



The United Republic of Tanzania

THE MZUMBE UNIVERSITY

CHARTER AND RULES, 2007

The State House,
Dar es Salaam,
Tanzania

THE UNITED REPUBLIC OF TANZANIA

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THE MZUMBE UNIVERSITY CHARTER, 2007

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SCHEDULE

THE UNIVERSITIES ACT, 2005
(NO. 7 OF 2005)

CHARTER

Made under section 25

THE MZUMBE UNIVERSITY CHARTER, 2007

Act No.
7 of 2005

WHEREAS Mzumbe University 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 Mzumbe University and is satisfied that the objects of the Mzumbe 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 Mzumbe University has complied with the provisions of the Universities Act, 2005 and the Universities (Chartering, Registration and Accreditation Procedures) Regulations, of 2006;

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

Act No.
7 of 2005

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, 2007 as follows:

PART I
PRELIMINARY PROVISIONS

Citation

1. This Charter may be cited as the Mzumbe University Charter 2007.

Commencement

2. This Charter shall be deemed to have come into operation on the 31st day of December, 2006.

Interpretation
Act No.

3.-(1) In this Charter, unless the context otherwise requires-
"Act" means the Universities Act, 2005;

- 7 of 2005
- "appointing authority" in relation to a person holding any office created by or under this Charter, means the person or body of persons vested with the power to appoint or elect that person to the office concerned;
- "by-laws" means, where the context fits, by-laws made by the Council and/or Senate under the powers conferred by the Act, the Regulations made thereunder or this Charter;
- "campus" means any place or premises in which operations of the University are carried on regularly;
- "Chancellor" means the Chancellor of the University referred to in Article 11 of the Charter;
- "centre" means any centre established under this Charter to undertake or administer specific functions;
- "constituent college" means an independent institution of the University having its own members of academic staff, students and property referred to under the provisions of Article 14 and 15;
- "Convocation" means the Convocation of the University established by Article 28 of the Charter;
- "Council" means the Council of the University established by Article 21 of this Charter;
- "Dean" means the Dean of a faculty or school appointed under Article 17 of the Charter;
- "Dean of Students" means the Dean appointed under rule 16 of the First Schedule to this Charter;
- "department" means any department in the University established under this Charter;
- "Deputy Vice-Chancellor" means the Deputy Vice Chancellor of the University appointed under Article 13;
- "institute" means an institute of the University established under Article 25 of the Charter;
- "Minister" means the Minister responsible for higher education;
- "organs of governance" means the Council, the Senate, a Committee, a Board or other organ or authority responsible for the management of any aspect of the business or affairs of the University;
- "President" means the President of the United Republic of Tanzania;
- "Regulations" means Regulations made by the Minister in accordance with the Act;
- "Rules" means Rules made in accordance with the Charter;
- "school" means a department or any other institutions of the University established under Article 25 of the Charter;
- "Senate" means the Senate of the University established by Article 23 of the Charter;
- "search committee" in relation to -
- (a) the appointment of the Chancellor, means a committee set up in accordance with Rule 1 of the Second Schedule to this Charter;
 - (b) the appointment of a Vice Chancellor, Deputy Vice Chancellors or a Principal of a college, means a committee set up in accordance with Rule 14 of the Second Schedule to this Charter;
 - (c) the appointment of a Dean of Faculty, means a committee set up in accordance with Rule 11 of the First Schedule to this Charter;
- "University" means the Mzumbe University established under Article 4 of this Charter;
- "Vice-Chancellor" means the Vice-Chancellor of the University appointed under Article 12 of this Charter.

(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 and written law.

(3) For the 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.

(4) Whenever appropriate, references in the Charter and the 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
ESTABLISHMENT OF THE UNIVERSITY

Establishment of
the University

4.-(1) There is hereby established a University to be known as the Mzumbe University.

(2) The University under sub-Article (1) shall be a body corporate with the common seal by the name and style of the Mzumbe University 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 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 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.

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(3) The University shall be the successor to the Mzumbe University established by the Mzumbe University Act, 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 thereunder, shall be deemed to be valid, continuous and enforceable according to their respective tenure by or, as the case may be, against the University;
- (b) all funds, assets both movable and immovable, including institutions of the Mzumbe University 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, bylaws, orders, directions or other subsidiary legislation made, given or issued under the repealed Act or any other written law and which force before are in 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 Mzumbe University in any contract or document shall for all purposes be deemed to be a reference to the University established under this Article.
The common seal of the University	5.-(1) The common seal of the University shall be kept in such custody as the Council directs and shall not be used except in accordance with an order or direction of the Council. (2) The common seal of the University shall be authenticated by the signature of the Vice-Chancellor, or of a member of the Council authorized in that behalf by the Council and that of the Deputy Vice-Chancellor responsible for administrative matters. (3) The common seal of the University shall, when affixed to any document and duly authenticated under this Article, be judicially and officially noticed and unless the contrary is proved, any necessary order or authorization of the Council under this article shall be presumed to have been duly given.
Mission and emblem of the University	6.-(1) The mission of the University shall be to provide opportunities for acquisition, development, preservation and dissemination of knowledge and skills through training, research, technical and or professional services. (2) The University shall have an emblem, bearing the words "Mzumbe University" reflecting its mission and be of such design, form, attribute, characters or content as the Council may, upon advice of the Senate prescribe.
General objects of the University	7. The general objects of the University shall be to advance learning and knowledge by teaching, research and provision of technical and or professional services.
Objects of the University	8. Notwithstanding the generality of the provisions of Articles 6 and 7 of this Charter, the objects of the University shall be- (a) to encourage academic staff and students to learn and seek knowledge and truth; (b) to produce highly educated and adequately trained experts well prepared and equipped with requisite skills for self employment and manning of key positions in both the public and private sectors; (c) to promote, facilitate and sponsor research into technological, social, economic, political and cultural spheres for the welfare and development of mankind within and outside the United Republic of Tanzania; (d) to seek or institute and award fellowship, scholarships, bursaries, medals, prizes, and other forms of awards, assistance or sponsorship for the advancement and dissemination of knowledge and pursuit of truth; (e) to arrange for the publication and dissemination of material produced in connection with the work and activities of the University; (f) to conduct and administer examination and confer degrees, diplomas, certificates, and other awards of the University; (g) to develop, promote and undertake the provision of adult, continuing and distance education for the enhancement of good

- governance and efficacious solution to social-economic and political problems;
- (h) to develop and maintain a reference library and provide library services in the fields of study undertaken by the University;
 - (i) to cooperate with the government of the United Republic of Tanzania in the planned and orderly development of quality education, science and technology in the United Republic of Tanzania;
 - (j) to establish links and to cooperate with other national and international institutions in the initiation and conduct of cooperative research, publication and training programmes for the mutual benefit of the cooperating institutions and the United Republic of Tanzania and generally for the pursuit of the mission of the University; and
 - (k) to do any other thing in accordance with the provisions of this Charter or any other written law in force in the United Republic of Tanzania in pursuance of the mission of the University.
- Powers to award degree, diplomas, certificates, etc. 9. In order to achieve the objects under Article 7, and 8 the University shall be a teaching, research, and examining body and shall, subject to the Act, the Regulations made thereunder, this Charter and Rules contained in the First Schedule hereto, have the following powers-
- (a) to offer programmes in its name leading to degrees, diplomas, certificates and other awards;
 - (b) to award, in its name, degrees, diplomas, certificates and other awards;
 - (c) to award degrees *honoris causa* which the senate may, with the approval of the Chancellor, wish to confer upon any person who, in the opinion of the senate, has rendered distinguished services in the advancement of any branch of learning or has otherwise rendered himself worthy of such a degree.
- Membership of the University 10.-(1) Members of the University shall consist of-
- (a) the Chancellor;
 - (b) the Vice-Chancellor;
 - (c) the Deputy Vice-Chancellor;
 - (d) Principals of Colleges of the University;
 - (e) Deputy Principals of the 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 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 Centers and Directorates;
 - (k) Heads of academic departments and units;
 - (l) members of Academic Staff of the University;
 - (m) members of the administrative and technical staff of the University;
 - (n) Students;
 - (o) members of the Convocation and Alumni Association;

- (p) such other members of the staff of the University or any other body formally admitted into affiliation or association with any of its colleges as the Council may from time to time determine.

(2) The Rules 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

THE ADMINISTRATION OF THE UNIVERSITY

Chancellor

11.-(1) There shall be a Chancellor of the University, who shall be appointed by the President in accordance with the provision contained in the First Schedule to this Charter.

(2) The Chancellor shall 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, and shall have such other non-executive functions and privileges as shall be provided for under the Act, Regulations or, as the case may be, rules.

(3) Whenever the Chancellor is absent from the United Republic or is for any other reason unable to perform the functions of his office, the President or any person authorized by him in that behalf, may appoint a person to perform the functions of the Chancellor during such absence or inability.

Vice-Chancellor

12.-(1) There shall be a Vice-Chancellor of the University who shall be appointed by the Chancellor, and be the chief executive, academic and administrative officer of the University and *ex-officio* Chairman of the Senate and of the Governing Board of every Constituent College of the University.

(2) The Vice-Chancellor shall be appointed in accordance with the provisions prescribed in the First Schedule to this Charter.

Deputy Vice Chancellors

13.-(1) There shall be Deputy Vice-Chancellors appointed by the Chancellor on the advice of the Council, whose number shall be as the Council of the University may prescribe upon recommendations of the Vice Chancellor.

(2) The Deputy Vice-Chancellor under sub-Article (1), shall-

- (a) 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 him or his office;
- (b) deputize for the Vice Chancellor during his absence or during vacancy in the office of the Vice Chancellor.

Principal of a College

14. Subject to the Act, the Regulations made thereunder, the Rules contained in the Second Schedule hereto and any other written law, there shall be a Principal for-

- (a) every constituent college and every connected college of the University who shall be appointed in accordance with the Act, the Regulations made thereunder, and the Rules contained in the First Schedule to this Charter, and be the chief executive, academic and administrative officer of the college and *ex-officio* Chairman of the Academic Committee;
- (b) every campus college of the University, who shall be appointed in accordance with the Act, the Regulations made thereunder, and the Rules contained in the First Schedule to

this Charter and, be the head of the college responsible to the Vice Chancellor for the academic and administrative matters of the University in the college and *ex-officio* chairman of the academic committee.

Deputy
Principals

15.-(1) There shall be a Deputy Principal or Principals in every Constituent College or Connected College of the University who, 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 offices as may be prescribed; and shall deputize for the Principal during his absence or during a vacancy in the office of the Principal.

(2) The number of Deputy Principals 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 shall-

- (a) be responsible to, the chief advisor of, and assistant to the Principal in respect of such matters of the campus College as shall be assigned to him/them or his/their offices and as may be prescribed; and
- (b) deputize for the Principal during his absence or during a vacancy in the office of the Principal.

Dean of students

16. There shall be a Dean of Students of the University who shall be the administrative head of the students affairs at the University.

Deans of
schools and
faculties

17. 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 Chairman of the Board of the school or as the case may be, the faculty.

The Directors of
institutes, the
library, centres
and directorates

18. There shall be a Director for every University-based 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, and the Chairman of the Board of the institute, the library, centre or directorate.

Associate Deans
and Associate
Directors

19.-(1) There shall be-

- (a) an Associate Dean of every school and every faculty; and
- (b) an Associate Director of every University-based 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) Notwithstanding sub-Article (1) 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

20.-(1) There shall be staff of the University, whose appointment and other terms of service shall be as provided in the First Schedule to this Charter.

