise requires- “Academic Committee” means a committee of a college of the University provided for under rule 17; “Academic Staff” shall have the meaning assigned to that term by rule 19; “Administrative and Technical staff” shall have the meaning assigned to that term by rule 20; “Affiliated or Adopted College” means an autonomous higher education institution accredited to offer degree programmes and confer degrees on behalf of an accredited university”; “Associate college” means a college established independently under its specific enabling legal instrument that is affiliated to the University as an associate college of the University in accordance with the provisions of rule 36; “annual estimates” means the estimates required under rule 42 to be prepared in respect of any financial year; “Appointment Committee” means a committee of the University established under rule 13; “Article” means an Article of the Charter; “campus academic committee” means academic committee for a campus college; “campus college” means a non-autonomous institution, set up either within the premises or easy reach of or in close proximity to the University established under the Charter; “Charter ” means the University of Dar es Salaam Charter, 2007; “College Board” means a board of a campus college established as provided for by rule 17; “connected college” means an autonomous institution offering, authorised or empowered to offer university level education, which depends on the University for the approval and validation of its academic programmes, courses and awards, including student entry qualifications, course syllabi and examination rules, established under this Charter; “continuing education” includes such short courses, seminars, colloquia, workshops, refresher courses, and the like, as are designed or earned on for members of respective professions, work disciplines or vocations, desirous of improving, updating, expanding or deepening their knowledge or skills through such ways or means; “department” means a subdivision established as such within the general structure of a college, school, faculty, institute, the University Library, centre or directorate, as the case may be, in accordance with the provisions of rule 37; “financial year” means the financial year of the University determined under rule 41; “Governing Board” means a Governing Board of a college established in accordance with rule 17;

- “graduate” means a person upon whom a degree has been conferred by the University;
- “key administrative positions” include the position of the Chancellor, Vice-Chancellor, Deputy Vice-Chancellors, Principal, Deputy Principals, Dean of Students, Deans, Directors, Associate Deans and Deputy Directors;
- “Legal Unit” means the Legal Unit of the University established under these rules;
- “memorandum or memoranda of understanding” means a memorandum or memoranda of understanding provided for in rule 47;
- “officer” include the Vice Chancellor, the Deputy Vice Chancellors, the Principals and Deputy Principals of campus, constituent and connected colleges and the Dean of Students;
- “organ of governance” includes the Council, the Senate, a board or boards, a committee or committees or a meeting or meetings under the provisions of this Charter or the Rules;
- “other employees of the university” means employees of the University other than those in the employment of the University on permanent terms;
- “other students organizations” includes students organizations, associations, societies and clubs other than the Students' Organization, established under Article 23 and provided for in rule 29;
- “prescribed” includes prescribed by the Rules, By-laws, resolutions, directives instructions, or decisions by the Council, the Senate or other authority to whom or to which the Council or the Senate has delegated its powers and functions;
- “Professor *Emeritus*” means a person who, with the express approval of the Council, holds an honorary, as opposed to a substantive, title of professor or research professor corresponding to that held last by that person during the person's active service in the University or any other recognised university;
- “public institution” means any education or training institution established by or under any written law or owned by the Government or a parastatal organization within the United Republic;
- “Secretary to Council” means the Secretary to Council of the University appointed under rule 46;
- “senior management level” includes the level of a head of department or division, dean and associate dean of a faculty or school or a director and deputy director of an institute, the Library, centre or directorate of the university;
- “student” means any person admitted to the university as a candidates for a degrees, diploma, certificate or other award of the University, and includes a part time and an occasional or short term student;
- “unit” means a subdivision of the university established as such within the general structure of the University, a college, school, faculty, institute, the University Library, a centre or directorate in accordance with the provisions of rule 37.

Construction

3.-(1) Subject to rule 2, references in the Charter, legislation, order or other instrument by which a college is established or governed, and designations thereunder of, offices or authorities of the college shall be construed subject to the provisions of the Act, Regulations made thereunder, this Charter and of the Rules made hereunder.

(2) For avoidance of doubt, and without prejudice to the generally

of rule 2 unless it shall otherwise be expressly provided by any written law other than the Charter, connected colleges, associate colleges and constituent colleges of the University shall abide by and be governed fully by the provisions of the Charter and or the Rules and By-laws made hereunder relating to academic matters.

(3) Where the provisions of a law governing a constituent college conflict with those of the law governing the University relating to academic matters, the provisions of the law governing the University shall prevail.

(4) Wherever appropriate, references in the Charter and these Rules to the masculine gender shall be construed to include the feminine and *vice versa*, the singular to include the plural and *vice versa*.

PART II

GENERAL ADMINISTRATION AND STAFF APPOINTMENTS

(a) *The Chancellor and Senior Officers of the University*

The Chancellor

4.-(1) There shall be a Chancellor of the University.

(2) The Chancellor, who shall be a person of outstanding integrity, academic and administrative experience, shall be appointed by the President from among a list of three candidates proposed by the Council on the basis of a recommendation by a search committee appointed by the Council, in accordance with the procedures as stipulated in the Second Schedule to this Charter.

(3) The term of office of the Chancellor shall be six years and may be eligible for reappointment for one further term.

(4) The Chancellor shall, subject to the provisions of the Act and of these Rules or any other Rules to be made by the Council-

- (a) be the head of the University and, in the name of the University, confer degrees and grant diplomas, certificates and other awards of the University;
- (b) subject to the provisions of paragraph (c) of his sub-rule, have power to direct and inspection of the University, any of its units or an inquiry into the teaching, research or any other activity of the University;
- (c) have power to arrange for visitation into the general administration and organization of the University in such manner as may be provided for under the Rules or as may be deemed appropriate or prescribed by the Chancellor on the advice of the Council;
- (d) have power to advise the Council regarding the betterment of the University
- (e) use his good offices to promote and enhance harmony in, and the general development of the University; and
- (f) have such other privileges, powers and functions as are conferred upon him by the Charter or as may be provided for under these Rules.

(5) Where the Chancellor is for any reason unable to perform the functions of his office, the President or a person authorized by the President in that behalf may appoint a person to temporarily perform the functions of Chancellor in an acting capacity until the resumption of office of the Chancellor or the filling of the position by appointment of a new Chancellor.

(6) The privileges, other than those provided under paragraphs (a) to (e) of sub-rule (4), and, if any, allowances, accruing to the position of Chancellor shall be proposed by the Council and approved by the President.

(7) All expenses incurred or to be incurred in respect of paragraph (a) to (e) of sub-rule 4 shall be derived from or provided for under the regular budget of the University.

Vice-Chancellor

5.-(1) There shall be a Vice Chancellor of the University who shall, subject to the provisions of sub-rule (2), be appointed by the Chancellor, upon the advice of the Council after the Council's consultation with the Senate and upon such terms and conditions as the Chancellor may prescribe.

(2) The Vice-Chancellor shall be appointed from a list of at least three candidates who have attained the status of professor or associate professor or senior academician possessing outstanding academic qualifications and administrative experience and capability of at least seven years at a senior management level in a higher education institution on the basis of recommendations submitted through the Senate by a search committee set up in accordance with the procedure stipulated in the Second Schedule or under a procedure of public advertisement for the post-

Provided that the requirement on Search Committee of procedure or public advertisement shall not apply to the appointment under this Charter of the First Vice-Chancellor.

(3) The Vice-Chancellor shall-

- (a) hold office for a term of five years and may be re-appointed consecutively for one further term of five years;
- (b) be the Chief Executive Officer of the University and, in that behalf, be responsible to the Council for the dynamic management of the academic and administrative affairs of the University, including formulation of policy for consideration by, and implementation of the decisions of, the Council;
- (c) be responsible for the general security and welfare of the University; and
- (d) have such other functions as are conferred upon him by the Act, Regulations made thereunder, this Charter, Rules or by any other applicable written law.

(4) The Vice-Chancellor may, as he deems fit, delegate in writing any one or more of the powers and functions conferred on him by the Act, the Charter and these Rules or any other written law to a Deputy Vice-Chancellor or Deputy Vice-Chancellors and to the Principal of an affiliated or adopted college, subject to any limitations or conditions as the Vice-Chancellor may prescribe.

The Deputy Vice-Chancellor

6.-(1) There shall be two or more Deputy Vice-Chancellors as the Council may decide, who shall, subject to the provisions of this rule, be appointed by the Chancellor on advice of the Council after consultation with the Senate, and upon such terms and conditions as the Council may prescribe.

