



The United Republic of Tanzania

The Open University of Tanzania



CHARTER and RULES 2007

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Dar es Salaam
Tanzania

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THE OPEN UNIVERSITY OF TANZANIA CHARTER, 2007

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

CHARTER

Made under Section 25

THE OPEN UNIVERSITY OF TANZANIA CHARTER, 2007

WHEREAS the Open University of Tanzania, formerly established under the Open University of Tanzania Act, 1992 since repealed by the Universities Act, 2005, has applied to the Tanzania Commission for Universities for the grant of a Charter in the manner prescribed under the Universities Act, 2005 and Regulations made thereunder;

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

GN. No. 39 of
2006

AND WHEREAS the Tanzania Commission for Universities is also satisfied that the Open University of Tanzania has complied with the provisions of the Universities Act, 2005 and the Universities (Chartering, Registration and Accreditation Procedures) Regulations, 2007;

AND WHEREAS the Tanzania Commission for Universities after being satisfied with the University's Charter submitted by it to the Minister responsible for Higher Education, with a recommendation that the Open University of Tanzania, 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 Universities Act, 2005, I **JAKAYA MRISHO KIKWETE**, President of the United Republic of Tanzania hereby grant and order with effect from the 31st day of December, 2006 as follows:

PART I
PRELIMINARY PROVISIONS

Citation

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

Interpretation

Act No. 7
of 2005

2.-(1) In this Charter unless the context otherwise requires-

"Act" means the Universities Act, 2005;

"Alumni Association" means Association of the University established under Article 23;

"Associate Director" means an Associate Director of an Institute, the library Centre or Directorate of the University provided for under Article 14;

"By-laws" means, by-laws made by the Senate under the powers conferred by the Act the Regulations made there-under, this Charter;

"Convocation" means Convocation of the University established under Article 23;

"Chancellor" means the Chancellor of the University appointed under Article 7;

"Council" means the Council of the University established under Article 17 of the Charter;

"Dean" means a Dean of School or Faculty appointed under Article 14;

"Deputy Vice-Chancellor" means the Deputy Vice-Chancellor appointed under Article 9;

"Director" means the Director of an Institute, the Library, Centre or Directorate of the University provided for under Article 13;

"Faculty" means a Faculty of the University provided for under Article 20;

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

"Minister" means the Minister responsible for higher education;

"Regulations" means, Regulations made by the Minister;

"Rules" means the Open University Rules prescribed in the First Schedule or Rules made in accordance with this Charter;

"Senate" means the Senate of the University provided for under Article 18;

"Staff Association" means Staff Association of the University established under Article 22;

"Students' Organization" means an organization representative of the Students of the University provided for under Article 24;

"University" means the Open University of Tanzania as in its acronym "OUT" established under this Charter;

"Vice-Chancellor" means the Vice-Chancellor of the University provided for under Article 7;

(2) In this Charter, words and phrases used, designations signifying offices, officers, organs or positions of governance or responsibility and the whole Charter shall be construed with reference to the Act, the Regulations made thereunder, and any other applicable written law.

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

PART II
ESTABLISHMENT OF THE UNIVERSITY

Establishment
of the
University

3.-(1) There is hereby established a University to be known as the Open University of Tanzania.

(2) The University established under sub-Article (1) shall be a body corporate and shall-

- (a) have perpetual succession and a Common Seal;
- (b) in its corporate name, be capable of suing and being sued;
- (c) be capable of taking by gift, purchasing or otherwise holding, acquiring, and of granting, demising, alienating, or otherwise disposing of any movable or immovable property;
- (d) have power to borrow such sums as it may require for its purposes; and
- (e) do all other lawful acts and things whatsoever pursuant to the Act, the Regulations made thereunder, and the Charter which may lawfully be performed by a body corporate.