(2) The staff of the University shall be responsible for the general execution of the academic and administrative functions of the University and

related matter and bearing such titles and designations and occupying such offices as are provided in the Act or established in accordance herewith, under the Rules contained in the First Schedule hereto or, as the case may be, By-laws.

Council or
Governing
Board

21.-(1) There shall be a Council of the University and a Governing Board of a College which shall-

- (a) be the principal organ of governance and policy-making of the University, including campus, constituent and connected colleges;
- (b) have custody and use of the common seal;
- (c) be responsible for the management and administration of properties both movable and immovable and the funds and other assets including investment of such funds and other assets of the University/college; and
- (d) subject to the powers of the Senate provided in the Act, the Regulations, this Charter and the Rules in the First Schedule hereto, have general control over the conduct of the affairs of the University/college with powers to manage all matters not provided otherwise by this Charter or by the Rules contained in the Schedules to this Charter.

(2) The Governing Board of the College, institute, centre, directorate shall be answerable to the Council through the Senate for the general academic related matters, including appointment and promotion of Professors, Associate Professors and Professors *emeritus* and passing of Rules and By-laws.

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

Delegation of
powers of the
Council

22. Without prejudice to any other provisions of this Charter and the Rules made hereto, the Council may delegate all or any of the powers vested in it by rule 20 of the First Schedule and the provisions of the of Second Schedule to this Charter to the Appointments Committees, the Vice-Chancellor, the relevant Deputy Vice-Chancellor, any other committee or any other officer of the University, subject to such limitations as the Council may specify.

The Senate or
Academic
Committees

23. There shall be a Senate of the University and Academic Committee of the College which shall, subject to the powers of the Council, in the case of the Senate and, Governing Board in the case of a College as provided in the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule to this Charter-

- (a) be the principal overall decision-making organ in respect of all academic matters of the University;
- (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.

Power to
affiliate, adopt a
college,

24. The University or College may affiliate or adopt as its branch a college, an institute, centre or directorate other than a university or college

institute, center or directorate	based college, institute, centre or, as the case may be, directorate, in terms as provided under the Rules contained in the First Schedule to the Charter.
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Colleges, schools, faculties, institutes, centres and directorates	25.-(1) There shall be schools, faculties, the library, institutes, centres and or directorates within the University or college each comprising one or more related branches of teaching and or research, organized as an academic department or unit or departments or units, as may from time to time be established by the Council or Governing Board on the recommendation of the Senate or Academic Committee in accordance with the Act, the Regulations made thereunder and the Rules contained in the First Schedule to this Charter or as shall be provided under other Rules or By laws.
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(2) The Council may, from time to time, after consultation with the Senate and with the approval of the Chancellor, by order published in the *Gazette*, establish colleges providing their functions and content, either in addition to or in substitution for, colleges established by or under this Article and may disestablish any of them.

Faculty, school, institute, Library. Directorate and Centre Boards	26. There is hereby established in respect of- (a) each school, a school board; (b) each faculty, a faculty board; (c) each institute, a board of the institute; (d) the Library, a board of the Library; (e) each directorate, a board of the directorate; (f) each centre, a board of the centre. (g) each constituent or connected college, a Governing Board; (h) every campus college, a College Board.
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PART IV ASSOCIATIONS AND ORGANIZATIONS

Staff Associations	27.-(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 Administrative Staff of the University or College to be established in accordance with the Act, the Regulations made thereunder, the Rules contained in the First Schedule to this Charter.
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(2) The Council or Governing Board may approve the establishment of the associations referred to under sub-Article (1) and any 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 or College with objects which are not in conflict with the objects of the University or College and the provisions of any written law.

Convocation and Alumni Associations	28.-(1) There shall be Convocation of the University or College. (2) There may be established an alumni association of the University or College or discipline-based alumni associations in the University or college.
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Students organizations	29.-(1) There shall be a Students' Organization representative of all students of the University or College and such other students' organizations as have objects that are not in conflict with the objects of the University or College and the provisions of any written law as the Council or Governing Board may approve.
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(2) 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 in the Schedules
- 30.-(1) The Rules contained in the First Schedule to this Charter shall form part of this Charter.
- (2) The Rules contained in the First Schedule shall-
- (a) 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, Constituent 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 objects of this Charter.
- Council or Governing Board to make Rules
- 31.-(1) The Council or Governing Board may make Rules for the University or College which may amend add to or, repeal the Rules contained in the 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 Act, Regulations made thereunder, or this Charter, or the Rules, the Council may 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.
- (3) In particular and without prejudice to the generality of the foregoing, the Council may make rules governing-
- (a) the status, appointment and continuance in office of the Chancellor, Vice-Chancellor, Deputy Vice-Chancellors, Principals, Deputy Principals, Deans, Directors, Associate Deans, Deputy Directors and other officers of the University or college;
 - (b) the constitution and functions of the Council or Governing Board, the appointment and continuance in office of the members of the Council or Governing Board, the filling of vacancies among the members and all other matters relative to the Council or Governing Board;
 - (c) the constitution and functions of the Senate or Academic Committee and all other matters relative to the Senate or Academic Committee;
 - (d) the management and administration of properties both movable and immovable and the funds and other assets, including investment of such funds and other assets of the University or College;
 - (e) the membership, constitution, functions and mode of-
 - (i) establishment and disestablishment of campus colleges or institutes, the library, centres, directorates and units and all other matters relative thereto;

- (ii) affiliation or adoption, procedure of de-affiliation and other relevant matters concerning affiliate or, as the case may be, adoption of Colleges, Institutes, Centres and or Directorates;
- (f) the establishment of offices, appointments, terms and conditions of service, including termination other than dismissal, and discipline of the academic and administrative staff of the University or college and all other matters relative thereto;
- (g) the constitution and functions of the academic staff association, the administrative staff association and other staff association;
- (h) the constitution and functions of the convocation and of alumni associations;
- (i) the constitution and functions of the student's organization and other student's organizations;
- (j) the constitution, establishment and functions of the Boards of schools, faculties, institutes, the library, centres or directorates, the appointments and continuance in the office of the Chairman of the respective Boards and all other matters relative thereto;
- (k) the administration, welfare and discipline of students;
- (l) such other matters as the Council or the Governing Board may deem fit with respect to or for the governing or regulation of the University/ college, its members and constituent parts and its branches or otherwise for the promotion of the objects of this Charter.

Rules in the Schedules may direct

32. The Rules contained in the Schedules hereto may direct that any of the matters prescribed or regulated by the said Rules as authorized or directed by this Charter shall be further prescribed or regulated by Rules and or By-laws, provided that any such further prescription or regulation shall not be repugnant to the provisions of the Act, Regulations made thereunder, this Charter or the Rules contained in the Second Schedule hereto.

Procedure of Council/Governing Board to make Rules

33.-(1) The Council or Governing Board may make Rules to direct or regulate the University or College, its members and the welfare and administration of its staff, students and any other affairs; provided that-

- (a) notice of any proposed rules and the date upon which it is proposed that they should come into effect shall be given to the Council or Governing Board not less than fourteen days before the date of the meeting of the Council or Governing Board at which it is to be considered; and
- (b) before passing any Rules, the Council or Governing Board shall consider a report from the Senate or Academic Committee and shall not except on the recommendation of the Senate pass any Rules-
 - (i) relating to course of study, degrees, diplomas, certificates or other awards of the University;
 - (ii) for the functions of the boards of schools, faculties, institutes, the Library, centres and or directorates;
 - (iii) for the affiliation or adoption of, or association with other institutions; and

- (iv) for the recognition of academic staff and the constitution of any Joint Committees of the Council or Governing Board and the Senate or Academic Committee.

(2) Rules made under this Article shall be published in the *Gazette*.

Power of the Senate or Academic Committee to make By-laws

34. The Senate or Academic Committee may make By-laws to regulate the academic work of the University or College, the admission, education and examination of the students of the University or College, and such other matters as lie within the functions of the Senate or Academic Committee.

Revocation or amendment of Charter

35. The President may, upon a recommendation of the Minister, after consultation with the Commission, by Notice published in the *Gazette*, revoke or amend the provisions of the Charter if he is satisfied that the amendment or revocation-

- (a) is in the interest of higher education in the United Republic; or
- (b) that it may assist the University or College to operate in a more efficient and effective manner.

PART VI

MISCELLANEOUS PROVISIONS

No gender Discrimination

36. Every person regardless of gender shall be equally eligible for the holding of any office in the University or College 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 any course of study in the University or College.

Gender balance principle to be observed

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

Prohibition on certain forms discrimination

38. No test of religion, race, ethnicity, sex, physical condition, ideology or political belief or 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 College or to hold any office therein or to graduate thereat or to hold or enjoy any advantage or privilege thereof.

Terms and conditions of service

39. The terms and conditions of service of the staff of the University shall be in accordance with the provisions of this Charter and any Rules made under it; save that no Article or any Rule made under this Charter shall apply so as to permit any reduction in salary and rank that any officer of the University was entitled to immediately before the effective date of this Charter.

Provision of suitable environment for teaching and learning

40. The University or College shall provide-

- (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 or 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 and learning aids including hearing, sight and movement aids.

Prohibition on
declaration of
dividend

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

FIRST SCHEDULE

(Under Article 30)

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PART I
PRELIMINARY PROVISIONS

- | | |
|----------------|---|
| Citation | 1. These Rules may be cited as the Mzumbe University Rules, 2007. |
| Interpretation | 2. In these Rules unless the context otherwise requires-
"academic staff" means members of the staff of the University described in rule 24(2) of the Second Schedule to this Charter;
"administrative staff" means members of the staff of the University described in rule 26;
"annual estimates" means the estimates other than supplementary estimates prepared under Rule 63 of the First Schedule to this Charter;
"appointments committee" means, in relation to an appointment of a member of academic staff or any matter relating to a member of the academic staff the committee established under rule 23 of the First Schedule to this Charter, and in relation to an appointment to the administrative staff or any matter relating to a member of the administrative staff committee established under rule 25 of the First Schedule to this Charter;
"auditor" means an external auditor provided for under these Rules;
"bursar" means a professionally qualified accountant of the University appointed in accordance with rule 59 of the First Schedule to the Charter;
"Chairman" means the Chairman of the Council appointed under rule 19 of the First Schedule;
"Director" means a member of staff who is in charge of the administration of an Institute, Centre or Directorate and the like as described in rule 15 of the First Schedule to this Charter;
"faculty" means a faculty of the University established under article 25 of the Charter;
"faculty board" means the board established under rule 26 of the Charter;
"financial year" means the financial year of the University as determined under rule 62 of this Schedule; |

Act No.
15 of 1972

"former institute" means the Institute of Development Management Mzumbe established under the Institute Development Management Act;

"Library" means the main academic organ or institution of the University established as such under the Rules contained in the First Schedule to the Charter to be responsible for the acquisition and maintenance of literary material and as a modern information and communication technology data bank for the University;

"member" in relation to-

- (a) a the Council, means a member of the Council, and includes the Chairman;
- (b) a Board, means a member of the Board and includes the Chairman of the Board;
- (c) the Senate, means a member of the Senate, and includes the Chairman of the Senate;
- (d) the Convocation, means a member of the Convocation and includes its President;

"Officer" means any person in the employment of the University but does not include the Vice-Chancellor and the Deputy Vice Chancellors;

"Professor *Emeritus*" means a professor of the University who having retired keeps his title as an honour;

"Secretary" means the Secretary to the Council appointed under rule 22 of the First Schedule to this Charter;

"staff" means, members of the staff of the University described in the Charter;

"student" means any person admitted to the University as a candidate for any award of the University and studying under any of its programmes.