(2) The Deputy Vice-Chancellors under sub-rule (1) shall be appointed from a list of three candidates who have attained the status of professor or associate professor, of outstanding academic or administrative capability and experience of at least five years at a senior management level on the basis of recommendations submitted through the Senate by a search committee set up of accordance with the Second Schedule or under a procedure of public advertisement for the post.

(3) A Deputy Vice-Chancellor shall hold office for a period of four years and may, be re-appointed consecutively for one further term of

four years.

(4) Each Deputy Vice-Chancellor shall be responsible to, the chief advisor of, and assistant to the Vice-Chancellor in respect of such matters of the University as shall be assigned or delegated to him or his office and as may be prescribed.

(5) The Deputy Vice-Chancellor responsible for academic matters shall normally deputise for the Vice-Chancellor during the Vice-Chancellor's absence from office.

The Principals of
Affiliated Colleges
and Campus
Colleges

7.-(1) There shall be a Principal for each constituent and connected college who shall be recommended by the Senate from a list of three professors or associate professors or senior academician on the basis of recommendations submitted by a search committee set up in accordance with the Second Schedule or under a procedure of public advertisement for the post.

(2) The Principal under sub-rule (1) shall be appointed by the Chancellor on the advice of the Council after consultation with the College Governing Board in such manner and upon such terms and conditions as the Council may prescribe:

Provided that the requirement on Search Committee or procedure of public advertisement shall not apply to the appointment under this Charter of the first Principals of Constituent and Connected College's.

(3) Subject to the Act, Regulations made thereunder, this Charter and the Colleges Charter, the Principal shall:

- (a) hold office for a period of four years with eligibility for reappointment consecutively for one further term of four years;
- (b) be the academic and administrative head of the College of which he is Principal and shall, under the general authority of the Vice-Chancellor have such powers and duties as may be provided by Rules, or any other applicable written law; and
- (c) be responsible to the Vice-Chancellor the Governing Board, the Senate and the Council in respect of all matters concerning the College.

(4) There shall be a Principal for each campus college who shall be recommended by the Senate from a list of three professors or associate professors on the basis of recommendations submitted by a search committee set up in accordance with the Second Schedule or under a procedure of public advertisement for the post.

(5) The Principal under sub-rule (4) shall be appointed by the Chancellor on the advice of the Council after consultation with the College Board in such manner and upon such terms and conditions as the Council may prescribe:

Provided that the requirement on Search Committee or procedure of public advertisement shall not apply to the appointment under this Charter of the First Principals of Campus Colleges.

(6) The Principal under sub-rule (4) shall subject to the Act, Regulations made thereunder, this Charter and the College's establishing instrument -

- (a) hold office for a period of four years with eligibility for reappointment consecutively for one further term of four years;
- (b) be the academic and administrative head of the College of which he is Principal;
- (c) under the general authority of the Vice-Chancellor have such

powers and duties as may be provided by Rules or any other applicable written law; and

- (d) be responsible to the Vice-Chancellor, the College Board, the Senate and the Council in respect of all matters concerning the College.

Deputy Principals
of Affiliated
Colleges and
Campus College

8.-(1) There shall be Deputy Principals for each affiliated college and for each campus college who shall, subject to the provisions of this Rule, be recommended by the Senate from a list of three professors or associate professors or senior academic on the basis of recommendations submitted by a search committee set up on accordance with the Second Schedule or under a procedure of public advertisement for the post

(2) The Deputy Principals recommended under sub-rule (1) shall be appointed by the Chancellor on the advice of the Council, after consultation with the College Governing Board or, as the case may be, the College Board, in such manner and upon such terms and conditions as the Council may prescribe.

(3) The number of Deputy College Principals shall be such as may be prescribed by the Council upon the recommendation of the Principal and the advice of the Governing Board or, as the case may be, the College Board and the Senate.

(4) Each Deputy College Principal shall-

- (a) hold office for a period of three years with eligibility for re-appointment consecutively for one further term of three years;
- (b) be responsible to, the chief advisor of and assistant to the Principal on respect of such matters of the College as shall be assigned or delegated to him or his office and as may be prescribed;
- (c) have such powers as the Principal may delegate to him, provided that such delegation shall normally be in writing; and
- (d) perform such other functions as are conferred upon him or her by the Act, Regulations made thereunder, this Charter, the College's Charter or, as the case may be, establishing instrument, Rules, or any other applicable written law or as may be prescribed.

(5) The Deputy or, as the case may be, Deputy College Principal responsible for academic matters shall normally deputise for the Principal during the Principals absence from office.

Deans, Directors
and other officers

9.-(1) The appointment of Deans and Associate Deans of Schools and Faculties and Directors, Deputy and Associate Directors of Institutes, the Libraries (including College Libraries), Centres and Directorates shall be by search:

Provided that where there is a constituency, appointments shall be by a combination of search and election.

(2) The appointment, terms and conditions of service, including designation of titles of other officers of the University, shall be provided for under the Rules to be made by the Council.

Heads of
Departments

10.-(1) There shall be Heads of Departments in Schools, Faculties and Institutes of the University who shall, subject to this provision, be recommended to the Vice-Chancellor by the Senate from a list of three

senior academicians on the basis of the recommendations submitted by a search committee and electoral body.

(2) The Vice-Chancellor shall appoint Heads of Departments upon such terms and conditions of service as may be prescribed.

(3) The Heads of Departments shall hold office for a period of three years and may be eligible for re-appointment for one further term, of three years.

(b) The Council of the University

The Council of the University

11.-(1) Subject to the Act, Regulations made thereunder and this Charter, there shall be a Council of the University of which-

(a) not less than seventy five percent and not more than eighty percent of its members shall be drawn from outside the University and the remaining members shall be drawn from within the University; and

(b) not less than one third of its members shall be women.

(2) The total membership of the Council shall not be less than fifteen and not more than twenty-one persons who shall be appointed, in terms of the provisions of sub-rules (3) and (4).

(3) Membership of the Council shall include-

(a) the Chairperson, who shall be appointed by the President;

(b) the Vice Chancellor, as an *ex officio* member;

(c) two members of the National Assembly, at least one of whom shall be a woman;

(d) Permanent Secretary of the Ministry responsible for higher education;

(e) the Treasury Registrar;

(f) one member who shall be appointed by the Revolutionary Government of Zanzibar;

(g) two members, at least one of whom shall be a woman who shall be elected by the Students' Organisation from amongst its members;

(h) one member who shall be a woman elected by the Senate from amongst its members;

(i) one member who shall be elected by the Convocation from amongst its members;

(j) one member who shall be nominated by the Committee of Vice-Chancellors and Principals in Tanzania from amongst its members;

(k) members, one of whom shall be elected by the academic staff association and another by an Association of Administrative and Technical Staff from amongst its members;

(l) one member elected by the Workers Union at the University from amongst its members; and

(m) two members appointed by the Chancellor of the University, at least one of whom shall be a woman.

(4) The provisions of the Third Schedule shall have effect as to tenure of office of members, cessations of membership, proceedings of the Council and other matters relating to the Council.

Powers and functions of the Council

12.-(1) The Council shall be the principal policy making body of the University and subject to the provisions of the Act, Regulations made thereunder, and this Charter, the governance and control of the University

shall be vested in the Council.

(2) In particular, and without prejudice to the generality of sub-rule (1) the Council shall have power-

- (a) to administer the properties of the University both movable and immovable;
- (b) to administer the funds, investments and other assets of the University;
- (c) to approve annual estimates and supplementary estimates of the University;
- (d) to signify the acts of the University by use of the Common Seal;
- (e) on behalf of the University, to receive gifts donations, grants or other moneys and to make disbursements therefrom to colleges, schools, faculties, institutes, the University Library and other libraries, centres or directorates, units or to other persons or bodies;
- (f) subject to the provisions of the Charter, and these Rules, to appoint, settle the terms and conditions of service or terminate the appointment of officers and other employees of the University as it may deem necessary;
- (g) to establish or appoint committees and boards for the proper and better carrying out of its functions;
- (h) to define the rights, obligations and privileges of the members of the University;
- (i) subject to the provisions of the Act, Regulations made thereunder, this Charter, these Rules and any other applicable written law, to establish colleges, schools, faculties, institutes, libraries, centres or directorates, units and other bodies and to disestablish any one or more of these;
- (j) subject to the provisions of the Charter, make Rules/regulations and/or By-Laws for the better carrying out into effect of the provisions of the Charter and these Rules, and for better governance and administration of the University; and
- (k) to do all such other acts and things as are provided for in the Charter and these Rules or as may be prescribed.