Cap. 268

(3) The University shall be a successor to the Open University of Tanzania established by the Open University of Tanzania Act; (now repealed) and subject to this Charter and the Rules-

- (a) all subsisting and valid appointments and terms and conditions of service, enrolments, authorizations, decisions and pending disciplinary proceedings, other things, including rights and liabilities made, given, taken, done or incurred under, 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 Open University of Tanzania subsisting at the commencement of this Charter shall, without further assurance, automatically and fully vest in the University and the Council;

- (c) all subsisting regulations, rules, by-laws, orders, directions or other subsidiary legislation made, given or issued under the repealed Act or any other written law and which are in force before the effective date, shall remain in force after the effective date until they are repealed or replaced by Rules made under this Charter; and
- (d) any reference to the Open University of Tanzania in any contract or document shall for all purposes be deemed to be a reference to the University established under Article 3 of this Charter.

General
objects and
functions of
the University

4.-(1) The objects of the University shall be to advance learning, transmit knowledge and enhance creativity by teaching, research and consultancy, particularly in arts; social sciences; commerce, business management; education; law; science, technology and environment, information communication technology; and any other area or field of learning and knowledge, and in close association with industry and commerce.

(2) The Rules contained in the First Schedule hereto set out in detail the particulars of the objects and functions of the University.

(3) In carrying out its objects the University shall observe and implement the principle of gender balance and opportunities for persons from disadvantaged groups as provided in the Act and Regulations made thereunder.

(4) The University shall be a public institution which shall, in carrying out its objects as aforesaid, not associate or affiliate itself with any political party.

(5) The University shall cooperate with the Government of the United Republic and the peoples of Tanzania in the planned and orderly development of leaning, transmission of knowledge and enhancement of creativity in the United Republic.

(6) Without the generality of the foregoing provisions, the objects and functions of the University shall be-

- (a) to preserve and advance learning, enhance creativity and transmit knowledge by teaching, conducting research and consultancy through various means, including the use of Information and Communication Technologies (ICT) such as broadcasting and technological devices appropriate to higher education, by correspondence, tuition, residential courses and seminars;
- (b) to provide opportunities for higher education to a broad segment of the population through open and distance mode and in-residence learning;
- (c) to promote the educational well-being of the community generally through open and distance and in-residence educational methods;
- (d) to provide university education and professional standards for its students; and
- (e) to conduct examinations for, to confer degrees and grant diplomas, certificates and other awards of the University.

Powers of the
University

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

- (a) to offer degrees, diplomas, certificates and other awards in its name;
- (b) to award in its name, certificates, diplomas, degrees, post-graduate diplomas and confer postgraduate degrees upon persons who have followed courses of study approved by the Senate and have satisfied such other requirements as may be prescribed by the Senate;
- (c) to confer honorary degrees (*honoris causa*); and
- (d) to do such other things as are conferred upon it by the Act, the Regulations made thereunder, this Charter and the Rules contained in the Schedules to this Charter.

(2) The academic programmes to be conducted by the University shall be determined by the Senate in accordance with the Act, and Regulations made thereunder, this Charter, the Rules made under the Charter and Rules contained in the First Schedule hereto.

Members of
the University

6. Members of the University shall include-
- (a) the Chancellor, the Chairman of the Council, the Vice-Chancellor, the Deputy Vice-Chancellor(s), Principals, Deputy Principals, the Deans of Schools and Faculties, and Associate Deans, the Directors and Associate Directors of Institutes, the Library, Centres and Directorates;
 - (b) the Members for the time being of the Council, the Senate and the Boards of Schools, Faculties, Institutes, the Library, Centres and Directorates of the University;
 - (c) the Heads of Departments, the Academic Staff, the Administrative Technical and Staff of the University; the Dean of students;
 - (d) the Graduate and Undergraduate Students of the University;
and
 - (e) all others who shall, pursuant to this Charter and the Rules and/or By-laws of the University for the time being be members of the University.

PART III

GENERAL ADMINISTRATION OF THE UNIVERSITY

The
Chancellor

7.-(1) There shall be a Chancellor, who 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 are or shall be provided under the Rules or as may be prescribed by the relevant authority.

(2) 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 office of the Chancellor during such absence or inability.

Vice-Chancellors

8.-(1) There shall be a Vice-Chancellor of the University who shall be the Chief Executive Officer of, the University and *ex-officio* Chairman of the Senate.

(2) Appointment for the Vice-Chancellor shall be effected in the manner prescribed in the Second Schedule.