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 designation thereunder of, offences or authorities of the college shall be construed subject to the provisions of the Act, Regulations made thereunder, the Charter and of the Rules made hereunder.

(2) For avoidance of doubt, and without prejudice to the generality of sub-rule (2) unless it shall otherwise be expressly provided by any other written law other than the Charter, campus colleges, connected colleges, associate colleges of the University shall abide by and be governed fully by the provisions of the Charter and of the Rules and By laws made thereunder 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 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 APPOINTMENT

(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 the 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 the 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 this subrule, have the power to direct an 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 the case 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 the behalf may appoint a person to temporarily perform the functions of the 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 paragraph (a) to (e) of subrule (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 subrule (4) shall be derived from or provided for under the regular budget of the University.

The Vice
Chancellor

5.-(1) There shall be a Vice-Chancellor of the University who shall, subject to the provisions of subrule (2), be appointed by the Chancellor, and 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 procedures stipulated in the second Schedule or under a procedure of public advertisement for the post: Provided that the requirement on search committee or procedure of public advertisement shall not apply to the appointment under the Charter of the appointment of the First Vice-Chancellor.

(3) The Vice-Chancellor shall-

- (a) hold office for a term of five years and may be reappointed 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 decision of, the Council;
- (c) be responsible for the general security and welfare of the University;
- (d) have such other functions as are conferred upon him by the Act, Regulation made thereunder, the Charter, Rules or by any other 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 the Principal of an affiliated or adopted college, subject to any limitations or conditions as the Vice-Chancellor may prescribe.

(5) In the event of the incapacity of the Vice-chancellor, the functions of the office of Vice-chancellor shall be discharged by the Deputy Vice-Chancellor responsible for academic matters.

(6) In the event of the simultaneous incapacity of the Vice-chancellor and the Deputy Vice-Chancellor responsible for academic matters, the functions of the office of Vice Chancellor shall be discharged by the Deputy Vice-Chancellor responsible for administrative matters.

(7) In the event of the incapacity of the Vice Chancellor, Deputy Vice-Chancellor responsible for academic matters and the Deputy Vice-Chancellor responsible for administrative matters, the functions of the office of Vice Chancellor shall be discharged by a Dean or a Director to be appointed by the Chancellor.

(8) In the event of the incapacity of the Deputy Vice-Chancellor responsible for academic matters, the Deputy Vice-Chancellor responsible for administrative matters, a Dean or a Director. the Vice-Chancellor may, if in his opinion it is necessary or desirable so to do, appoint an officer to act in that office whose holder is incapacitated until such time as the incapacity ceases.

(9) In this rule "incapacity" means inability to discharge the functions of the office concerned by reason of illness or other cause of any nature, and includes absence on leave or from the United Republic, and the term "incapacitated" shall be construed accordingly.

(10) In the event of the incapacity of the holder of any other senior office on the administrative staff, the Deputy Vice-Chancellor responsible for administrative matters may, if in his opinion it is necessary or desirable so to do, appoint an officer to act in the office whose holder is incapacitated until such time as the incapacity ceases.

(11) A person who acts in the office whose holder is incapacitated may while he so acts, be paid an acting allowance at such rate as per existing Government Circulars or in the absence of a Government Circular, as the Vice-Chancellor may direct.

The Deputy Vice
Chancellors

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

(2) The Deputy Vice-Chancellor under sub rule (1) shall be appointed from the 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 recommendation submitted through the Senate by search committee set up in accordance with the Second Schedule or under a procedure of public advertisement for the post.

(3) A Deputy Vice-Chancellor shall unless he sooner resigns, dies or otherwise vacates office 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 deputize for the Vice-Chancellor during the Vice-Chancellor's absence from office.

(6) Notwithstanding the generality of sub-rule (4) and (5) of this rule-

- (a) the Deputy Vice-Chancellor responsible for academic matters of the University shall-
 - (i) deputize for the Vice-Chancellor during the Vice Chancellor's absence from office;
 - (ii) be the principal assistant and chief advisor to the Vice-Chancellor in all academic matters of the University;
 - (iii) endeavour to promote academic excellence by ensuring appropriate quality control mechanism are in place and human capital is adequately developed;
 - (iv) make or cause to be made continuous review of the academic programmes to ensure their relevance and responsiveness to the market demands;
- (b) the Deputy Vice-Chancellor responsible for administrative matters of the University shall:
 - (i) be the principal assistant and chief advisor to the Vice-Chancellor on all matters pertaining to the welfare of the staff and students of the University;
 - (ii) be the principal assistant and chief advisor to the Vice-Chancellor on the administration of the funds and other assets of the University;
 - (iii) be the principal assistant and chief advisor to the Vice-Chancellor on all matters relating to the discipline of staff and students of the University;
 - (iv) be the principal assistant and chief advisor to the Vice-Chancellor on all matters relating to the University's human resource needs and development;
 - (v) be the principal assistant and chief advisor to the Vice-Chancellor on matters relating to the implementation of the University Corporate plan;
 - (vi) be the principal assistant and the chief advisor to the Vice-Chancellor on all matters relating to the security of the staff and property of the University.

Principals of the
affiliated

7.-(1) There shall be a Principal for each constituent college and connected college who shall be recommended by the senate from the list of

colleges and
campus college

three professors or senior academicians on the basis of recommendation 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 rule of the first Principals of constituent and connected colleges.

(3) Subject to the Act, Regulations made thereunder, the Charter and the college's 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 nominated 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 rule of the first Principal of campus colleges.

(6) The Principal shall subject to the Act, Regulations made there under, the 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 a 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;
- (d) be responsible to the Vice-Chancellor, the College Board, the Senate and the Council in respect of all matters concerning the College.

Deputy Principal
of a college

8.-(1) There shall be Deputy Principals for each affiliated college and for each campus college.

(2) A Deputy Principal of a college established under this Charter shall-

- (a) be recommended by the Senate from a list of three professors or associate professors or officers of equivalent status or designation; and
- (b) be appointed by the Chancellor on the advice of the Council after consultation with the Governing Board of the university college and shall have regard to the recommendation of the Principal and the advice of the Academic Committee.

The Deputy Principal responsible for academic matters to deputize the Principal

9. Where there are two or more Deputy Principals, the Deputy Principal responsible for academic matters shall deputize for the Principal during the Principals absence from office.

Tenure of office of a Deputy Principal of a College

10. A Deputy Principal of a college shall hold office for a period of three years and may be re-appointed for one such further term of three years.

Deans of Faculties

11.-(1) Where a vacancy occurs in the office of a Dean of a faculty established under this Charter, the Chancellor shall, upon the recommendations made by the search committee through the Senate and Council, appoint from a list of three academic member of staff of the rank of senior lecturer or senior research fellow or equivalent status or designation or a higher rank a person who, in his opinion, is qualified and suitable for the post of the Dean of the faculty.

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

Composition of the search Committee for the appointment of a Dean

12.-(1) The composition of a Search Committee for the appointment of a Dean of a Faculty shall be as follows-

- (a) a Chairman nominated by the Chairman of the University Council;
- (b) Two members nominated by the Vice Chancellor from amongst professors or senior academicians of public universities, provided that one of them shall be a female;
- (c) a member nominated by the Vice Chancellor from amongst the professors or senior academicians of a private University;
- (d) a nominee from the ministry for the time being responsible for higher education.

(2) No person who is an employee of the University or a member of any organ of governance of the University shall be appointed a member of a search committee for the appointment of a Dean of Faculty.

(3) The search committee shall commence its business as soon as it is appointed and shall cease to exist immediately after submitting its recommendations to the Council:

Provided that the Chancellor shall have the power to reconstitute the search committee before or after it has commenced its business or the improvement and or review of the report submitted by it.

13. Deans of Faculties shall-

Functions of the Deans of Faculties	(a) in addition to other responsibilities assigned to them under this Charter, be incharge of all academic and administrative matters of the faculty; (b) advise the Deputy Vice Chancellor responsible for academic matters on any academic matters in the faculty; (c) ensure the implementation of the decisions and directives of the Senate, Faculty Board and any other relevant authority; (d) advise the appointing authority on the appointment of persons for various leadership positions in the faculty; (e) advise the Academic Staff Appointments Committee through the management on the recruitment of academic staff in the faculty; (f) do any other thing as may be assigned by the organs of governance of the University or by any relevant law.
Tenure of a Dean of Faculty	14.-(1) A Dean of Faculty shall hold office for a period of three years and may be re-appointed for one such further term of three years. (2) Where a vacancy occurs in the office of a Dean of faculty established under this Charter, the Chancellor shall, upon the recommendations made by the search committee through the Senate and Council, appoint from a list of three academic member of staff of the rank of senior lecturer or senior research fellow or equivalent status or designation or a higher rank a person who, in his opinion, is qualified and suitable for the post of the Dean of the faculty.
Directors of institutes, centres or directorates and the like	15. A Director of an institute, centre or directorate and the like established under the Charter shall- (a) be recommended by the Senate or Academic Committee and the Council or Governing Board, as the case may be, from a list of three academic members of staff of the rank of senior lecturer or senior research fellow or equivalent status or designation or any higher rank, on the basis of the search committee's recommendation or the results of a procedure involving public advertisements and interviews processed through the Senate and the Council or as the case may be, the Academic Committee and the Governing Board; (b) be appointed by the Chancellor; (c) hold office for a period of three years and may be re-appointed for one such further term of three years.
Functions of the Directors of Institutes, Centres or Directorates	16. The Directors of institutes, centres or directorate and the like shall- (a) in addition to other responsibilities assigned to them under the Charter, be in-charge of all academic and administrative matters of the institute centre, directorate and the like; (b) advice the Deputy Vice-Chancellor responsible for academic matters on any academic matters in the Institute, Centre or Directorate and the like; (c) ensure the implementation of the decisions and directives of the Senate, the Board of the institute, centre or directorate and the like, as the case may be, and any other relevant authority;

- (d) advise the appointing authority on the appointment of persons for various leadership positions in the institute, centre or directorate and the like, as the case may be;
- (e) advise the Academic Staff Appointments Committee through the management on the recruitment of academic staff in the institute, centre or directorate and the like, as the case may be; and
- (f) do any other thing as may be assigned by the organs of governance of the University or by any relevant law.

Associate Deans
and Directors

17.-(1) An Associate Dean and an Associate Director, as the case may be, shall be appointed by the Vice-Chancellor upon the recommendations of the Deputy Vice-Chancellor responsible for Academic matters and after consultation with the Faculty Dean or Director of an institute, centre or directorate and the like as the case may be.

(2) An Associate Dean and an Associate Director, as the case may be, shall be responsible to, the chief advisor of, and an assistant to the Dean or Director, as the case may be, in respect of all academic and administrative matters of the faculty, institute, centre or directorate, as the case may be.

Tenure of an
Associate Dean
or Director

18. The Associate Deans and the Associate Directors shall hold office for a period of three years and may be reappointed for one such further term of three years.