Appointments
Committee

13.-(1) There shall be established an Appointments Committee for the handling of appointments and related matters concerning both Academic Staff and Administrative Staff of the University.

- (2) The Appointments Committee shall be composed of-
 - (a) the Vice Chancellor, who shall be the Chairman;
 - (b) the Deputy Vice-Chancellor responsible for Academic matters, who shall be the Vice-Chairman;
 - (c) the Deputy Vice-Chancellor responsible for Administration;
 - (d) two members, who shall be appointed by the Council from amongst the Members of the Council, one of whom shall be a woman;
 - (e) one member, who shall be appointed by the Senate from amongst its members;
 - (f) two members, one of whom shall be nominated by the academic staff association and the other by the administrative and technical staff association from amongst their respective members and appointed by the Vice-Chancellor;

- (g) one member who shall be nominated by the Workers' Union at the University from amongst its members and appointed by the Vice-Chancellor;
- (h) one member representing the Workers' Council; and
- (i) the Secretary to Council, the Corporate Counsel or other appropriate officer who shall be the Secretary with no voting right.

(3) The members of the Appointments Committee shall hold office for a period of three years and may be eligible for re-appointment for one further term.

(4) Where the Appointments Committee meets to make or approve any appointment, in addition to the persons specified in sub-rule (2), the following persons shall be entitled to sit on the Committee as temporary members-

- (a) the Dean, if any, of a Faculty or School to which the appointment is to be made;
- (b) where the appointment is to be made to a Department of a Faculty, Institute or School, the Head of such Department;
- (c) where the appointment is to be made to an Institute, the University Library, or a Centre or Directorate or Unit, the Director of the Institute of the University Library, Centre or Directorate or the Head of Unit; and
- (d) two members appointed by the Vice-Chancellor from amongst persons who, in the opinion of the Vice-Chancellor, are adequately qualified or have enough experience in academic and administrative matters to enable them to assist in making a suitable appointment.

(5) The Appointments Committee shall have such functions as are conferred upon it by or under the Charter and these Rules, or as may be delegated to it by the Council.

(6) Except for appointments of the rank of Professor and Associate Professor, which shall be referred to the Council for approval, all other academic and administrative appointments shall be made or approved by the Appointments Committee

(7) The retirement, the right to terminate appointment, and appointment of a new member to fill any vacancy in relation to members of the Appointments Committee appointed under paragraphs (d), (e), (g), (h), of sub-rule (2), and also in relation to the election of a temporary Chairman, the quorum, proceedings and meeting of the Committee shall, *mutatis mutandis*, be as provided in the Third Schedule.

Other Boards
and Committees of
the Council

14.-(1) The Council may, from time to time, appoint such other boards and committees as it may consider necessary and, subject to the provisions of the Charter, these Rules and directions given by the Chancellor in that behalf delegate to any such board or committee any of its functions under the Charter and these Rules upon such limitation or conditions as the Council may prescribe.

(2) Where the Council establishes a board or committee under this rule, the Council shall-

- (a) determine the number of members of the board or, as the case may be, committee as it deems fit and appoint such members:
Provided that-

- (i) at least one third of the total number of members appointed to any such board or, as the case may be,

- committee shall be appointed from amongst the members of the Council; and
 - (ii) at least one third of the total membership shall consist of women including at least one woman member of the Council;
 - (iii) fix the *quorum* necessary for the conduct of any business of such board or committee;
 - (b) elect one of the members of the Council to be the Chairperson of the board or, as the case may be, the committee;
 - (c) prescribe provisions for the election of a temporary chairperson by the members present where at any meeting of a board or committee so established the Chairman is absent;
 - (d) determine whether representation on such board or committee of the academic staff association, administrative staff association, the workers' union or, as the case may be, the students' organization, is necessary, and is necessary, provide for such representation; and
 - (e) subject to the provisions of the Charter and these Rules and any other Rules made hereunder, prescribe provisions for the conduct or regulation of the proceedings of such board or, as the case may be, of the committee.
- (3) For the purpose of this paragraph, the Deputy Vice Chancellor, the Secretary to Council and the Corporate Counsel or other appropriate officer shall be deemed to be members of the Council.

(c) The Senate of the University

Establishment and
Composition of the
Senate

15.-(1) Subject to the Act, Regulations made thereunder and this Charter there shall be a Senate of the University of Dar es Salaam of which not less than eighty percent and not more than eighty five percent of its members shall be drawn from within the University.

(2) The minimum and the maximum number of membership of the Senate shall be determined from time to time by the Council, except that the number and categories of *ex-officio* members shall not be reduced.

- (3) The membership of the Senate shall include-
- (a) the Vice-Chancellor, who shall be the Chairman;
 - (b) the Deputy Vice-Chancellors; and the Deputy Vice-Chancellor responsible for Academic matters shall be the Vice-Chairman;
 - (c) Principals of Affiliated Colleges and Campus Colleges or the University;
 - (d) Deputy Principals of Affiliated Colleges and Campus Colleges responsible for academic matters;
 - (e) the Dean of Students;
 - (f) Deans of Schools and Faculties;
 - (g) Directors of Institutes, the Library, Centres and Directorates;
 - (h) one person who shall be appointed by the Minister;
 - (i) one person who shall be appointed by the Minister for the time being responsible for education;
 - (j) one senior members of academic staff who shall be appointed by the Vice-Chancellor;
 - (k) two members, one of whom shall be a woman elected by the Students' Organization;

- (l) one person who shall be elected by the Academic Staff Association from amongst its members;
 - (m) two persons appointed by the Council at least one of whom shall be a woman;
 - (n) one member appointed by the Tanzania Commission for University; and
 - (o) one member who shall be elected by the Researchers Academicians and Allied Academic Worker's Union.
- (4) The proceedings of the Senate and, subject to the provisions of sub-rule (5), other matters relating to the Senate and its members shall, *mutatis mutandis*, be governed by the Third Schedule.
- (5) The tenure of office of the members of the Senate shall be three years, subject to a member's eligibility for re-appointment for a further term or further terms of three years each.

Powers and
functions of the
Senate

- 16.**-(1) Subject to the general supervision and guidance of the Council, the Senate shall be the principal decision making organ in all academic matters of the University.
- (2) Without prejudice to the generality of sub-rule (1), the Senate shall be responsible to the Council for the control and general regulation of the instructions education, research and consultancy within the University and, in addition thereto, shall have the following functions:
- (a) to satisfy itself regarding the content and academic standard of any course of study offered by any school, faculty, institute, the University Library, centre or directorate or college of the University in respect of a degree, diploma, certificate or other award of the University;
 - (b) to carry out academic audit in respect of each school, faculty, institute, the University Library, centre or directorate, and college of the university in every five years;
 - (c) subject to the approval of the Council, to make By-laws-
 - (i) regarding the eligibility of persons for admission to courses for a degree, diploma, certificate or other award of the University, and for the obtaining of any degree, diploma, certificate or other award of the University;
 - (ii) with regard to the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University; and
 - (iii) regarding the carrying out of academic audits on a regular basis;
 - (d) to decide whether any candidate for a degree, diploma, certificate or other award of the University has attained the standard of proficiency prescribed under By-laws made under paragraph (c) and is otherwise fit for the grant of such degree, diploma, certificate or other award of the University;
 - (e) to consider recommendations made to it by an Academic Committee of a College, or a Board of a School, Faculty or Institute, the University Library or a Centre or Directorate, as the case may be, and to take such action thereon as it may consider appropriate;
 - (f) to make proposals to the Council on matters relating to the conduct of the University generally; and
 - (g) to perform such other functions as may be conferred upon it

by the Act, Regulations made thereunder, this Charter, these Rules, By-laws and any other written law or by the Council.

(3) The Senate shall have power to establish or appoint boards and committees for the proper or better carrying out of its functions, and to disestablish any one or more of such boards or committees.

(4) Any Committee of the Senate established under sub-rule (3) shall be chaired by a member of the Senate and may consist of such number of members including those who, not being members of the Senate, possess qualifications and experience which may promote the cause for which the Committee is established as, the Senate may determine and such members shall be appointed by the Senate:

Provided that

(a) at least one third of the total number of members appointed to any such committee shall be appointed from amongst the members of the Senate; and

(b) at least one third of the total membership shall consist of women including at least one woman member of the Senate.