Deputy Vice-Chancellors

9. There shall be a Deputy Vice-Chancellor or more than one Deputy Vice-Chancellors as the Council on the advice of the Senate, and subject to the approval of the Commission, shall deem appropriate, who, severally and/or together, 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 them or their office(s) and as may be prescribed;
- (b) deputize for the Vice-Chancellor during his absence or during a vacancy in the office of the Vice-Chancellor; and
- (c) perform any other function as may be given to them or as may be prescribed.

Principals of Colleges

10. There shall be a Principal for-

- (a) every Constituent College and every Connected College of the University who shall be the Chief Executive Officer of the College and *ex-officio* Chairman of the Academic Committee thereof;
- (b) every Campus College of the University, who shall be responsible to the Vice-Chancellor for the academic and administrative matters of the University in the College and *ex-officio* Chairman of the Academic Committee thereof.

Deputy Principals of Colleges

11.-(1) For every Constituent College and every Connected College of the University, there shall be a

Deputy Principal or Deputy Principals who, severally and/or together, shall-

- (a) be responsible to, the chief advisor of, and assistant to the Principal in respect of such matters of the College as shall be assigned to him or them or his or their office(s) and as may be prescribed; and
- (b) deputize for the Principal during his absence or during a vacancy in the office of 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 Deputy Principals as shall be determined by the Council upon the recommendation of the Principal and on the advice of the Governing Board of the College, 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 College as shall be assigned to him or them or his or their office(s) and as may be prescribed; and
- (b) deputize for the Principal during his absence or during a vacancy in the office of Principal.

Deans of
Schools and
Faculties

12. 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.

Directors of
Institutes, the
Library,
Centres and
Directorates

13. There shall be a Director for every University-based Institute, the Library, Centre or Directorate, who shall be the academic and administrative Head of the Institute, the Library, Centre, or, as the case may be Directorate.

Associate
Deans and
Associate

14.-(1) There shall be Associate Dean(s) for every School and every Faculty; and Associate Director(s) for

- Directors every University-based Institute, the Library, Centre and Directorate who shall-
- (a) be responsible to, the chief advisor of, and the assistant to the Dean or, as the case may be, Director, of the School or Faculty, or as the case may be Institute, Library, Centre, or Directorate;
 - (b) 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;
 - (c) perform any other functions as may be given to him or as may be prescribed.
- (2) There may be more than one Associate Dean of a School or Faculty and more than one Associate Director of an Institute, the Library, Centre or, as the case may be, Directorate.
- Heads of Academic Departments 15. There shall be Heads of Academic Departments for every Faculty, School, the library institute and Directorate.
- Staff of the University 16.-(1) There shall be Staff of the University, whose appointment and other terms of service shall be as provided in the First Schedule.
- (2) The Staff of the University shall be responsible for the general execution of the academic, administrative and technical functions of the University and related matters, and bearing such titles, designations and occupying such offices as are provided in the Act, or, in accordance with the Rules contained in the First Schedule hereto and any other Rules or, as the case may be, By-laws.
- The Council 17.-(1) There shall be a Council of the University which shall, subject to the Act, the Regulations made thereunder, and the Rules contained in the First Schedule and in the Third Schedule hereto-
- (a) be the governing body and principal policy-making organ of the University, including the Campus, Constituent, Connected, Adopted Colleges, Institutes, Centres and Directorates of the University;

- (b) have custody and use of the Common Seal;
- (c) be responsible for the management and administration of the University properties both movable and immovable and the funds and other assets including investment of such funds, and other assets of the University; and
- (d) subject to the powers of the Senate provided in the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule hereto, have general control over the conduct of the affairs of the University with power to manage all matters not provided otherwise by this Charter or by the Rules contained in the Schedules hereto.

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

The Senate

18.-(1) There shall be a Senate of the University which shall, subject to the powers as provided in the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule hereto, be the principal overall decision-making organ in respect of all the academic matters of the University and be responsible for the academic work of the University both in teaching and research and for the regulation and superintendence of the education of the students of the University in teaching, research and consultancy.

Constituent,
Connected,
Campus,
Adopted and
other
Affiliated
Institutions

19. Subject to the Act, the Regulations made thereunder, this Charter, and any other applicable written law, the University may affiliate or adopt as its branch a College or an Institute, Centre or Directorate in terms as provided under the Rules contained in the First Schedule hereto or any other rules as may be prescribed.