PART III
PRINCIPAL ORGANS OF UNIVERSITY
(i) *The Council of the University*

The Council

19.-(1) The composition of the University Council shall be as follows:

- (a) a Chairman who shall be appointed by the President;
- (b) the Vice Chancellor who shall be an *ex-officio* member;
- (c) one member nominated by the Committee of Vice Chancellors and Principals in Tanzania from amongst its members;
- (d) the Permanent Secretary of the Ministry responsible for higher education;
- (e) the Permanent Secretary to the President's Office, Public Service Management;
- (f) the Commissioner for Budget in the Ministry responsible for finance;
- (g) one member representing professional bodies;
- (h) one member representing the Academic Staff Association;
- (i) one member representing the Administrative Staff of the University;
- (j) one member representing the trade union at the University;
- (k) two members of Parliament representing the National Assembly, at least, one of whom must be a female;
- (l) one member representing the Zanzibar House of Representatives;
- (m) two members elected by the Convocation members to represent the Convocation, at least, one of whom must be a female; and

(n) the President of the students' organization.

(2) Save for the Chairman, all members of the Council shall be appointed by the Minister following upon their nomination or election by the persons or institutions that they each are to represent in the Council.

(3) The provisions of the Third Schedule shall have effect as to the tenure of the office of the members of the Council, termination of their appointment, the proceedings of the Council and other matters in relation to the Council and its members.

(4) In addition to having a stake in the University, members of the Council shall have the following attributes: integrity, interest in higher education related matters and experience to enable them make a meaningful contribution to the Council.

(5) Whether members of the Council are appointed, elected or nominated, it shall be the duty of the persons, bodies or institutions recommending them to the appointing authority to ensure that they appoint, elect or nominate persons who are qualified or who have prerequisite experience enabling them to fully and usefully contribute to the discharge of the function of the Council.

Powers and
functions of the
Council

20.-(1) Subject to the Act, the Regulations made thereunder and the Charter, the governance, control and administration of the University is hereby vested in the Council.

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

- (a) administer the property of the University, both movable and immovable, in such a manner and for such purposes as, in the opinion of the Council may be necessary or desirable for the promotion of the best interest of the University;
- (b) signify the acts of the University by use of the common seal;
- (c) administer the funds and other assets of the University, including the investment of such funds and assets;
- (d) prescribe the fee structure for the various programmes or courses and, where appropriate for services offered or provided by the University;
- (e) receive reports and recommendations from lower organs of governance and act upon them, subject to the Act, the Regulations made thereunder, the Charter and any other written law;
- (f) note and, where appropriate, act upon recommendations by the Senate regarding conferment, withdrawal or restoration of degrees, diploma certificates and other awards of the University;
- (g) receive, on behalf of the University, gifts, donations, grants, bequests or other moneys including loans and advances, property, and to make disbursements to its faculties, institutes, schools, colleges, departments, or other bodies or persons in the University;
- (h) provide for the welfare of the students and the staff of the University;
- (i) appoint, subject to the Act, the Regulations made thereunder and this Charter such officers of the University as it may deem necessary;
- (j) make by-laws and rules, in relation to the governance, conduct and discipline of the students and the staff of the

- University and any other matter necessary for the better carrying out of the functions of the University;
- (k) formulate and oversee the implementation of general policies, strategies, plans and other affairs and business of the University;
 - (l) create, establish or disestablish colleges, faculties, institutes, schools, directorates, campuses, departments, centers, units, committees, or similar organs of equivalent designations as it may deem appropriate or necessary for the purposes of the effective discharge of the objects and functions of the University;
 - (m) propose or, in any case where it is empowered to do so under the relevant enabling legal instrument of the University, to set standards of levels for remuneration packages for academic and administrative and support staff of the University;
 - (n) do all such other acts and things as are provided for by or under the Act, the Regulations made thereunder and this Charter, or as may be prescribed.
- (3) Any By-laws and Rules relating to student matters made under sub-rule (2)(j) of this rule shall be brought to the notice of the students in such a clear and transparent manner as the Council may determine.
- (4) The Council may, with the consent of the Chancellor, make regulations for the better carrying out of the purposes and provisions of this Charter, and without prejudice to the generality of the foregoing, may make regulations-
- (a) prescribing the degrees, diplomas, certificates and other awards which may be conferred or granted by the University;
 - (b) prescribing the conditions which must be satisfied before the conferment of any degree, diploma, certificate or other award;
 - (c) prescribing the manner in which a degree may be conferred or a diploma, certificate or other award may be granted;
 - (d) providing for the functions and the exercise of the powers conferred on the Chancellor, and providing for the terms and conditions of the holder of the office of Chancellor;
 - (e) prescribing the terms for the appointment of and terms and conditions for, the position of principal of a college, dean of a faculty, director of a school, institute and other units of the University;
 - (f) regulating the administration of any campus or college, faculty or institute established by or under the Charter;
 - (g) regulating the conduct of examinations in the University;
 - (h) prescribing fees for admission to the University, a campus or college, faculty or institute established by or under the Charter;
 - (i) prescribing fees payable by candidates for any examination held or conducted by the University;
 - (j) prescribing rules for conducting disciplinary proceedings against officers, staff and employees of the University;
 - (k) providing the establishment, composition, terms of reference or functions and quorum of meetings of

committees of the Council and the Senate as well as the rights duties and privileges of the members of such committees;

- (l) subject to any other written law in force, prescribing the terms and conditions of service, including the appointment, dismissal, termination, remuneration and retirement benefits of the officers and employees of the University;
- (m) providing for any aspect of the general welfare of the students of the University;
- (n) prescribing the appointment and duration of the rights, duties and privileges of the holder of the office of professor *emeritus*;
- (o) governing any matter in respect of which regulations may be made under the Charter;
- (p) providing for any matter or thing which, in the opinion of the Council is necessary to provide for the furtherance of the functions and objects of the University.

(5) No regulation under sub-rule (4) of this Rule shall be made, amended, or repealed, without consultation with the Senate of the University.

(6) Any regulations made under sub-rule (4) of this Rule shall be published in a prospectus.

(7) The Council may subject to such conditions and limitations as it may impose, delegate to any person or body of persons, the power of appointment of any members of the academic or administrative staff of the University.

(8) Notwithstanding sub-rule (2) (a) of this rule the Council shall not, without express authorization by the Minister, dispose off or alienate in any manner, any immovable property acquired from or with the financial assistance of the Government.

Acts of Council

21. No act or proceedings of the Council shall be invalid by reason only of the number of the members not being complete at the time of that act or proceeding or of any defect in the appointment of any member of the Council or of the fact that any member of the Council was at the time in question disqualified or disentitled to act as such.

The Secretary to the Council

22.-(1) The Council shall, upon recommendation by the Vice-Chancellor, appoint a suitably qualified and experienced person, from amongst a list of three names to be the Secretary to the Council.

(2) The Council may subject to such conditions and limitations as it may impose, delegate to the Vice-Chancellor or any person or body of persons, the power to appoint such a number of officers as it may determine to assist the Secretary to the Council in the efficient discharge of the functions of his office.

(3) The Council Secretary shall have and exercise such functions as are specified by or under the Act, the Regulations made thereunder and the Charter, or as may be, conferred upon him by the Council.

The Appointments Committee for Academic Staff

23.-(1) There is hereby established an Appointments Committee for Academic Staff which shall consist of-

- (a) the Vice-Chancellor, who shall be the Chairman;
- (b) the Deputy Vice-Chancellor responsible for academic matters;

- (c) the Deputy Vice-Chancellor responsible for administrative matters;
 - (d) one member appointed by the Minister for the time being responsible for higher education;
 - (e) one member appointed by the Vice-Chancellor;
 - (f) the Deans of all the faculties and the directors of all institutes, centres, directorates and the like of the University;
 - (g) one member appointed by the Chairman of the Council from amongst the members of the Council;
 - (h) one member elected by the Senate from amongst its members;
 - (i) one female member appointed by the Vice Chancellor from among the academic staff of the University;
 - (j) one female member appointed by the Senate.
- (2) The Appointments Committee for Academic Staff shall have and exercise such functions as may be conferred upon it by or under the Charter or as may be delegated to it by the Council.
- (3) In particular and without prejudice to the generality of sub-rule (2) of this rule, the Appointments Committee for Academic Staff shall-
- (a) receive and deliberate on recommendations relating to staffing from the faculties, institutes, centres, directorates and the like;
 - (b) receive, deliberate and make recommendations to the Council in respect of the academic staff promotions;
 - (c) discuss and recommend appropriate disciplinary measures to the Council in respect of academic staff;
 - (d) advise the Council on any matters relating to academic staff;
 - (e) do any other act or thing as it may be empowered to do by the Council or under this Charter.
- (4) The provisions of Third Schedule shall apply *mutatis mutandis* in relation to the tenure of office of the members, their retirement, the termination of their appointment, the proceedings of the Appointments Committee for Academic Staff and other matters in relation to it as they apply in relation to the Council.

Vacancies in senior posts in the academic staff establishment

24.-(1) Where a vacancy occurs in any senior post in the academic staff establishment or where the holder of the post is on leave or is absent from the United Republic of Tanzania or is temporarily unable to perform the functions of his office by reason of illness or other cause, the Vice-Chancellor, may, if in his opinion it is necessary or desirable so to do, and after consultation with the Deputy Vice-Chancellor responsible for academic matters, appoint an officer to act in such post until such time as the vacancy is filled in accordance with the provisions of this Charter or, as the case may be, the substantive holder of the post resumes duty.

(2) While on an acting appointment made under subrule (1) of this rule, the officer so appointed may be paid an acting allowance at such rate as per existing Government Circulars or, in the absence of the Government Circular, as the Vice-Chancellor may direct.

The Appointments Committee for Administrative Staff

25.-(1) There is hereby established an Appointments Committee for Administrative Staff which shall consist of-

- (a) the Vice-Chancellor who shall be the Chairman;
- (b) the Deputy Vice-Chancellor responsible for academic matters;

- (c) the Deputy Vice-Chancellor responsible for administrative matters;
- (d) one female member appointed by the Vice-Chancellor from among the staff of the University;
- (e) two members appointed by the Chairman of the Council from amongst the members of the Council, at least, one of whom shall be a female;
- (f) the Heads of Administrative Departments;
- (g) one member representing the labour union at the University.

(2) The Administrative Staff Appointments Committee shall have and exercise such functions as may be conferred upon it by or under the Charter or as may be delegated to it by the Council.

(3) In particular and without prejudice to the generality of sub-rule

(2) of this rule, the Administrative Staff Appointments Committee shall-

- (a) receive and deliberate on recommendations from the administrative departments relating to the staffing of the administrative departments;
- (b) receive, deliberate and make recommendations to the Council in respect of the staff promotions;
- (c) discuss and recommend appropriate disciplinary measures to the Council in respect of administrative staff;
- (d) do any other act or thing as it may be empowered to do by the Council or under this Charter.

(4) The provisions of the Third Schedule shall apply *mutatis mutandis* in relation to the tenure of office of the members, their retirement, the termination of their appointment, the proceedings of the Administrative Staff Appointments Committee and other matters in relation to it as they apply in relation to the Council.

Appointments to be made on merit

26.-(1) In making appointments to key administrative positions the appointing authorities shall ensure that such appointments are made on merits and in accordance with an open system capable of inspiring confidence that fairness, the respective appointee's competence for the relevant positions and their general acceptability in the University have all been taken into account.