(5) The Senate may, as it deems fit, delegate any one or more of the powers and functions conferred on it under the Charter, these Rules, or any other applicable written law, to the Academic Committee of a College, a Board of a School, Faculty, Institute, the University Library, Centre or Directorate, subject to any limitations or conditions the Senate may prescribe.

(6) In respect of any matter in relation to which the Senate is required to report to the Council or to make By-laws in accordance with or furtherance of the provision of paragraphs (a), (b), (c) and (d) of sub-rule (2), the Council shall not initiate any action in respect thereto until such report has been received from the Senate or, as the case may be, such By-laws have been made by the Senate, and shall not reject any such report or By-laws without further reference to the Senate.

(d) Boards and Academic Committee

Boards of colleges,
schools etc.

17.-(1) There shall be established in respect of-

- (a) every constituent and connected college, a Governing Board and an Academic Committee;
- (b) every campus college, a College Board and Campus Academic Committee;
- (c) every school, a School Board;
- (d) every faculty, a Faculty Board;
- (e) every institute, a Board of the Institute;
- (f) the University library, a Board of the University Library; and
- (g) every centre or directorate, a Board of the Centre or Directorate.

(2) The establishment, composition, functions, procedure and powers of the respective boards specified under sub-rule (1) and the rights, duties and privileges of their respective memberships shall be as may be prescribed.

(3) In pursuance of the provisions of this Rule, the respective boards specified under sub-rule (1) may, with the approval of the Senate, establish boards and committees for the departments and units within the College, school, faculty, institute, the University Library and centre or directorate, as the case may be.

(d) *The Staff of the University*

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| The Staff of the University | 18. The staff of the University shall consist of academic staff, administrative and technical staff. |
| Academic Staff | 19. The academic staff of the University shall include:
(a) The Vice Chancellor;
(b) Deputy Vice-Chancellor responsible for academics;
(c) Principals;
(d) Deputy Principals of colleges responsible for academics;
(e) Deans of Schools and Faculties;
(f) Directors of Institutes, Libraries and centres and directories
(g) Heads of academic departments;
(h) Professors or Research Professors or Professors Emeritus,
(i) Associate Professors or Associate Research Professors;
(j) Senior Lecturers or Senior Research Fellows or Senior Librarians;
(k) Lecturers or Research Fellows or Librarians;
(l) Assistant Lecturers or Assistant Research Fellows or Assistant Librarians;
(m) Tutorial Assistant; and
(n) such other members of staff of the University who are engaged wholly or partly in teaching or research in any college, school, faculty, institute, the Library, centre or directorate, as shall be designated as academic staff by the Council on the advice or recommendation of the Senate. |
| Administrative and technical staff | 20. The administrative and technical staff of the University shall include-
(a) The Vice Chancellor;
(b) Deputy Vice-Chancellors, responsible for administration;
(c) Principals;
(d) Deputy Principals of colleges, responsible for administration;
(e) The Dean of Students;
(f) Deans of Schools and Faculties;
(g) Directors of Institutes, the Libraries, Centres and Directorates
(h) Heads of administrative departments; and
(i) all other officers of the University employed on permanent or fixed term contracts who are not members of the academic staff. |

PART III

DISCIPLINE OF STAFF AND TOP EXECUTIVE OFFICERS

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| Discipline of Staff of the University | 21.-(1) The powers of dismissing or terminating the appointment of any member of the Academic Staff, Administrative and technical Staff other than the Vice-Chancellor and Deputy Vice-Chancellors, by way of disciplinary action or of punishing any member of the academic or administrative and technical staff otherwise than by dismissal or termination of his appointment, for any disciplinary offence or misconduct shall be vested in the Council.
(2) There shall be a Staff Disciplinary Committee which shall consist of the following members:
(a) a Chairman, who shall be the Deputy Vice-Chancellor |
|---------------------------------------|---|

- responsible for Administration;
- (b) a legally qualified person with at least five years experience of practice as a State Attorney, advocate, magistrate or judge and who does not hold any post at the University, who shall be appointed by the Council;
 - (c) two members, one from the Academic Staff appointed by Senate and the other from the Senior Administrative and Technical Staff chosen by the Vice-Chancellor;
 - (d) a representative of each of the following -
 - (i) the University's Academic Staff Association;
 - (ii) the University's Administrative and Technical Staff Association; and
 - (iii) the Workers' Union at the University
- (3) Four members of the Staff Disciplinary Committee, including the Chairman, shall form a *quorum* and the Chairman shall have a casting vote in addition to his deliberative vote in the event of equal votes.
- (4) Charges of disciplinary offence or misconduct against academic members of staff and administrative and technical members of staff, other than the Vice-Chancellor and Deputy Vice-Chancellors, shall be handled at first instance by the Staff Disciplinary Committee in accordance mutatis mutandis with the provisions of rule 22 and a recommendation shall be made to the Vice-Chancellor through the Deputy Vice-Chancellor responsible for Administration for imposition of such punishment as the Appointments Committee, exercising its powers under these Rules or as any other applicable Rules may determine.
- (5) All matters concerning discipline of staff, other than members or staff of the rank of Professor or Associate Professor, of affiliated or adopted institutions, namely constituent and connected colleges and staff of associate colleges, schools, institutes, centres and directorates shall be dealt with in accordance with their respective enabling legal instruments and/or other applicable written law.
- (6) Professors and Associate Professors of affiliated or adopted institutions, namely, constituent and connected colleges, shall be dealt with in accordance with these Rules.

Disciplinary
Appeals Committee
of Staff of the
University

22.-(1) There is hereby established a Committee, to be known as the Staff Disciplinary Appeals Committee, which shall deal with appeals or members of the Academic and Administrative Staff.

(2) The Staff Disciplinary Appeals Committee shall be composed of-

- (a) the Chairman appointed by the Chancellor from amongst the members of the Council;
- (b) one member appointed by the Chancellor;
- (c) two members elected from amongst the members of the council, one of whom shall be a woman;
- (d) two representatives appointed by the Vice-Chancellor, one nominated by the Academic Staff Association and one by the Administrative and Technical Staff Association from amongst their respective memberships at the University or, as the case may be, the college;
- (e) one representative nominated by the Workers' Union at the University the case may be, the college, appointed by the Vice-Chancellor;
- (f) one representative nominated by the Workers' Council;

- (g) a legally qualified person with ten years experience of practice as a State Attorney, Advocate, Magistrate or Judge, who shall be appointed annually by the Council from outside the University Community.

(3) The Committee may appoint one of its members as Vice-Chairman thereof.

(4) The Chairman shall select one of the members of the Staff Disciplinary Appeals Committee to take the record of proceedings as Secretary.

(5) The quorum for meetings of the Staff Disciplinary Appeals Committee shall be a simple majority of the members of the Committee.

(6) The Staff Disciplinary Appeals Committee shall have appellate power over the decisions of a disciplinary nature or dismissals from and terminations of service or employment with the University affecting officers, other than the Vice-Chancellor or a Deputy Vice-Chancellor:

Provided that the provisions of this rule shall have no prejudice to the provision of any other applicable written law in respect of disciplinary matters.

Discipline of top executive officers

23.-(1) A charge of disciplinary offence or misconduct against the Vice-Chancellor top a Deputy Vice-Chancellor shall be investigated by a Special Committee of the Council whose composition and terms of reference shall be determined by the Council.

(2) The Special Committee appointed under sub-rule (1) in carrying out any investigation, shall adhere to the rules of natural justice, that is:

- (a) the right of the accused to know the nature of the disciplinary offence or misconduct he stands accused of;
- (b) the right to be granted a fair opportunity for self-defence; and
- (c) the right to be judged without bias.

(3) If the charge is established against the officer, where the Council is the appointing Authority, the Council shall make a decision as it deems fit, or where the Council is not the Appointing Authority, and, if it deems it proper, it may refer the findings to the Appointing Authority: Provided that-

- (a) A two-thirds majority vote at a special meeting of the Council shall be necessary for the Council to decide or, as the case may be, recommend to the Appointing Authority that a Vice-Chancellor or Deputy Vice-Chancellor be removed and replaced;
- (b) where the Council does not deem it proper to refer the findings to the Appointing Authority for a decision, the Council shall itself decide **on** what measure, other than a punitive measure, is to be taken against the officer and shall forward such a decision to the Appointing Authority for endorsement;
- (c) if the Appointing Authority does not endorse the decision of the Council, the Appointing Authority may substitute its own decision after consultation with the Council where such consultation is deemed fit.