Schools,
Faculties, the
Library,
Institutes,
Centres and
Directorates

20. There shall be Schools, Faculties, the Library, Institutes, Centres and Directorates within the University; 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 on the recommendation of the Senate in accordance with the Act, the Regulations made thereunder this Charter and the Rules contained in the First Schedule to the charter.

Academic
Departments

21.-(1) Subject to the Act, the regulations made thereunder, this Charter, rules contained in the first schedule thereto, any other applicable written law; there shall be Academic Departments for every Faculty, School, Institute and Directorate as may be established by the Senate subject to the Council approval.

(2) The Faculties, Institutes, Libraries and Centres specified in the Fourth Schedule are declared to be the Faculties, Institutes, the Library and Centres of the University.

PART IV ASSOCIATIONS AND ORGANISATIONS

Staff
Associations

22.-(1) There may be an Association representative of members of Staff of the University to be established in accordance with the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule to the Charter.

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

The
Convocation
and Alumni
Association

23. There shall be Convocation of the University and Alumni Association(s) in the University.

The
Students'
Organization
and other

24. There shall be a Students' Organization of the University representative of all students of the University, and such other Students' Associations with objects which

Students' Associations are not in conflict with the objects of the Students' Organization, the University and the provisions of any other applicable written law

PART V
SUBSIDIARY LEGISLATION

Rules in the Schedules 25.-(1) The Rules contained in the Schedules to this Charter shall-

- (a) form part of this Charter and shall remain in force until they are revoked or replaced;
- (b) have effect as to the regulation of all matters regarding-
 - (i) the governing of the University, nomination of its members, constituents and branches.
 - (ii) the administration welfare and discipline of students;
 - (iii) the establishment of offices, appointments, terms and conditions of service; and
 - (iv) the promotion of the objects of this charter.

Power of Council to make Rules 26. The Council may, subject to the Act and Regulations made thereunder, from time to time, make Rules for the University which may amend, add to or repeal the Rules contained in the Schedules hereto for the time being in force.

(2) Subject to the Act, Regulations made thereunder, this Charter and the Rules contained in the First Schedule to the Charter, the Council may make rules to direct or regulate the University, its members and the welfare and administration of its staff, students and any other affairs.

Procedure for making rules 27.-(1) Where the Council desires to make rules, notice of any proposed rules and the date upon which it is proposed that it should come into effect shall be given to the Council not less than fourteen days before the date of the meeting of the Council at which it is to be considered.

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

- (a) relating to courses of study, degrees, diplomas, certificates or other awards of the University;
- (b) for functions of the Boards of Schools, Faculties, Institutes, the Library, Centres, Directorates; and Academic Departments.
- (c) the affiliation or adoption of, or association with, other institutions; and
- (d) the recognition of academic staff and the constitution of any Joint Committees of the Council and the Senate.

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

Power of
Senate to
make By-laws

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

Revocation
and
amendment
of the
Charter

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

- (a) it is evident that the University is not carrying on its functions in proper manner; or
- (b) the University is in breach of the Charter; or
- (c) it is in the interest of higher education to revoke the Charter.

PART VI MISCELLANEOUS PROVISIONS

Principle of
Non-
discrimination

30.-(1) Men and women shall be equally eligible for the holding of any office in the University and for membership of any of its constituent bodies, for the holding of all degrees, diplomas, certificates and other awards and for the pursuit of all courses of study in the University.

(2) The principle of gender equality or equity shall be observed and implemented by all persons exercising powers under the said Act, Regulations, this Charter and the Rules made thereunder.

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

Provision of
suitable
environment
for teaching
and learning

31. The University shall provide-

- (a) academic facilities including library services and equipment for the academic programmes and the manner in which they are to be properly maintained; and
- (b) a structural, physical and technological environment as well as equipment, facilities and amenities suitable for the respective appropriate requirements of both male and female staff and students and for the academic and other needs of staff and students who have special needs.