(2) The Council shall, by regulations, prescribe the attributes of the open system referred to in sub-rule (1) of this rule which attributes shall include the form, way or method of identifying the candidates, participation of the community, or the organs of governance of the University that shall be involved in the process of such system.

(3) For the purpose of this rule-

- (a) "key administrative positions" include the position of the Vice-Chancellor, Deputy Vice Chancellor, or Principal, Deputy Principal, Dean of Students, Dean, Director and Head of Academic Department or their respective equivalent designations; and
- (b) "Organs of governance" include the Council, Senate, a Board or Boards, Committee or Committees or a Meeting or Meetings.

The Finance and Development Planning Committee

27.-(1) There is hereby established a Finance and Development Planning Committee of the University which shall consist of-

- (a) the Chairman to be appointed from amongst the members of the Council;
- (b) the Vice-Chancellor;

- (c) the Deputy Vice-Chancellor responsible for academic matters;
- (d) the Deputy Vice Chancellor responsible for administrative matters;
- (e) the Commissioner of Budget, in the Ministry responsible for Finance;
- (f) the Director in charge of Policy and Planning matters in the Ministry responsible for Higher Education;
- (g) a member from the Tanzania Education Authority;
- (h) the University Bursar;
- (i) The Chief Internal Auditor of the University;
- (j) One member representing the student organization;
- (k) One member representing the Academic Staff Association;
- (l) One member representing the Administrative Staff of the University.

(2) The Finance and Development Planning Committee shall have and exercise such functions as may be conferred upon it by or under this Charter or as may be delegated to it by the Council.

(3) Without prejudice to the generality of the provisions of subrule (2) of this rule, the Finance and Development Planning Committee shall-

- (a) be the advisor to the Council on financial matters and the financing of the University activities as per its strategic corporate plan;
- (b) deliberate on annual estimates of the University and advise the Council on the same;
- (c) scrutinize the financial reports of the University and advise the Council;
- (d) advise the Council on the instruments relating to the control and regulation of financial affairs of the University;
- (e) discharge any other functions as may be assigned to it by the Council from time to time.

(4) The provisions of the Third Schedule to this Charter shall apply *mutatis mutandis* in relation to the tenure of office of the members, their retirement, the termination of their appointment, the proceedings of the Finance and Development Planning Committee and other matters in relation to it as they apply in relation to the Council.

(ii) The Senate of the University

The Senate

28.-(1) The Senate shall consist of the following members:

- (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 Director of higher education in the ministry responsible for higher education;
- (d) the Deans of faculties and schools of the University;
- (e) one member of the Council appointed by the Chairman of the Council;
- (f) the Directors of institutes, directorates and campuses;
- (g) Principals of the colleges;
- (h) one member representing professional bodies;
- (i) one woman member representing public or private Universities;
- (j) one woman member representing the Academic Staff Association of the University;

- (k) one member representing the Higher Education Students Loans Board;
- (l) one student representative from each faculty, institute or the like having academic programmes for the courses offered by the University, provided that, at least, half of them shall be female;
- (m) the President of the Students' Organization; and
- (n) one student leader from each campus of the University other than the main campus.

(2) The number of members of the Senate shall be as may be determined by the Council from time to time.

(3) All members of the senate shall be appointed by the Council following upon their respective nomination, election or recommendation by persons or institutions that they each are to represent in the senate.

(4) Whether members of the Senate are appointed, elected or nominated, it shall be the duty of the persons, bodies or institutions recommending them for appointment by the Council to ensure that they appoint, elect or nominate persons who are qualified or who have pre-requisite experience enabling them to fully and usefully contribute to the discharge of the functions of the Senate.

(5) The provisions of the Third Schedule shall have effect, *mutatis mutandis*, in relation to the tenure of office of members of the Senate, termination of their appointment, the proceedings and other matters in relation to it as they have in relation to the Council.

(6) The Senate shall have power to co-opt any number of competent persons as it may deem necessary or appropriate for the better carrying out of its functions.

Powers and
functions of the
Senate

29.-(1) The Senate shall be responsible to the Council for the control, functions and general regulation of the instruction, education, research and all other academic activities within the University, and shall, in addition, have the following functions-

- (a) to approve the syllabi for any programme leading to the conferment of any award of the University;
- (b) to set, safeguard and maintain academic standards of the University;
- (c) to formulate and recommend to the Council by-laws-
 - (i) regarding the eligibility of persons for admission to, as well as their retention and promotion in any course for a degree, diploma, certificate or other award of the University, and for the conferment of any degree, and the granting of any diploma, certificate or other awards of the University;
 - (ii) regarding the standard of proficiency to be gained in each examination for a degree, diploma, certificate or other awards of the University;
 - (iii) regarding the conduct of examinations, and the approval and declaration of examination results;
- (d) to decide whether any candidate for a degree, diploma, certificate or any other award of the University has attained the standard of proficiency and is otherwise a fit and proper person for the grant of the degree, diploma, certificate or other awards of the University;

- (e) to withdraw any award fraudulently obtained by any person from the University;
 - (f) to consider recommendations made to it by any academic committee of a College, or a board of a faculty, school, institute or directorate, as the case may be, and to take such action on it as it may consider appropriate;
 - (g) to make proposals to the Council on the academic affairs of the University;
 - (h) to recommend to the Council the establishment or disestablishment of colleges, faculties, schools, institutes, centres, units or other academic bodies of the University which may appear necessary for the growth and development of the University;
 - (i) to recommend to the Council the fee structure for the various programmes or courses and services offered or provided by the University;
 - (j) to make rules governing such other matters as are within its power under the Charter or the Universities Act;
 - (k) to discharge such other functions as may be conferred upon it by or under the Charter or as may be assigned by the Council.
- (2) Notwithstanding any other provision of the Charter, in respect of any matter in relation to which the Senate is required to report or make recommendations to the Council, the Council shall deliberate on the same and make a decision.

(iii) Boards and Academic Committees

Boards of colleges, schools, etc

- 30.-(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 Institute; and
 - (g) every centre or directorate, a Board of the Institute.
- (2) The establishment, composition, functions, procedure and powers of the respective boards specified under subrule (1) and the right, duties and privileges of respective membership shall be as may be prescribed.
- (3) In pursuance of the provisions of this rule, the respective boards specified under subrule (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.

Committee of Deans and Directors

- 31.-(1)** There is hereby established a committee to be known as the Committee of Deans and Directors which shall comprise the Deputy Vice Chancellor responsible for academic matters, all Deans of Faculties, Directors of Institutes and Directorates and the Secretary to the Senate.
- (2) The Deputy Vice Chancellor responsible for academic matters shall be the Chairman of the Committee established under sub-rule (1) of this rule.

- be-
- (3) The functions of the Committee of Deans and Directors shall
- (a) to deliberate on any matter of academic interest;
 - (b) to initiate and make recommendations on strategies for the improvement and or development of academic standards and services of the University;
 - (c) to harmonize the activities of the faculties, institutes and directorates;
 - (d) to do any other thing as may be assigned by the Senate.
- Management Committee of the University
- 32.-(1) There is hereby established a management committee of the University whose members shall be-
- (a) the Vice-Chancellor, who shall be the Chairman;
 - (b) the Deputy Vice-Chancellor responsible for academic matters;
 - (c) the Deputy Vice-Chancellor responsible for administrative matters;
 - (d) the Secretary to the Council;
 - (e) all officers reporting directly to the Vice-Chancellor;
 - (f) all the officers reporting directly to the Deputy Vice-Chancellor responsible for academic matters;
 - (g) all officers reporting directly to the Deputy Vice-Chancellor responsible for administrative matters.
- (2) The University Management Committee shall be responsible for overseeing the execution of all the decisions of the Council, except for those specifically entrusted by or under this Charter to different specific organs.
- Establishment of Institutes and Schools
- 33.-(1) There are hereby established the following Institutes of the University, namely:
- (a) the Institute of Development Studies;
 - (b) the Institute of Public Administration;
 - (c) the Institute of Continuing Education.
- (2) Provided that the Council may, whenever it appears proper so to do, establish any other institute or school to be known by such names as it may, upon the recommendation of the Senate, designate.
- Establishment of Directorates and Centres
- 34.-(1) There are hereby established the following directorates of the University-
- (a) Directorate of Information and Communication Technology;
 - (b) Directorate of Strategic Business Development;
 - (c) Directorate of Research, Publications and Postgraduate Studies.
- (2) Provided that the Council may, whenever it appears proper so to do, establish any other directorate, or centre to be known by such names as it may, upon the recommendation of the Senate, designate.
- (3) Each Institute, centre, directorate and the like established or to be established under this Charter shall be headed by a Director or an officer of equivalent designation.
- (4) The provisions of rule 36 in relation to the functions and tenure of faculty boards shall, *mutatis mutandis*, apply in respect of the boards established under rule 30, subject to any directions of, or regulations made by the Senate.

Faculties of the University

- 35.-(1) There are hereby established the following faculties of the University, namely-
- (a) the Faculty of Social Sciences;
 - (b) the Faculty of Commerce;
 - (c) the Faculty of Law;
 - (d) the Faculty of Science and Technology;
 - (e) the Faculty of Public Administration and Management;
- (2) Provided that the Council may, whenever it appears proper so to do, establish any other faculties to be known by such names as it may, upon the recommendation of the Senate, designate.
- (3) Each faculty shall be headed by a dean or an officer of equivalent designation, who shall be appointed in accordance with the provisions of this Schedule to the Charter.

Faculty Boards

- 36.-(1) Every faculty board shall consist of:
- (a) the Dean of faculty, who shall be the Chairman;
 - (b) the Associate Dean and all Heads of academic departments in the faculty;
 - (c) not more than three members appointed by the Deputy Vice-Chancellor responsible for academic matters from amongst the academic staff assigned to the faculty;
 - (d) two members to be nominated by the Academic Staff in the Faculty from amongst themselves;
 - (e) not more than two members external to the University appointed by the Senate from a list of stakeholders recommended by the Faculty Dean;
 - (f) six members elected to the Board by the students in the faculty from amongst themselves, at least, two of whom must be females; Provided that where the Faculty has programmes in any campus other than the main campus, two of the six members to be elected under this provision shall be from such other campus or campuses;
 - (g) a secretary to be appointed by the Faculty Dean from amongst the members of the academic staff in the faculty.
- (2) Subject to any general or specific directions of the Senate, every faculty board may from time to time-
- (a) receive and deliberate on recommendations from the faculty relating to the development and welfare of the faculty and the University;
 - (b) review and make recommendations to the Senate in respect of the control and regulation of the training, research, technical services and student assessment within the faculty;
 - (c) make recommendations to the Senate on any matter pertaining to the faculty;
 - (d) do any other act or thing as it may be empowered to do by the Senate or under this Charter.
- (3) A Faculty Board-
- (a) may, subject to any directions of the Senate, meet at such intervals as it considers necessary;
 - (b) shall act in accordance with the directions of the Senate and, shall report on the discharge of its functions and actions to the Senate in such manner and at such intervals as the Senate may direct;

(c) subject to the directions of the Senate, may regulate its own proceedings and fix a quorum for its meetings.

(4) Members of the faculty board shall hold office for a period of three years and shall be eligible for re-appointment for one further period of three years.

PART IV
ASSOCIATIONS AND ORGANIZATIONS

Staff
Associations' and
workers, union

37.-(1) There shall be Staff Associations and, Workers' Union of 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 administrative staff association representative of all administrative staff of the University.