(4) If the charge is not established against the officer in question, it shall be dropped and the officer shall be informed in writing of that outcome forthwith.

- (5) All matters concerning discipline of top executive officers, of-
 - (a) affiliated or adopted institutions, namely constituent and connected colleges shall be dealt with in accordance with these Rules;
 - (b) associate colleges, schools, institutes, centres and directorates shall be dealt with in accordance with their respective enabling legal instruments and/or other applicable written law.

Disciplinary
Appeals Board for
top executive
officers of the
University

24.-(1) Subject to the Charter and these Rules and any other applicable written law, the provisions of rule 23 shall apply, *mutatis mutandis*, in respect of the appeals by the Vice-Chancellor or as the case may be, a Deputy Vice-Chancellor.

(2) Any recommendation for disciplinary action including removal and replacement or dismissal from or termination of service, made under rule 23 against the Vice-Chancellor or a Deputy Vice-Chancellor, shall be open to contestation by the affected person before the Council which shall submit a recommendation to the Appointing Authority who may-

- (a) act on the Council's recommendation; or
- (b) appoint an *ad-hoc* Committee with terms of reference for investigating recommending the action to be taken; and
- (c) on receipt of the *ad-hoc* Committee's findings as to the guilt or innocence of the accused person, accept or reject the recommendation submitted by the Council.

(3) The Vice-Chancellor or any Deputy Vice-Chancellor shall have the right to appear before or make written representations to the Council, the *ad-hoc* committees or the Appointing Authority when an adverse recommendation made by the Council against any one of them is under consideration before the Council, the *ad-hoc* Committee or, as the case may be, the Appointing Authority.

PART IV

CONVOCATION, ALUMNI AND OTHER STAFF ASSOCIATIONS

The Convocation
and Alumni
Associations

25.-(1) There shall be a Convocation of the University of Dar es Salaam which shall consist of graduates and members, other than undergraduate students of the University, and such other persons as may be prescribed by Rules.

(2) The Convocation shall have the right to meet and discuss any matter relating to the University, to transmit resolutions thereon to the Council and Senate, and may exercise such other function as Rules may prescribe.

(3) The Council may approve the establishment of an Alumni Association of the University or discipline-based alumni associations whose affairs shall be governed by its their constitution(s) which shall be subject to approval by the Council including amendment thereof.

(4) An Alumni Association of the University whose establishment is approved under sub-rule (3) shall have the right to transmit its resolutions to the Council and the Senate and may exercise such other functions and enjoy such other privileges as Rules may provide.

(5) A Discipline-based alumni association whose establishment is approved under sub-rule (3) shall have the right to transmit its resolution to the Board of the Campus College, School, Faculty, Institute, the Library,

Centre or, as the case may be, Directorate under which the association's discipline base falls.

(6) For the purpose of this Rule the word "discipline" includes Campus College, School, Faculty, Institute, the Library, Centre or Directorate, as the case may be.

Staff Associations
and Workers'
Unions

26.-(1) The staff associations specified in the Fifth Schedule hereto are declared to be staff associations in the University and the Workers' Unions specified in the Sixth Schedule hereto are recognized to be the Workers' Unions in the University.

(2) The Council may approve the establishment of an academic staff association representative of all the academic staff of the University and an administration and technical staff association representative of all administrative staff of the University.

(3) An Academic Staff Association and an Administrative and Technical Staff Association whose establishment is approved under sub-rule (1) shall have the right to transmit its resolutions to the Council and the Senate and may exercise such other functions and enjoy such other privileges as Rules may prescribe.

(4) The Council may as it deems fit, upon an application and submission of a constitution by members of staff desirous of forming an association within the university approve the establishment of any other staff association or associations whose objects and constitutions are not in conflict with the objects of the University and the provisions of any other written law.

(5) The affairs of a staff association, including membership, shall be governed by its constitution.

(6) The constitution of a staff association, including amendments thereof, shall be determined by the members of the association and shall be subject to approval by the Council.

PART IV

ADMINISTRATION, WELFARE AND DISCIPLINE OF STUDENTS

Dean of Students
and Students'
Welfare

27.-(1) There shall be a Dean of Students of the University who shall be appointed by the Council from amongst persons with a minimum academic qualification of a Masters degree in the social sciences and outstanding experience and capability in student administration or counselling.

(2) The Dean of Students shall be appointed by the Council on the recommendation of the Vice-Chancellor to hold office for a period of four years with eligibility for re-appointment for a further term or further terms of four years each upon such other terms and conditions as the Council shall prescribe.

(3) The Dean of Students shall be responsible to the Deputy Vice Chancellor responsible for administration for the general welfare of the students of the University and the administration of their affairs.

Students'
Organizations

28.-(1) The students' organizations specified in the Sixth Schedule hereto are declared to be students' organizations in the University.

(2) There shall be a Students' Organization of the University which shall be known by such name as may be agreed upon by its members and approved by the Council by notice published in the *Gazette* or the *University Prospectus*.

	(3) The affairs of the Students' Organization, including membership, shall be governed by its constitution whose objects shall not conflict with the objects of the University, and the provision of any other written law. (4) The constitution of the Students' Organization, including amendments thereof, shall be subject to approval by the Council.
Other Students' Organizations	29. The Council may, by Rules, provide for the approval and conduct of other students organizations. (2) No students' organization shall have objects which are in conflict with the objects of the University and the provisions of any other written law.
Student Rules	30.-(1) The Council may, on the recommendation of the Senate, make Rules to the administration of students. (2) Rules made under sub-rule (1) may provide that the contravention of any such Rules shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence. (3) Rules made under this rule shall be published in the <i>Gazette</i> or the University <i>Prospectus</i> and every such rule shall be brought to the notice of the students in such other manner as the Council may determine.
Students' Disciplinary Authority	31.-(1) There shall be a students disciplinary authority appointed by the Council whose powers, functions and procedure or mode of operation shall be provided for under the Rules made by the Council in that behalf. (2) The Deputy Vice-Chancellor responsible for administration shall be the Students' Disciplinary Authority. (3) The Rules made under sub-rule (1) shall include the provision in rule 54, which provides for principles of natural justice.
Students' Disciplinary Appeals Committee	32.-(1) The Students Disciplinary Appeals Committee shall be composed of- (a) a Chairman appointed by the Council; (b) four members elected by the Council one of whom shall be elected to the Council by the Students' Organization; and (c) a legally qualified person from the office of the Attorney General to be appointed by the Attorney General.

PART V
ESTABLISHMENT OF COLLEGES, SCHOOLS, AND FACULTIES, ETC.

Establishment of Campus Colleges	33.-(1) The Chancellor, acting upon a resolution of the Council, may, by order published in the <i>Gazette</i>, establish campus colleges whose functions and powers shall be provided for by Rules: Provided that where it is deemed necessary or appropriate in order to cater for specific needs or circumstances, the Council may add to, deduct from, modify or alter the functions and powers of campus colleges provided under Rules. (2) A campus college shall be answerable to the Senate and the Council in all matters concerning approval and validation of academic programs, student admissions criteria, academic and senior administrative staff appointments (including their terms and conditions of service,
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discipline, retirement benefits);

Provided that the Senate and the Council may, as they deem fit, delegate any one or more of the powers exercisable under this rule to the Campus Academic Committee and the College Board of a campus college in accordance with the provisions of these Rules.

(3) A campus college shall consist of such schools, faculties, institutes, centres or directorates and units as may be provided for by Rules.

(4) The procedure for establishing campus colleges shall be as may be prescribed by Rules.

Establishment of
constituent colleges

34.-(1) Subject to the Act, the Regulations made thereunder and this Charter, the President may, on the advice of the Minister and the Commission after consultation with the Council, grant a Charter to establish or declare a public institution of higher learning education or training to be a constituent college of the University either in addition to, or in substitution of, the constituent Colleges specified in the Seventh Schedule.

(2) A constituent college may-

- (a) consist of campus schools, faculties, institutes, centres, directorates, departments and units as may be provided for or declared by the Charter under which it is established;
- (b) affiliate schools, institutes, centres and directorates;
- (c) establish associateship with institutes, schools, centres and/or directorates.

(3) A constituent college shall be a semi-autonomous institution under the tutelage of the University for nurturance, during a transitional period, towards its establishment as an independent University.