Prohibition on
declaration of
dividend

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

THE OPEN UNIVERSITY OF TANZANIA RULES 2007

ARRANGEMENT OF RULES

Rule Title

PART I
PRELIMINARY PROVISIONS

1. Citation
2. Interpretation

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GENERAL ADMINISTRATION OF THE UNIVERSITY
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(Under Article 25)

THE OPEN UNIVERSITY OF TANZANIA RULES, 2007

PART I
PRELIMINARY PROVISIONS

Citation	1. These Rules may be cited as the Open University of Tanzania Rules, 2007.
Interpretation	2. In these Rules, unless the context otherwise requires-
Act No. 7 of 2005	"academic staff" shall have the meaning assigned to that term by Rule 27; "Act" means the Universities Act, 2005. "Administrative staff" shall have the meaning assigned to that term by rule 28(1); "appointing authority" in relation to any member of the Council means the person or body of persons by whom such member was appointed or elected to the Council; "appointment" in relation to the staff of the University, means an appointment of a person to the academic staff, and the administrative staff and technical of the University and includes an appointment or promotion or transfer, and also includes an acting appointment; "Article" means an Article of or in the Charter of establishment of the University; "Associate Director" means an Associate Director of an Institute, the Library, Centre or Directorate of the University provided for under Article 14; "Board" means a Board or Committee established under rule 21; "Centre" means a specific unit, Department established for research, training and shall include a regional centre set up for the administration of a programme or programmes of the University; "Chairman", in respect of the Council, means the Chairman of the Council and, in respect of any other organ of the University provided for in these Rules, means the Chairman of the respective organ; "Charter" means the Open University of Tanzania Charter, 2007, to which these Rules form a Schedule; "Commission" means the Tanzania Commission for Universities established under the Universities Act, 2005; "Directorate" means an academic or administrative sub-division of the University bearing that designation, coordinating more than one discipline, school, faculty, institute or centre, as the case may be; "disciplinary authority" mean a disciplinary authority established under rule 46; "disciplinary offence" means the contravention of any rule made under the provisions of these Rules where such rule provide that its contravention shall constitute a disciplinary offence; "distance education system" means any means of communication including Information and Communication Technology (ICT), such as

- broadcasting, telecasting, correspondence courses, seminars, contact programmes or the combination of any two or more of such means;
- "financial year" means subject to the provisions of rule 71, the period of twelve months commencing on the first day of July in any year and expiring on the thirtieth day of June in the following year;
- "The Human Resources Management Committee" means, the Committee established by rule 22;
- "Inquiry Officer" means the inquiry officer appointed under rule 50;
- "Institute" means an Institute provided by Article 20 and established under rule 38;
- "member" in relation to-
- (a) the Council, means a member of the Council and includes the Chairman of the Council;
 - (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;
- "Officer" means any person in the employment of the University but does not include the Vice-Chancellor or Deputy Vice-Chancellors;
- "open and distance learning" means the mode of delivery of education that aims at assisting learners in gaining access to knowledge and skills they would otherwise be denied and give learners the optimum degree of control over their own learning through removal of unnecessary restrictions, exclusions and privileges by the flexibility of the management of time variable and by substantial changes in the traditional relationships between students and lecturers;
- "Regional Centre" means a centre established or maintained by the University to coordinate the academic programmes and related matters and affairs of the University thereat;
- "Regulations" means regulations made by the Minister in accordance with the Act;
- "Salary" includes any overseas pay addition but does not include any allowance or other monetary benefit;
- "Search Committee" means a committee set up as provided for in the Second Schedule to the Charter;
- "Secretary" means the officer appointed by the Council to be the Secretary of the Council;
- "Student" means a student of the University and includes any person who has enrolled himself for pursuing any course of study of the University;
- "study centre" means a centre, maintained or recognized by the University and shall include resource centres maintained by the regional centres;
- "support staff" means a junior member of the Administrative cadre not holding a managerial position;
- "Technical Staff" means staff responsible for and who require the use of special technical skills and equipment in their work including ICT related matters and includes staff who facilitates exploitation of technology and those who disseminates information about technology and shall include staff who require technology for special needs students, Book Publishing and Printing, Electricians, Laboratory Technicians, Mechanics as well as civil technicians.