(3) An academic staff association and an administrative 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 the 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 constitution 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.

The functions of
the staff
associations

38.-(1) Where staff associations are established as provided in Article 27 and 28 of this Charter, their functions shall be in accordance with their Constitution as approved by the Council.

(2) Notwithstanding the generality of the provisions of sub-Rule (1) of this Rule, the staff associations shall not engage in any political activity on any campus of the University.

(a) the word "campus" and the phrase "engaging in political parties activity" shall have the meaning assigned to them under rule 46 (3) (a) and (b), and

(b) the phrase "staff association" includes its members.

The Convocation
of the University

39.-(1) There is hereby established a Convocation of the University which shall consist of-

(a) the Vice-Chancellor;

(b) the Deputy Vice-Chancellor;

(c) all members of the academic staff;

(d) all persons who are graduates of the former institute; and

(e) all persons who become graduates of the University;

(f) such persons as the Chancellor may, upon recommendation by the Council, appoint to be members of the Convocation.

(2) The Deputy Vice-Chancellor responsible for academic matters shall cause to be compiled and maintained a roll of the

Convocation in which he shall enter the names of all persons who are for the time being members of the Convocation.

Resolutions to be transmitted to the Chancellor, the Minister, the Council or Senate

40.-(1) The Convocation may meet and discuss any matter within the sphere of competence of the University and transmit any resolution arising from such discussion to the Chancellor, the Minister, the Council or the Senate, as the Convocation may consider appropriate.

The President of the Convocation

41.-(1) The President of the Convocation shall be elected from amongst its members.

(2) The President of the Convocation shall, subject to his continuing to be qualified to be a member of the Convocation, and unless he sooner dies, resigns or otherwise ceases to hold office, hold office for a period of three years and shall be eligible for re-election for one such further term of three years.

The Secretary of the Convocation

42.-(1) The Deputy Vice-Chancellor responsible for academic matters shall be the Secretary to the Convocation.

(2) The Convocation shall meet at such times as may be necessary or expedient for the transaction of its business.

(3) The Secretary shall give to every member of the Convocation at least twenty-one days' notice of the date, time and place of meeting.

(4) The President of the Convocation shall preside over the meetings of the Convocation.

(5) Where at any meeting of the Convocation the President is absent, the members present may elect from amongst their number a temporary Chairman who shall preside over the meeting.

(6) Fifteen members shall constitute a quorum for any meeting of the Convocation.

(7) A decision of the majority of the members present and voting at a meeting of the Convocation shall be deemed to be a decision of the Convocation.

(8) In the event of an equality of votes, the President or the temporary Chairman, as the case may be, presiding over the meeting shall have a casting vote in addition to his deliberative vote.

(9) No proceeding of the Convocation shall be invalid by reason only of the fact that a person who is entitled to be a member of the Convocation has not been registered in the roll of the Convocation.

The Vice Chancellor to report on business of the Convocation

43.-(1) The Vice-Chancellor shall report to the Council the activities of the Convocation and shall transmit to the Chancellor, the Council or the Senate, as the case may be, any resolution passed by the Convocation.

(2) The Vice-Chancellor shall send a copy of the minutes of every meeting of the Convocation to the Chancellor and the Minister.

The Alumni Association

44.-(1) There is hereby established an alumni association of the University which shall consist of all persons who are graduates of the former Institute and the University, and whose Constitution shall be determined by the members thereof.

(2) The affairs and administration of, and membership to the alumni shall be governed by its Constitution.

- University students' organization
- 45.-(1)** There shall be established a students' organization of the University, which shall be published in the University prospectus, and be known by such name as may be agreed upon by its members and approved by the Council.
- (2) Every student of the University shall be a member and shall be deemed to have become a member of the student's organization upon his registration as a student, and his membership shall cease upon the cessation of his registration as a student.
- Functions to be conducted according to Charter and Constitution
- 46.-(1)** The functions of students organization shall be conducted subject to this Charter and in accordance with its Constitution as approved by the Council.
- (2) Notwithstanding the generality of the provisions of sub-rule (1), the students' organization shall not engage in any political activity on any campus of the University.
- (3) For the purpose of this rule-
- (a) "campus" includes any place where the activities or affairs of the University to which a staff association or a students' organization belongs may under lease or licence take place, be conducted or where the residence of students is established, provided, organized or overseen whether regularly or intermittently or on a particular occasion or occasions;
- (b) "engaging in political parties activity" includes regular or intermittent recruitment training registering or enrolment of political party members, regular or intermittent organization of meetings, seminars and conferences for a political party or political parties, operating a branch office or cell or the like of a political party or political parties and matters of a similar nature;
- (c) "student organization" includes its members.

PART VI
ADMINISTRATION, WELFARE AND DISCIPLINE OF STUDENT

- Disciplinary authority and disciplinary offence
- 47.-(1)** In this Part, unless the context requires otherwise:-
- (a) "Disciplinary authority" means the Deputy Vice Chancellor responsible for administrative matters exercising the powers conferred upon him by rule 51 of this Schedule, and includes any person to whom such powers have been delegated in accordance with rule 52 of this Schedule;
- (b) "disciplinary offence" means the contravention of any by-laws made under rule 49 of this Schedule, where rule 49 the contravention constitutes a disciplinary offence.
- The Dean of Students
- 48.-(1)** There shall be a Dean of Students for the University, who shall be recruited through the procedure of public advertisement and hold office in accordance with the Charter.
- (2) The Dean of Students shall be responsible to the Deputy Vice Chancellor responsible for administrative matters for the proper, efficient and effective administration of the affairs and the general welfare of the students of the University.

(3) Without prejudice to the generality of the preceding provisions of this Charter the administration of the affairs of the students of the University shall be conducted pursuant to the provisions of this Charter and any regulations or by-laws made under it.

Council may
make by-laws

49.-(1) The Council may make by-laws for the maintenance of discipline and any other matter on the administration and welfare of the students.

(2) Any by-laws made under subrule (1) of this rule shall be published in the University prospectus and shall be brought to the notice of the students in such manner as the Council may determine.

(3) By-laws made under subrule (1) of this rule may provide that the contravention of any of the by-laws shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such a disciplinary offence.

Power to suspend
students

50.-(1) The Vice Chancellor shall have the power to suspend an individual student or a group of students who instigate(s) other students to behave in a manner that is likely to endanger other persons and or property of the University.

(2) The Vice Chancellor, under the instruction of the Council, shall have the power to suspend the whole student body if in the Council's opinion there is an imminent danger to lives and property.

Deputy Vice
Chancellor
responsible for
administrative
matters to be
disciplinary
authority

51.-(1) Every charge of a disciplinary offence against a student shall be investigated by the Deputy Vice Chancellor responsible for administrative matters who shall impose such punishment as he may consider appropriate after inquiring into the offence in accordance with the procedure prescribed by rule 53 and 54 of this Schedule and upon being satisfied that the charge against the student has been proved.

Deputy Vice
Chancellor
responsible for
administrative
matters may
delegate powers
off disciplinary
authority

52.-(1) The Deputy Vice-Chancellor responsible for administrative matters may, by writing under his hand, delegate, subject to such limitations as he may prescribe, all or any of the powers vested in him by rule 51 of this Schedule to any subordinate officer who reports directly to him.

(2) The dean of student or any other holder of the office responsible for the general administration and welfare of students shall not be appointed, serve or act as a disciplinary authority.

Disciplinary
Proceedings

53.-(1) Disciplinary Proceedings under this Charter shall be either formal or summary and the procedure for instituting such proceedings shall be as provided for in the Charter or as may be prescribed.

(2) Formal proceedings shall be instituted where, in the opinion of the disciplinary authority, the disciplinary offence which the student is alleged to have committed is of such gravity that should he be found guilty of it, it may warrant his dismissal or rustication from the University.

(3) Summary proceedings shall be instituted where, in the opinion of the disciplinary authority, the disciplinary offence which the student is alleged to have committed is of such gravity that should he be found guilty of it, may not warrant his dismissal or rustication from the University.

(4) Notwithstanding the nature of the procedure intended to be adopted by the disciplinary authority, no disciplinary proceedings shall be

instituted against any student after the expiration of thirty days from the date of the commission of a neglect, offence or, in the case of a continuance of injury or damage, within fifteen days next after its cessation.

Charge to be served before instituting proceedings

54.-(1) No formal proceedings for a disciplinary offence shall be instituted against a student unless he is previously served with a copy of the charge, setting out the nature of the offence which he is alleged to have committed; and the charge shall be prepared by the disciplinary authority after carrying out such preliminary investigations as he may consider necessary. The charge shall state briefly the nature of the offence which the accused is alleged to have committed, and shall set out in concise form the allegations made against the accused student.

(2) The charge as drawn up shall then be served upon the accused student, together with a notice addressed to him, inviting him to state in writing, and within such period as may be specified in the notice, the grounds upon which he relies to exculpate himself.

(3) Where the accused student fails or refuses to make representations in writing giving grounds upon which he relies to exculpate himself within the period prescribed in the notice, or makes representations which in the opinion of the disciplinary authority do not amount to complete defense of the offence charged, the disciplinary authority shall appoint an inquiry officer or officers, to hold an inquiry into the charge.

(4) The inquiry officer(s) shall notify the accused student of the day, date, time and place upon and at which the inquiry shall be held which shall not be open to the public.

(5) The accused student shall have a right to appear before the inquiry officer, examine witnesses and be heard in his own defense; save that failure by the accused student to appear at the inquiry shall not vitiate the proceedings.

(6) The accused student shall have a right-

- (a) to cross-examine any witness examined by the inquiry officer or by the disciplinary authority or his representative;
- (b) to examine and make copies of any document produced as evidence against him;
- (c) to call witnesses on his own behalf and produce any document relevant to the inquiry.

(7) The inquiry officer may take into consideration any evidence which he considers relevant to the subject of the inquiry before him, notwithstanding that such evidence would not be admissible under the law relating to evidence; and shall record the gist of the evidence adduced before him.

(8) Upon the conclusion of the inquiry, the inquiry officer shall forward the record of proceedings before him, together with his report on the proceedings to the disciplinary authority.

(9) A report under sub-rule (8) of this rule shall-

- (a) state whether in the opinion of the inquiry officer the charge against the accused student has been proved;
- (b) state the reasons for holding that opinion;
- (c) state any fact which, in the opinion of the inquiry officer, aggravates or mitigates the gravity of the act or omission which was the subject matter of the charge;
- (d) state any other fact which, in the opinion of the inquiry officer, is relevant;

(e) not contain any recommendation as to the form or nature of the punishment to be awarded.

(10) Upon receipt of the record of proceedings and the report, the disciplinary authority shall, after considering the evidence and the report of the inquiry officer, make and record a finding whether or not, in his opinion, the accused student is guilty of the offence with which he was charged.

(11) Where the disciplinary authority's finding as to the guilt or innocence of the accused is contrary to the opinion of the inquiry officer as expressed in his report, the disciplinary authority shall record his reasons for the finding.

(12) Where the disciplinary authority finds the accused student guilty, he shall proceed to impose the punishment prescribed by the by-laws in respect of the disciplinary offence or such lesser punishment as he deems appropriate.

Cases of
summary
proceedings

55.-(1) Where the Students Disciplinary Authority decides to institute summary proceedings against a student he shall follow a procedure to be prescribed under the Charter.