(4) Without prejudice to the generality of sub-rule (3), a constituent college shall be established as a body corporate with legal personality, a common seal, perpetual succession and all the rights and privileges pertaining to a body corporate, except that a constituent college shall have no right to grant or confer awards other than the awards of and in the name of the University

(5) A Charter made under sub-rule (1) and a Charter establishing as an independent University a former constituent College as envisaged by sub-rule (3) shall have the effect of amending the Seventh Schedule by adding or, as the case may be, deleting the constituent college established by the Charter to or, as the case may be, from the list of constituent colleges declared under sub-rule (6).

(6) The Colleges specified in the Seventh Schedule hereto are declared to be Constituent Colleges of the University.

Establishment of
connected colleges
status

35.-(1) The Chancellor may, on the advice of the Council after consultation with the Tanzania Commission for Universities, by order published in the *Gazette*, declare a public institution of higher learning, education or training to be a connected College of the University.

(2) Subject to this Charter and these Rules, a public institution declared to be a connected college of the University shall -

- (a) retain its separate legal Status or personality in accordance with its enabling legal instrument;
- (b) depend on the University for approval of its academic programmes, courses and awards, including student entry qualifications, course syllabi and examination rules; and
- (c) have no right to grant or confer awards other than the awards

of and in the name of the University.

Establishment of
associate college
status

36.-(1) The Chancellor, may on the advice of the Council after consultation with the Commission, by order published in the *Gazette*, declare a higher institution of learning, education or training or a college, other than a campus college, a constituent college or a connected college, to be an associate college of the University,

(2) The University shall accord to an associate college of the University professional and academic guidance and supervision over the academic programme(s) of the College in order to ensure that the College operates in accordance with the provisions of its enabling legal instrument to the highest standard:

Provided that-

- (a) the University shall not require the College to participate in any of the programmes of the University nor to attain the level of standards of the University in teaching, research, consultancy services provision, staffing, student admissions criteria, or any other matter of an academic or administrative nature;
- (b) the College shall not have any right to participate in any of the academic programmes of the University with which it is associated nor to make awards bearing the name or emblem of the University; and
- (c) the order under which an institution or college is declared to be an associate college of the University may provide for the means by which and the mode, ways or manner in which the University shall accord to the associate college such professional and academic guidance and supervision as are required by this sub-rule and any other matter connected or associated therewith.

(3) Subject to the provisions of sub-rule (2), the establishment, mode, terms and conditions of the association with or participation in the academic programme or programmes of the College by the University and other related matters shall be prescribed by the Council under Rules.

Establishment of
schools, faculties,
etc

37.-(1) The Schools, Faculties, Institutes, Libraries, Directorates and Centres specified in the Fourth Schedule hereto are declared to be schools, faculties, institutes libraries, directorates and centres of the University

(2) The Council may, from time to time, on the advice of the Senate establish Schools, Faculties, Institutes, Libraries, Centres or Directorates either in addition to, or in substitution of, the schools, faculties, institutes, libraries, centres and directorates specified in the Fifth Schedule hereto and may disestablish or reconstitute any one or more of these or combine any one or more of these with ,another or others to form a new or larger school, faculty, institute library, centre or directorate, as the case may be.

(3) The establishment, composition, functions, procedure and powers of schools faculties, institutes, the University Library and other libraries, centres or directorates, and organs of governance thereof shall be provided for by Rules.

(4) The Board of a School or Faculty may, with the approval of the Senate, establish such number of departments and units as the Board may consider necessary and may in the same manner disestablish or

reconstitute any one or more of these or combine any one or more of them with another or others to form new or larger departments or, as the case may be, units.

(5) The course of study to be conducted in any school, faculty, institute, library, centre or directorate, shall be determined by the Senate on the recommendation of the respective Board of the School, Faculty, Institute, Library, Centre or, as the case may be, Directorate.

(6) The Senate may from time to time, on the recommendation of the respective Board of the School, faculty institute, centre or directorate approve either in addition to, or in substitution of the academic programmes specified in the Fifth Schedule.

(7) The provisions of this rule shall, *mutatis mutandis*, apply to the establishment the status of associate institute, school centre and/or directorate, as the case may be.

PART VI FINANCIAL PROVISIONS

Management of
Assets

38. The Council shall manage all the assets and properties, movable and immovable, of the University, in such manner and for such purposes as in the opinion of the Council would promote the best interest of the University:

Provided that management of assets and properties, both movable and unmovable, of constituent and connected colleges and associate colleges, institutes, schools, centres and/or directorates as the case may be, shall vest in the Governing Boards of the said respective institutions in accordance with their respective enabling legal instruments.

Funds and
resources

39. The funds and other resources of the University shall consist of-

- (a) such sums as may be provided for the purposes of the University by Parliament by way of grant or loan;
- (b) such sums as the Council may, from time to time, borrow for the purposes of the University;
- (c) such sums as may accrue to the University from or by way of fees or donations;
- (d) such sums as may, accrue to the University from investments leases, licences, consultancies, etc. of the University; and
- (e) such sums as may in any manner become payable to or vested in the University either under the provisions of the Charter, these Rules, any applicable written law or as incidental to the carrying out of its functions.

Investment of funds

40. The Council shall have power to invest the funds of the University in such assets and subject to such conditions, as are prescribed by the law in relation to investment of funds by a trustee.

Financial year

41. The Council may determine any period of twelve consecutive months to constitute the financial year of the University; provided that for the purposes of transition from one financial year to another the transitional period, whether of more or of less than twelve months, shall be regarded as if it were a financial year.

Annual estimates

42.-(1) At least four months before the commencement of any

financial year the Deputy Vice Chancellor responsible for administration shall prepare or cause to be prepared, for the approval of the Council, annual estimates of the revenue and expenditure of the University for the ensuing financial year.

(2) The Council shall, before the commencement of a financial year, consider and approve, subject to such modifications and amendments as it may consider appropriate, the estimates prepared in accordance with subrule (1).

(3) The annual estimates shall contain provision for all the estimated expenditure during the ensuing financial year and in particular:

- (a) for the payment of-
 - (i) salaries, allowances, travel and other charges in respect of all staff of the university;
 - (ii) materials, equipment, etc., and other charges in respect all teaching, training research and consultancy;
 - (iii) allowances, fees and expenses in respect of the Chancellor, members of the Council, the Senate, the Convocation and of other boards and committees;
 - (iv) all pensions, gratuities and other charges in respect of retiring benefits which are payable out of the funds of the University;
- (b) for the construction, improvement, maintenance and replacement of any building or other immovable property of the University;
- (c) for the proper maintenance and replacement or the furniture and equipment of the University;
- (d) for the creation of such reserve funds to meet future contingent liabilities as the Council may think fit.

(4) No expenditure shall be incurred for the purposes of the University except in accordance with the provisions of the annual estimates or in accordance with the provisions of any supplementary estimates approved by the Council.

(5) A copy of the annual estimates and of every supplementary estimates, if any, shall immediately upon the approval of such annual estimates or, as the case may be, the supplementary estimates, by the Council, be forwarded to the Commission, the Minister and the Chancellor for information.

Accounts and
auditing of
accounts

43.-(1) The Council shall cause to be kept proper accounts and shall, within and not later than six months after the end of each financial year, cause such accounts relating to such financial year together with-

- (a) a statement of income and expenditure during such financial year;
- (b) a statement of the assets and liabilities of the University on the last day of such financial year; and
- (c) any other such statement as may be required or prescribe by any written law,

to be submitted to and audited by the Controller and Auditor-General or by such other authorized Auditor as the Controller and Auditor General may appoint.

(2) Copies of the statement referred to in subrule (1) and a copy of the auditor's report, if any, shall be forwarded to the Commission, the Chancellor and the Minister.

44. The Vice-Chancellor shall at the end of each financial year prepare a report on the activities of the University during that financial year and submit such report to the Council, the Commission, the Minister and the Chancellor not later than three months after the end of the financial year.

45. The Minister shall cause to be laid before the National Assembly, as soon as may be practicable after he has received them:

- (a) copies of the statements referred to in sub-rule (1) of rule 43:
- (b) a copy of the auditor's report; and
- (c) a copy of the Vice-Chancellor's report.

PART VIII

MISCELLANEOUS PROVISIONS

46.-(1) There shall be established an Office of the Secretary to the Council.

(2) The Council shall appoint a suitable person to be the Secretary to Council and may appoint such number of officers to assist him as the Council may consider necessary.

(3) Subject to the provisions of this rule the Secretary to the Council shall have functions as may be conferred upon him by the Council except that legal functions shall fall under a Legal Unit headed by a Corporate Counsel.