PART II
GENERAL ADMINISTRATION OF THE UNIVERSITY
(a) *The Chancellor and Other Senior Officers*

- The Chancellor 3.-(1) There shall be a Chancellor of the University who shall be appointed by the President-
- (a) from among a list of three candidates proposed by the Council upon the recommendation of a Search Committee appointed by the Council on the lines *mutatis mutandis* of the Second Schedule hereto; and
 - (b) in addition to the provisions of sub-rule (2) and (4), upon such terms and conditions as the President may prescribe.
- (2) The Chancellor shall hold office for a period of six years provided that he may not be reappointed for more than one consecutive term.
- (3) The Chancellor shall be the titular head of the University and shall confer all degrees and other academic awards of the University.
- (4) 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 any other official to perform the functions of the office of the Chancellor during such absence or inability.
- (5) The Chancellor shall have such other functions as are conferred upon him by the Act, the Regulations made thereunder, the Charter and these Rules.
- The Vice-Chancellor 4.-(1) There shall be a Vice-Chancellor of the University who shall, subject to the provision of sub rule (2) of this Rule, be appointed by the Chancellor, upon the advice of the Council, from a list of at least three candidates who have attained the status of Professor or Associate Professor and possessing outstanding academic qualifications and administrative experience and capability of at least seven (7) years at a senior management level in the University on the basis of recommendations submitted by a Search Committee set up in accordance with the Second Schedule including a procedure of public advertisement for the post.
- (2) The Vice-Chancellor shall hold office for a term of five years and may be re-appointed consecutively for one further term of five years.
- (3) The Vice-Chancellor shall be the chief executive officer and, as such, the principal academic and administrative officer of the University and shall be responsible for the Council for the implementation of the decisions of the Council.
- (4) The Vice-Chancellor shall have such other functions as are conferred upon him by the Act, regulations made thereunder, the Charter, and these Rules.
- The Deputy Vice-Chancellors 5.-(1) There shall be a Deputy Vice-Chancellor or Deputy Vice-Chancellors of the University, as the Council on the advice of the Vice-Chancellor and the Senate shall deem fit.
- (2) The Deputy Vice Chancellor under sub-rule (1), shall be appointed by the Chancellor, on the advice of the Council 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 including a procedure of public advertisement for the post and who

have outstanding academic qualifications and administrative experience and capability in the area of University education.

(3) A Deputy Vice-Chancellor shall hold office for a period of four years provided that he may not be reappointed for more than one further consecutive term.

(4) The Deputy Vice-Chancellor or Deputy Vice-Chancellors shall be responsible to, the chief advisor of, and assistant to the Vice-Chancellor in relation to all matters of the University assigned to him or them or his or their office(s) or as may be prescribed.

(5) Subject to the Charter, these Rules and such specifications and directions as the Council, the Senate or the Vice-Chancellor may give and without prejudice to the generality of sub-rule (3), the Deputy Vice-Chancellor(s) shall-

- (a) through lower level officials and organs, co-ordinate and ensure the effective management of the University including management of academic affairs, modes of service delivery, research and consultancy matters, planning, finance and development and all staff categories, students, resources of the University and regional centres;
- (b) act as the link-pins between the academic, administrative and technical functions of the University, coordinating and ensuring that all contribute positively and effectively towards the overall attainment of the main mission of teaching, research and offering public service.

(5) The Deputy Vice-Chancellor responsible for Academic Affairs shall deputize for the Vice-Chancellor during the Vice-Chancellor's absence from office.

(6) The Deputy Vice-Chancellor(s) shall have such other functions as are conferred upon him or them by the Act, the Charter, and these Rules or as may be prescribed.

Principals of
Affiliated
Colleges and
Campus Colleges

6.-(1) There shall be a Principal for each Constituent, Affiliated, and Connected College who shall be recommended by the Senate from a list of three Professors or Associate Professors and 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.

(2) Subject to the Act, Regulations made thereunder, this Charter and the College's establishing instrument, the Principal shall:

- (a) 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 written law;
- (b) be responsible to the Vice-Chancellor, the Governing Board, the Senate and the Council in respect of all matters concerning the College; and
- (c) hold office for four years with eligibility for reappointment consecutively for one further term of four years.

(3) 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 and 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.