(2) The disciplinary authority shall appoint the day, date, time and place for the investigation of the charge or charges and shall give the accused student notice of it.

(3) The investigation of the charge or charges shall be carried out in such manner as the disciplinary authority may determine and the accused student shall have a right to appear at the investigation and make his defense; save that failure by the accused student to appear the investigation shall not vitiate proceedings.

(4) Where at any stage of the proceedings before a finding is made, it appears to the disciplinary authority from the nature of the facts and circumstances disclosed that it is necessary or desirable that the matter be dealt with by way of formal proceedings the disciplinary authority may terminate the summary proceedings and institute formal proceedings in accordance with rule 53(2).

(5) Upon the conclusion of the investigation, the disciplinary authority shall make a finding whether or not, in his opinion, the accused student is guilty of the disciplinary offence or offences with which he is charged, and if he finds the accused student guilty, the disciplinary authority shall proceed to impose such punishment as he may consider appropriate; save that under no circumstance shall, on investigation under this rule, the accused student be punished by dismissal or rustication from the University.

Students
Disciplinary
Appeals
Committee

56.-(1) There is hereby established a Students Disciplinary Appeals Committee of the University.

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

(a) a Chairman, who shall be appointed by the Council;

(b) five members elected by the Council from amongst its members, one of whom shall be a member elected to the Council by the student's organization;

(c) a legally qualified person holding office in the Attorney General's Chambers nominated in that behalf by the Attorney General.

(3) The Chairman appointed under paragraph (a) of sub-rule (2) of this Rule shall neither be a member of the Council nor a member of University Staff.

(4) The composition of the Students Disciplinary Appeals Committee established under sub-rule (1) of this rule shall not include any person who was or is involved in the investigation, hearing or decision of any matter connected or otherwise associated with any particular appeal to the committee in which such a matter is directly or indirectly relevant prior to the commencement of the appeal process.

(5) The quorum for the meetings of the Disciplinary Appeals Committee shall be the Chairman and three other members.

(6) The provisions of the Third Schedule shall apply *mutatis mutandis* in relation to the tenure of office of the members of the Disciplinary Appeals Committee, their retirement, the right to terminate the appointment, and appointment of a new member to fill any vacancy, and also in relation to the proceedings and meetings of the Committee, as they apply to the Council.

Appealing to
Disciplinary
Appeals
Committee

57.-(1) Where a student has been punished for any disciplinary offence and he wishes to appeal, he may, while carrying out the punishment, appeal to the Disciplinary Appeals Committee within thirty days of the decision of the disciplinary authority.

(2) Where a student wishes to appeal pursuant to subrule (1) of this rule, he shall, within not more than three days of the decision of the disciplinary authority, give a written notice of his intention to so appeal to the disciplinary authority who shall forthwith submit it to the Chairman of the Disciplinary Appeals Committee.

(3) On every appeal under this Rule the student appealing and the disciplinary authority shall both have a right to appear before and be heard by the Disciplinary Appeals Committee.

(4) On appeal under this Rule the Disciplinary Appeals Committee may-

- (a) set aside the finding made against the student and the punishment imposed on him; or
- (b) uphold the finding and the punishment imposed; or
- (c) uphold the finding and reduce or enhance the punishment imposed upon the student.

(5) Notwithstanding sub-rule (4)(c) of this rule, where the investigations of the offence by the disciplinary authority was conducted in accordance with the summary procedure prescribed by rule 53(3), the Disciplinary Appeals Committee shall not enhance the punishment to dismissal or rustication from the University.

Decision not
subject to review
by any court

58.-(1) Subject to the provisions of these Rules relating to appeals to the Disciplinary Appeals Committee, no decision of an inquiry officer, the disciplinary authority or Disciplinary Appeals Committee shall be subject to review by any court.

PART VI FINANCIAL PROVISIONS

Management of
assets

59.-(1) The management of all the assets and properties of the University, movable and immovable, is hereby vested in the Council and, for that purpose, the Council shall manage them in such manner and for

such purpose as, in the opinion of the Council, would promote the best interests of the University.

(2) There shall be appointed a professionally qualified accountant to be the Bursar of the University in accordance with the provisions of this Charter.

(3) The Bursar shall be responsible to the Deputy Vice Chancellor responsible for administrative matters for the conduct of the financial business and affairs of the University and for all other matters as may be prescribed.

Funds and
resources of the
University

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

- (a) such sums as may be provided by Parliament, by way of grant, loan or otherwise for the purposes of the University;
- (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 investments, leases, licenses, consultancies and other services of the University;
- (d) such sums as may accrue to the University from or by way of fees payable to the University in pursuance of the provisions of the Charter;
- (e) such sums as may be provided as donations, grants, charities or bequests by benefactors;
- (f) such sums as may in any manner become payable to or vested in the University either under the provisions of this Charter or incidental to the carrying out of its functions.

Investment of
funds
Cap. 53

61. The Council may invest the funds of the University in such investment and subject to such conditions as are prescribed by the Trustees Investments Act, in relation to the investment of funds by a trustee.

The financial
year of the
University

62.-(1) The financial year of the University shall be a period of twelve consecutive months commencing on the same date as the fiscal year of the Government.

(2) In the event of any change in the financial year and for the purposes of the transition from one financial year to another, the transitional period, whether of more or less than twelve months, shall be regarded as if it were a financial year.

Annual estimates
of revenue and
expenditure

63.-(1) Before the commencement of any financial year, the Bursar shall prepare or cause to be prepared for approval by the Council, annual estimates of 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) of this rule.

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

- (a) for the payment of salaries, allowances, travel and other charges in respect of officers and employees of the University;
- (b) for the payment of allowances, fees and expenses in respect of the Chancellor, the members of the Council, the Senate,

	the Convocation, the Board, the Committee and other organs of governance; (c) for the payment of costs of materials, equipment and other charges in respect of teaching, training, research and consultancy; (d) for the payment of all pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the University; (e) for the construction, improvement, maintenance and replacement of any building or other immovable property of the University; (f) for the proper maintenance and replacement of the furniture and equipment of the University; (g) for the creation of such reserve funds to meet future contingent liabilities as the Council may think fit; (h) for any other activity intended to promote the growth and development of the University. (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 Chancellor for information and to the Minister for consideration and submission to the National Assembly.
Accounts of the University	64. The Council shall cause to be kept proper accounts and shall, as soon as is practicable after the end of each financial year, cause such accounts relating to such financial year together with a statement of income and expenditure during such financial year- (a) a statement of the assets and liabilities of the University on the last day of such financial year; (b) a statement of cash flow during such financial year; and (c) any other such statements as may be required by any other written law, to be submitted to an auditor as prescribed in the Public Finance Act, or any other written law.
Cap. 348	
Vice Chancellor to prepare the Annual Report	65.-(1) The Vice-Chancellor shall, at the end of each financial year, prepare an annual report on the operations of the University, including a detailed evaluation of the University's academic activities during that financial year; the extent to which the prescribed standards of the University are met; and submit them to the Commission, the Chancellor and the Minister together with the audited accounts referred to in rule 66. (2) In addition to the reports referred to in sub-rule (1) the Vice-Chancellor shall be required to submit the audit report to Commission, the Chancellor and the Minister. (3) The format, content and other aspects of the report referred to in subrule (1) shall be as the Council may, from time to time, prescribe.
Minister to lay Annual Report, Accounts and	66. The Minister shall lay the following before the National Assembly, as soon as may be practicable after he has received them: (a) copies of the statement referred to in rule 65 of this Schedule;

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| Auditor's Report
before the
National
assembly | (b) a copy of the auditor's reports;
(c) a copy of the Vice-Chancellor's annual report. |
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PART VII
MISCELLANEOUS PROVISIONS

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| Memoranda of
understanding | <p>67.-(1) In the discharge of its functions under the Charter and these Rules, the University shall abide by the terms and conditions of any such memorandum or memoranda of understanding as may be agreed between the Government of the United Republic and the University.</p> <p>(2) Without prejudice to the generality of subrule (1), the terms and conditions of the memorandum of understanding may include-</p> <ul style="list-style-type: none">(a) development and running of academic programmes, courses, institution;(b) developing and conducting research and consultancy or research and development programmes, arrangements and projects; and(c) providing funds for the general and development expenditure of the University. |
| University
Funding
Promotion
Committee | <p>68.-(1) There shall be established a committee which shall be known as the University Funding Promotion Committee.</p> <p>(2) The University Funding Promotion Committee shall comprise a chairman and not less than five nor more than fifteen members: Provided that-</p> <ul style="list-style-type: none">(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. <p>(3) The chairman and members of the University Funding Promotion Committee shall be appointed by the Council.</p> <p>(4) The functions of the University Funding Promotion Committee shall include-</p> <ul style="list-style-type: none">(a) to advise the Council on-<ul style="list-style-type: none">(i) matters relating to the procurement and expenditure of the University;(ii) investment of funds;(iii) Promotion of appropriate income generation; and(iv) fund raising activities.(b) to mobilize resources for and on behalf the Council for the promotion of the objects and functions of the University;(c) to perform such other functions as may be conferred upon the committee by the Council. <p>(5) The appointment and tenure of office of the Chairman and members of the University Funding Promotion Committee, their retirement, the right to terminate their appointments, the appointment of a new member to fill any vacancy, and also in relation to the appointment of a temporary Chairman, the quorum, procedure and meetings of the University Funding Promotion Committee shall, <i>mutatis mutandis</i>, be governed by the Third Schedule.</p> |

Deployment of forces	69. The Vice Chancellor may request deployment of military or paramilitary forces on the University or college grounds where the situation so directs.
Delegation of powers	70. The powers granted to the President under these Rules may, wholly or in part, be delegated by the President to the Minister and in any such event such delegation shall be in writing.
Matters or things done <i>bona fide</i>	71. No matter or thing done by any member or officer of the Council, the Senate, the Convocation or a Board shall, if done <i>bona fide</i> in the execution or purported execution of the functions of the Council, Senate, Convocation or Board, as the case may be, render such member or officer personally liable for such matter or thing.
Proceedings of Senate or Boards not to be invalid by reason of irregularity	72. No act or proceedings of the Senate or a Board shall be invalid by reason only of any vacancy in the membership or any defect in the appointment of any member or the fact that any member was at the time in question disqualified or disentitled to act as such.
Attributes of system of appointment of holders	73. -(1) Subject to the Act, the Regulation made thereunder, the Charter and these Rules, the holders of all key administrative positions in the University including College of the University shall, normally, be citizens of the United Republic. (2) In making appointments to key administrative positions in the University or a college, the Council shall ensure that such appointments are made on merits in accordance with an open system capable of inspiring confidence that fairness and the appointees competence for the relevant position and his general acceptability in the University or College community have all been taken into account. (3) The Council shall by rules prescribe the attributes of the open system referred to in subrule (2) which attributes shall include the form, way or method of identifying candidates, participation of the community or organs of governance that shall be involved in the process of such a system of appointment.
Special needs for women and disabled	74. -(1) In construction or maintenance of any building, appliance, facility, amenity, convenience, road, path or passage way 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 subrule (1).
Matters of general administration and student affairs of colleges	75. All matters of general administration and student affairs, other than those of an academic nature of constituent and connected college and associate colleges, institutes, schools, centres or as the case may be directorates shall be governed in accordance with their respective enabling legal instrument.