47.-(1) In the discharge of its functions under the Charter and these Rules, the University shall abide by the terms and condition of any such memorandum or memoranda of understanding as may be agreed between the Government of the United Republic and the University.

(2) Without prejudice to the generality of sub-rule (1) of this rule, the terms and conditions of a memorandum of understanding may include-

- (a) development and running of academic programmes, courses, institutions;
- (b) developing and conducting research and consultancy or research and development programmes, arrangements, projects, etc; and
- (c) providing funds for the general and development expenditure of the University.

University Funding
Promotion
Committee

48.-(1) Then shall be established a committee which shall be known as the University Funding Promotion Committee.

(2) The University Funding Promotion Committee shall comprise a Chairman and not less than five or more than fifteen members:

Provided that-

- (a) at least one third of the total membership shall consist of women; and
- (b) at least one third of the total membership, including the chairman, shall consist of members of the Council.

(3) The Chairman and the members of the University Funding Promotion Committee, shall be appointed by the Council.

community or the organs of governance that shall be involved in the process of such a system of appointment.

Principles of natural justice

54. Notwithstanding the provisions of Part III and rules 31 and 32 of these Rules, the power to dismiss an officer or member of staff of the University or expel or rusticate a student from the University, as the case may be, by way of disciplinary action shall not be exercised unless-

- (a) a disciplinary charge has been made against such officer or member of staff or student, as the case may be; and
- (b) the officer or member of staff or student, as the case may be, has had opportunity to answer such charge; and
- (c) an inquiry has been held into the charge in accordance with the provisions of the Rules made by the Council on recommendation of the Senate or, as the case may be, the Governing Board, in that behalf, or any applicable general law of the land, as the case may be; and
- (d) the officer or member of staff or student concerned, as the case may be, has, after such inquiry and defence, been found to be guilty of the charge levelled against him or of a minor charge of the same category established on the basis of the findings made in the course of dealing with the said charge.

Special needs for women and disabled persons

55.-(1) In the construction or maintenance of any building, appliance, facility, amenity, convenience, road, path or passageway for use by students or staff of the University, due regard shall be had of the special needs of women and of persons with common physical disabilities of sight, hearing and movement.

(2) Without prejudice to the generality of sub-rule (1), the Library and other buildings of the University where studies, research and/or classes are conducted, including their branches wherever they may be, shall be so constructed or structured, set up and equipped as to cater, as far as possible, for the needs specified under sub-rule (1).

Matters of General Administration and Student Affairs of College

56. All matters of general administration and student affairs other than those of an academic nature of constituent and connected colleges and associate colleges, institutes, schools, centres or, as the case may be directorates, shall be governed in accordance with their respective enabling legal instruments.

Gender balance principle and representation of persons with disabilities

57.-(1) The principle of gender equality or balance as provided in the Act and Regulations made thereunder and under these Rules shall be observed and implemented whenever a board, committee or other organ or body of the University, including its affiliated and campus institutions, is formed or established to perform a function or functions involving the interests of the University or the public in general, such that at least one third of the membership of the board, committee or other organ or body, as the case may be, shall consist of women.

(2) The principle of representation of persons with physical common disabilities of sight, hearing and movement shall be observed and implemented whenever a board, committee or other organ or body of the

University, including its affiliated and campus institutions, is formed or established to perform a function or functions involving matters that may affect the interests of staff and/or students with common physical disabilities such that at least one of the members of the board, committee or organ or body, as the case may be, shall be a person with a common physical disability nominated for the purpose by staff or students with such disabilities.

Academic freedom,
social responsibility
and code of conduct

58.-(1) All staff and students shall have the freedom to conduct teaching, research, acquisition, exchange and dissemination of knowledge without fear of interference, prejudice, victimization or repression other than for reasons of public health, morality or present or imminent danger to the nation. This freedom will include the participation of staff and students in the University organs and in their association, and the expression of their views on national and international issues in the course of that participation. It shall also include the right of both students and staff to challenge each other on academic matters in the course of their work.

(2) No member of the academic community shall participate in, or become a party to any endeavour which may work to the detriment of the University, the people of Tanzania or compromise scientific, ethical and professional principles and standards.

(3) All members of the University community shall be obliged to fulfil their functions and duties at their utmost competence, integrity and ability, and without prejudice to the needs, views and opinions of others or the society as a whole, in a spirit of tolerance and transparency, and with a view to redressing the historical and contemporary inequalities in the society, arising from class, beliefs, gender, race, nationality, religion or economic status;

(4) Council shall cause to develop the University Code of Conduct.

SECOND SCHEDULE

(Under Article 8(2))

PROVISIONS RELATING TO SEARCH COMMITTEE

Search
Committee

1. There shall be a Search Committee for making recommendations to the Chancellor for appointment of a Vice-Chancellor.

Members of
Search
Committee

2. The Search Committee shall consist of three members of whom two shall be nominated by the Council and one by the Chancellor, and the person nominated by the Chancellor shall be the convenor of the Committee:

Provided that:

- (a) no person who is an employee of the University or any authority of the University shall be nominated to be a member of the Committee; and
- (b) at least one of the members shall be a woman.

- Appointment of Vice-Chancellor
3. The Chancellor shall appoint a Vice-Chancellor from out of a panel of not more than three persons recommended by the Search Committee constituted under paragraph 2:
Provided that if the Chancellor does not approve any of the persons so recommended, he may call for a fresh recommendation.

THIRD SCHEDULE

(Under Article 17(2) and rule 11)

PROVISIONS RELATING TO THE COUNCIL

- Tenure of Council
- 1.-(1) The Chairman of the Council shall hold office for a period of four years from the date of his appointment.
(2) Subject to the provisions of this Schedule, the term of office of all members of the Council other than the Chairman and the *ex-officio* members, shall be three years and all such members shall retire on the last day of June of the third year; and, on the last day of June of every third year, their places shall be filled by the newly appointed or, as the case may be, elected members who shall come into office immediately upon such retirement, Provided that:
(a) nothing in this Schedule shall be construed as preventing any person otherwise eligible to be appointed or elected as a member from being re-appointed or, as the case may be, re-elected for another term of office;
(b) in the case of a member elected by the National Assembly, he shall cease to hold office if at any time prior to the date of his retirement he ceases to be a member of the National Assembly; and
(c) in the case of a member elected by the Students Organisations, he shall cease to hold office if at any time prior to the date of his retirement under this paragraph, he ceases to be a student.
(3) Nothing in paragraph 2 shall be construed as preventing any appointing authority from terminating the appointment of any member appointed or elected by it, prior to the date when such member is required to retire from office under paragraph 2.
- Cessation of Membership
- 2.-(1) Where any member absents himself from three consecutive meeting of the Council without reasonable excuse, the Council shall advise the appointing authority of the fact and the appointing authority may, if it deems fit so to do, terminate the appointment of the member and appoint or, as the case may be, elect another member in his place.
(2) Where any member of the Council ceases to be such a member by resignation or death, or by virtue of the operation of the provisions of subparagraph (1) of paragraph 1, or is unable to perform his functions as such member by reason of his absence from the United Republic or by reason of any infirmity of body or mind, or where the appointing authority terminates his appointment under paragraph 3 or paragraph 4, the appointing authority may appoint or, as the case may be, elect another member in his place, and the member so appointed or elected shall, subject to the provision of this Schedule, hold office for the remainder of the term of his predecessor,

(3) Where in the opinion of the appointing authority, the absence or infirmity of any member is of a temporary nature only, it may appoint or, as the case may be, elect a temporary member to take his place, and such temporary member shall have, so long as he remains a temporary member, all the powers and functions of a member of the Council:

Provided that, on the resumption of office by the substantive member, the temporary member shall cease to hold such office.

Proceedings of
the Council

3.-(1) The Deputy Vice-Chancellors shall have the right to be present at every meeting of the Council to participate in its deliberations but shall have no right to vote.

(2) The Council shall elect one of its members to be the Vice-Chairperson and any member elected as Vice-Chairman shall, subject to his continuing to be a member, hold office of Vice-Chairman for a term of one year from the date of his election, and shall be eligible to be re-elected.

(3) The Chairman shall preside at all meetings of the Council and where at any meeting of the Council, the Chairman is absent, the Vice-Chairman shall preside.

(4) In the absence of both the Chairperson and the Vice-Chairperson at any meeting of the Council, the members present may, from amongst their number, elect a temporary Chairperson who shall preside at that meeting.