Persons
executing
conveyances,
transfers,
contracts and the
like

76. Without prejudice to Article 5(2) of the Charter all conveyances, transfers, contracts, guarantees, agreements, bonds, authorities, mortgages, charges, bills of exchange, promissory notes, bank drafts, letters of credit, securities and other instruments whatsoever to which the University is a party shall be executed on behalf of the University by-

- (a) the Vice-Chancellor, or such other officer of the University as the Vice-Chancellor may appoint in that behalf; and
- (b) the Deputy Vice-Chancellor responsible for administrative matters or in his absence, any other person appointed in that behalf by the Vice-Chancellor.

Academic
freedom, social
responsibility
and code of
conduct

77.-(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 imminent danger to the nation.

(2) The freedom under sub-rule (1) shall-

- (a) include the participation of staff and students in the University organs and in their associations, and the expression of their views on national and international issues in the course of that participation; and
- (b) the right of both students and the staff to challenge each other on academic matters in the course of their work.

(3) No member of the academic community shall participate in, or become a party to any endeavor 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 fulfill 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 3)

SEARCH COMMITTEES

(a) Search committee for appointment of a Chancellor

Search
committee for
the appointment
of the
Chancellor

1. There shall be constituted a search committee whenever recommendations are required for the appointment of a Chancellor of the University.

Composition of a search committee for the appointment of a Chancellor	2. A Search Committee shall be appointed by the Council and shall consist of- (a) a Chairman; (b) a member nominated by the Minister responsible for higher education; (c) a member nominated by the Minister for the time being responsible for the public service management; (d) a member nominated by the Minister for the time being responsible for local government; (e) a representative from one of the existing public or private Universities; (f) a representative of civil society or private sector; (g) a female member appointed by the Minister for the time being responsible for women affairs.
Employees of the University not to be appointed members of a Search Committee	3. No person who is an employee of the University or a member of any organ of governance of the University shall be appointed a member of a Search Committee.
Tenure of a Search Committee	4. The Search Committee shall commence its business as soon as it is appointed and shall cease to exist immediately after submitting its recommendations to the Council or other proper authority. Provided that the Council shall have the power to reconstitute the Search Committee before or after the Committee has commenced its business or for the improvement and or review of the report submitted by it.
Search Committees	5.-(1) The Council shall have the power, subject to the relevant provisions of this Charter, to appoint, determine the number, tenure, remuneration, and other terms and conditions of service of the member of a search committee. (2) In appointing a search committee under the Charter, the Council may appoint the same committee or different or separate search committees for the different posts or positions for which a search committee's recommendation is prescribed as mandatory. (3) Notwithstanding the provisions of sub-rule (1) of this rule, and save for the position of the Vice Chancellor and Deputy Vice-Chancellors, the Council may delegate to the Senate the power to appoint search committees in general or search committees for candidates for specified posts or positions.
Where the President is the Chancellor	6. Where a Chancellor is the President the term, of office as the Chancellor shall cease upon his cessation to hold the office as the President.
Tenure of the Chancellor	7. The Chancellor shall, unless he sooner dies, resigns or otherwise vacates office, hold office for a term of five years and may be re-appointed for a further term of not more than five years.

Conditions of appointment of the Chancellor

8. Subject to Article 11 of the Charter, the President may prescribe terms and conditions in the appointment of the Chancellor.

Chancellor to promote good governance

9. The Chancellor shall endeavor to use his position to promote and enhance good and harmonious governance and overall development of the University.

Chancellor may give directions

10. The Chancellor may give to the Council directions of a general or specific character concerning any aspect of the affairs and business of the University and the Council shall give effect to every such direction.

The President may confer additional functions on the Chancellor

11. Notwithstanding any specific functions provided in this Charter the President may confer upon the Chancellor any additional functions as he may deem necessary.

The President to appoint another person in the case of the Chancellors inability

12. Whenever the Chancellor is for any reason unable to perform the functions of his office, the President shall upon advice by the Council, appoint another person to hold the office of the Chancellor.

(b) Search committee for the appointment of a Vice-Chancellor, Deputy Vice-Chancellors, and Principal(s) of College(s)

Search Committees for the appointment of the Vice Chancellor, Deputy Vice Chancellor and Principal of a College

13. There shall be constituted a search committee whenever recommendations are required for the appointment of the Vice-Chancellor; a Deputy Vice-Chancellor; and a Principal of a college.

Composition of a Search Committee for the appointment of Vice Chancellor, Deputy Vice Chancellors and Principal of a college

14. A search committee shall be appointed by the Council and shall consist of-

- (a) a Chairman;
- (b) a member nominated by the Minister for the time being responsible for higher education;
- (c) a member nominated by the Minister for the time being responsible for the public service management;
- (d) a member nominated by the Minister for the time being responsible for local government;
- (e) a representative from one of the existing public or private Universities;
- (f) a representative of civil society or private sector;
- (g) a female member appointed by the Minister for the time being responsible for women affairs.

Employees of the University not to be members of a Search Committees	15. No person who is an employee of the University or a member of any organ of governance of the University shall be appointed a member of a search committee.
Tenure of a Search Committee	16. The search committee shall commence its business as soon as it is appointed and shall cease to exist immediately after submitting its recommendations to the Council or other proper authority. Provided that the Chancellor shall have the power to reconstitute the search committee before or after the committee has commenced its business or for the improvement and or review of the report submitted by it.
The Search Committee to propose three names	17. The Search Committee shall, after a procedure of public advertisement for the post of Vice-Chancellor and upon such terms and conditions as the Council may prescribe, propose at least three names to the Chancellor, through the Council, for consideration.
Vice Chancellor	18. A Vice Chancellor shall be appointed from a list of three candidates who have attained the status of professor or associate professor or senior academician on the basis of the recommendation of a search committee appointed or approved by the Council.
Tenure of the Vice Chancellor	19. The Vice Chancellor shall, unless he sooner dies, resigns or otherwise vacates office, hold office for a term of five years upon such terms and conditions as shall be specified in the instrument of his appointment and may be re-appointed for one further term of five years.
Functions of a Vice Chancellor	20. Notwithstanding the generality of Article 12 of the Charter, the Vice Chancellor shall- (a) be the Chief Executive Officer of the University; (b) be responsible to the Council for the implementation of its decision; (c) be responsible for the general security and welfare of the University; (d) have and exercised such other functions and powers as are conferred upon him by the Act, the Regulations made thereunder and this Charter.
Vice Chancellor may delegate his powers	21. A Vice Chancellor may whenever he deems fit so to do, delegate any of his functions or powers under this Charter to the Deputy Vice-Chancellor or other officer of the University and may impose any limitations or conditions upon such delegation.
Deputy Vice Chancellor	22. For the purpose of Article 13 of the Charter, the candidates submitted by the search committee for the post of Deputy Vice Chancellors must be those who have attained the status of professor or associate professor or its equivalent in either teaching or research or both, and who have outstanding academic and administrative experience and capability in the area of higher education.

Tenure of the
Deputy Vice
Chancellor

23. The Deputy Vice-Chancellor shall, unless he sooner resigns, dies or otherwise vacates the office, hold office for a period of four years, upon such terms and conditions as shall be specified in the instrument of his appointment and may be re-appointed for one further term of four years.

A Deputy Vice
Chancellor to
the chief and
assistant to the
Vice Chancellor

24. A 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 to him or his office and as may be prescribed under the Act, the Regulations made thereunder, this Charter and the Rules contained in this Schedule.

THIRD SCHEDULE

(Under Article 21)

PROVISIONS RELATING TO THE COUNCIL

Tenure of
Council
Chairman

1. The Chairman of the Council shall hold office for a period of four years from the date of appointment.

Tenure of
members of the
Council

2. Subject to the provisions of this Schedule the term of all members of the Council, other than the Chairman and members *ex-officio*, shall be three years and all such members shall retire on the last day of the third year, and their places shall be filled by the newly appointed, or as the case may be, elected members who shall, immediately upon such appointment or election, be members of the Council save that:

- (a) nothing in this Schedule shall be construed as preventing any person, otherwise eligible for the appointment or election as a member, from being reappointed or re-elected, as the case may be, for other terms of office;
- (b) in the case of a member elected by the National Assembly, or House of Representatives, he shall cease to be a member if at any time prior to the date of his retirement he ceases to be a member of the National Assembly or House of Representatives;
- (c) the President of the students' organization, shall cease to be a member, if at any time prior to the date of his retirement under this paragraph, he ceases to hold the office of the President of the student's organization.

Power of
appointing
authority to
terminate
appointments

3. Nothing in the Third Schedule shall be construed as preventing any appointing, nominating or electing authority from terminating the appointment of any member appointed or elected prior to the date when such member is required to retire from office under Third Schedule.

Members
absence from
three

4. Where any member absents himself from three consecutive meetings of the Council without reasonable excuse, the Council shall advise the appointing authority of the fact and the appointing authority may, if it

consecutive meetings	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.
Cessation of a member to serve in the Council	5.-(1) Where any member of the Council ceases to be such member by resignation or death or by virtue of the operation of the exception in paragraph (b) of this Rule or is unable to perform his functions 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 rule 3, 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 provisions of this Schedule, hold office for the remainder of the term of his predecessor. (2) Where in the opinion of the appointing authority the absence or infirmity of any member is of a temporary nature, it may appoint or, as the case may be, elect a temporary member to take his place and such temporary member shall, so long as he remains a temporary member, have and exercise all the powers and functions of a member of the Council, save that on the resumption of office by the substantive member the temporary member shall cease to hold office.
The Deputy Vice Chancellors in Council meetings	6. The Deputy Vice-Chancellors shall have a right to be present at every meeting of the Council and to participate in its deliberations but shall have no right to vote.
The meetings of the Council	7.-(1) Subject to any general or specific direction given 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 shall, at the request of at least ten members, convene or cause to be convened a meeting of the Council within thirty days of such request being made to him in writing. (2) The Secretary to the Council shall give to each member a notice of not less than fourteen days of the time and place of the meeting.
The Vice Chairperson of the Council	8. 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 the Vice-Chairperson for a term of three years from the date of his election.
Presiding at Council meetings	9.-(1) The Chairman shall preside at all meetings of the Council. (2) Where at any meeting of the Council, the Chairperson is absent, the Vice-Chairman shall preside. (3) In the absence of both the Chairman and the Vice-Chairman at any meeting of the Council, the members present may, from amongst their number, elect a temporary Chairperson who shall preside at that meeting. (4) The Chairman, Vice-Chairman or temporary Chairman presiding at any meeting of the Council shall have a vote and in the event of an equality of votes, shall have a casting vote in addition to his deliberative vote.
Quorum for Council meetings	10.-(1) At any meeting of the Council not less than half of the members in office for the time being shall constitute a quorum.

(2) If a quorum is not reached within half-an-hour of the time appointed for the meeting, the members present or the majority of them, or any one member 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 date of adjournment.

Decisions by
voting

11. Subject to the provisions relating to a casting vote, all issues 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 issue, his vote shall be counted in the negative.

Decisions by
circulation

12. Notwithstanding the preceding 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 of them in writing, save 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.

Fees and
allowances
payable to
members of
Council, etc.

13. The Council may with the approval of the Minister, issue directions prescribing fees and allowances payable to the members of the Council, the Senate, the Convocation or a Board.

Council may
regulate its own
proceedings

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

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

The State House,
Dar-es-Salaam.

JAKAYA MRISHO KIKWETE,
President