(5) The Chairman, Vice-Chairman or temporary Chairman presiding at any meeting of the Council, shall have a vote and, in the event of any equality of votes, shall have a casting vote in addition to his deliberative vote.

Meetings of the
Council

4.-(1) Subject to this Charter and any general or specific direction by the Chancellor, the Council shall meet not less than four times during every financial year and at such additional times as may be fixed by the Chairman or, if he is absent from the United Republic or unable for any reason to act, the Vice-Chairman:

Provided that the Chairman or, if he is absent from the United Republic or is unable for any reason to act the Vice-Chairman shall, at the request of at least ten members convene a meeting of the Council within thirty days of such request being made to him in writing.

(2) The Secretary of the Council shall give to each member not less than fourteen days' notice of the time and place of any such meeting.

Quorum

5.-(1) At any meeting of the Council not less than one-third of the members in office for the time being shall constitute a *quorum*.

(2) If a *quorum* is not present within half an hour of the time appointed for the office, the members present, or the majority of them, or any one member or if only one is present or the Secretary if no member is present, may adjourn the meeting to any time not later than fourteen days from the adjournment.

Decision of the
Council

6.-(1) Subject to the provisions relating to a casting vote, all questions at a meeting of the Council shall be decided by a majority of the votes of the members present at the meeting, and if any member fails or refuses to vote on any question, his vote shall be counted in the negative.

7. Notwithstanding the foregoing provisions of this Schedule, decisions may be made by the Council without a meeting, by circulation of the

relevant papers among the members and the expression of the views of the majority thereof in writing:

Provided that any member shall be entitled to require that any such decision be deferred and the subject matter be considered at a meeting of the Council.

Validation of proceedings of the Council

8. No act or proceedings of the Council shall be invalid by reason only of any defect in the appointment of any member of the Council or the fact that any member of the Council was at the time in question disqualified or disentitled to act as such.

Seal of the University

9.-(1) The Seal of the University shall be of such shape, size and form as the Council may determine.

(2) The Seal shall be affixed in the presence of -

(a) the Vice-Chancellor; or

(b) the Deputy Vice Chancellor responsible for administration; or

(c) such person or persons appointed in writing by the Vice-Chancellor in that behalf,

the person or persons present shall sign over or underneath the sealing witness thereof.

Execution of Instrument

10. All conveyances, transfers, contracts, guarantees, agreements, bonds, authorities, mortgages, charges, bills of exchange, promissory notes, bank drafts, letters of credit, securities and other instruments to which the University is a party shall be executed on behalf of the University by-

(a) the Vice Chancellor;

(b) the Deputy Vice Chancellor responsible for administration; or

(c) such other officers of the University as the Vice-Chancellor may appoint in that behalf.

Council to regulate its proceedings

11. Subject to the provisions of this Schedule, the Council may regulate its own proceedings.

FOURTH SCHEDULE

(Under Article 20 and Rule 37)

SCHOOL, FACULTIES, INSTITUTES, CENTRES AND LIBRARIES OF THE UNIVERSITY

1. The following Schools are declared to be Schools of the University: At the Main campus the University of Dar es Salaam School of Graduate Studies.

2. The following Faculties are declared to be Faculties of the University:-

(a) at the main Campus-

(i) the Faculty of Law;

(ii) the Faculty of Arts and Social Sciences;

- (iii) the Faculty of Science;
 - (iv) the Faculty of Commerce and Management;
 - (v) the Faculty of Education;
 - (vi) the Faculty of Aquatic Sciences and Technology;
 - (vii) the Faculty of Virtual Education
 - (b) at the Dar es Salaam University College of Education-
 - (i) the Faculty of Humanities and Social Sciences;
 - (ii) the Faculty of Science;
 - (iii) the Faculty of Education.
 - (c) at the Mkwawa University College of Education-
 - (i) the Faculty of Humanities and Social Sciences;.
 - (ii) the Faculty of Science;
 - (iii) the Faculty of Education.
 - (d) At the Campus College of Engineering Technology-
 - (i) the Faculty of Electrical and Computer Systems Engineering;
 - (ii) the Faculty of Civil Engineering and the Built Environment;
 - (iii) the Faculty of Mechanical and Chemical Engineering;
3. The following Institutes and Centres are declared to be Institutes and Centres of the University.
- (a) at the Main Campus-
 - (i) the Institute of Development Studies;
 - (ii) the Institute of Kiswahili Research;
 - (iii) the Institute of Marine Sciences;
 - (iv) the Institute of Resource Assessment;
 - (v) the University Computing Centre;
 - (vi) the Centre for Continuing Education;
 - (vii) the Institute of Journalism and Mass Communication;
 - (viii) the University of Dar es Salaam Entrepreneurship Centre, and
 - (ix) the Centre for Virtual Learning;
 - (x) the Gender Centre;
 - (b) at the Dar es Salaam University College of Education-
The Institute of Educational Research in Education;
 - (c) at the Mkwawa University College of Education-
The Institute of Educational Research and Innovation;
 - (d) at the Campus College of Engineering Technology-
The Technology Development and Transfer Centre.
4. The following Libraries are declared to be (main) Libraries of the University-
- (a) at the Main Campus -
The University Library
 - (b) at the Dar es Salaam University College of Education-
The College Library;
 - (c) at the Mkwawa University College of Education-
The College Library.
5. Libraries established by or under Faculties, Institutes or Centres of the University shall be deemed to be departmental libraries and shall be conducted and regulated in such manner as the Senate, on the advice of the respective libraries mentioned under paragraph 4, may direct:
- Provided that in respect of a College Library, the relevant Academic Committee of the College may, with the permission of the Senate, play the role of the Senate under this paragraph.

6. The following Press is declared to be a Press of the University-
The Dar es Salaam University Press.
7. The following are declared Senate approved academic programmes of the University-
- (a) at the Main Campus:
Certificate, Diploma, Bachelors, Post Graduate Diplomas, Master and Doctor of Philosophy programmes in Science, Arts, Law, humanities, Commerce and Management, Education and Engineering and Technology;
 - (b) at the Dar es Salaam University College of Education
Bachelor programmes in Education;
 - (c) at the Mkwawa University College of Education-
Diploma and Bachelor programmes in Education.

FIFTH SCHEDULE

(Under Article 21 and Rule 26)

APPROVED STAFF ASSOCIATIONS AND LABOUR UNIONS IN THE UNIVERSITY

1. The following associations are declared to be approved Staff Associations in the University:-
- (a) at the Main Campus-
The University of Dar es Salaam Academic Staff Assembly (UDASA).
 - (b) at the Dar es Salaam University College of Education (UDASA DUCE)-
The University of Dar es Salaam Academic Staff Assembly (UDASA), Changombe Campus - (UDASA - DUCE)
 - (c) at the Mkwawa University College of Education (UDASA-DUCE) (MUCE).
The University of Dar es Salaam Academic Staff Assembly, Mkwawa Campus (UDASA-MUCE).
2. The following unions are declared to be a recognized Labour Unions in the University:-
- (a) at the Main Campus-
The Researchers, Academicians, Allied Workers Union (RAAWU)
 - (b) at the Dar es Salaam University College of Education (RAAWU-DUCE)
 - (c) at the Mkwawa University College of Education (RAAWU-MUCE)

SIXTH SCHEDULE

(Under Article 23 and Rule 28)

APPROVED STUDENTS ORGANIZATIONS IN THE UNIVERSITY

The following organizations are declared to be the approved Students' Organizations and other students' organizations in the University:-

- (a) at the Main Campus -
 - (i) the Students' Organization: Dar es Salaam University Students Organization (DARUSO)
 - (ii) Other students' organizations:
University of Dar es Salaam Students Law Society (UDLS)
- (b) at the Dar es Salaam University College of Education (DUCE)-
The Students' Organization: Dar es Salaam University Students Organization (DARUSO) - Chang'ombe Campus.
- (c) At the Mkwawa University College of Education (MUCE)
The Students' Organization: Dar es Salaam University Students' organization (DARUSO)-Mkwawa campus.

SEVENTH SCHEDULE

(Under Article 19 and Rule 34)

APPROVED STUDENTS ORGANIZATIONS IN THE UNIVERSITY

- 1. The Dar es Salaam University College of Education (DUCE).
- 2. The Mkwawa University College of Education (MUCE).

Given under my hand and the public seal this 28th day of March, 2007

The State House,
Dar-es-Salaam.

JAKAYA MRISHO KIKWETE,
President