(4) Subject to the Act, Regulations made thereunder, this Charter and the College's establishing instrument, the Principal shall-

- (a) 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 written law;
- (b) be responsible to the Vice-Chancellor, the College Board, the Senate and the Council in respect of all matters concerning the College; and
- (c) hold office for three years with eligibility for re-appointment consecutively for one further term of three years.

Deputy
Principals of
Affiliated
Colleges and
Associate
Principals of
Campus Colleges

7.-(1) There shall be a Deputy Principal or Deputy Principals for each Constituent College, Affiliated College and Connected College or Associate Principal(s) for every Campus College, who shall be recommended by the Senate from a list of three academic staff of the rank of a Senior Lecturer and above and appointed by the Chancellor on the advice of the Council, after consultation with the College Governing Board or, as the case may be, the College Board, in such manner and upon such terms and conditions as the Council may prescribe.

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

(3) Each Deputy or Associate Principal shall-

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

(4) The Deputy or Associate College Principal responsible for academic matters shall normally deputize for the Principal during the Principal's absence from office.

Deans and
Directors

8.-(1) There shall be-

- (a) a Dean for every School and Faculty; and
- (b) a Director for the Library, every Institute, Centre and Directorate.

(2) The Dean of a School or Faculty or the Director of an Institute, Centre, the Library or, as the case may be, Directorate, shall be appointed by the Council.

(3) Where a vacancy occurs in the office of the Dean of a School or Faculty or a Director of an Institute, the Library, a Centre or Directorate, the Deputy Vice-Chancellor responsible for academic affairs shall, after consultation with the Senate and upon recommendations made by the Board of the School, Faculty, the Library, Institute, Centre or Directorate, submit to

Council the names of three academic members of staff of the rank of Lecturer and above and upon recommendation by Senate and Council, on the basis of a search committee processed through Senate and Council, who, in his opinion, are qualified and suitable for appointment as Dean of that School or Faculty or, as the case may be, as Director of the Library, Institute, Centre or Directorate.

(4) Where names are submitted to Council in accordance with the provisions of sub-rule (3), Council shall proceed to elect from amongst the persons whose names are submitted to it and arranged in priority order the name of one person for appointment to the post of a Dean or, as the case may be, a Director.

(5) Every Dean or Director appointed in accordance with this provision shall, subject to the provisions of this Charter and these Rules, hold office for a period of three years from the date of his appointment and may be eligible for re-appointment:

Provided that no one shall be appointed as such Dean or Director for more than two consecutive terms.

Associate Deans
and Associate
Directors

9.-(1) There shall be-

- (a) Associate Deans for every School and Faculty; and
- (b) Associate Directors for the Library, every Institute, Centre and Directorate who shall be appointed according to Rules or as shall be prescribed by the Council.

(2) Subject to sub-rule (3), the provisions of rule 8 shall apply *mutatis mutandis* to the appointment of an Associate Dean, and an Associate Director, the terms of office, powers, duties and other functions of Associate Deans Head of Department of Schools and Faculties and Associate Directors of Institutes, the Library, Centre and Directorates.

(3) An Associate Dean and Associate Director shall hold office for a period of three years and may be eligible for re-appointment for one further term.

Heads of
Departments

10.-(1) There shall be Heads of Academic department for every College, School, Faculty, Institute, Directorate, the Library, and Centres, as the case may be.

(2) The Head of academic departments shall be appointed by the Vice-Chancellor on the advice of the Board for the respective Colleges, Schools, Faculties, Institutes, Directorate, Centre, as the case may be, the Department.

(3) Where a vacancy occurs in the post of the Head of Department, the Deputy Vice-Chancellor responsible for academic affairs shall, after consultation with the Senate, and upon recommendations made by Board of College, School, Faculties, Institutes, Directorate, the Libraries, as the case may be, submit to the Vice-Chancellor the name of three members of academic staff of the rank of lecturer or above, who in his opinion, are qualified and suitable for appointment as Head of Departments.

(4) Every Head of Department appointed according to the provision of this rule shall, subject to the provisions of the Charter and these Rules, hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment:

Provided that no one shall be appointed as such Head of Department for more than two consecutive terms.

(b) *The Council*

Establishment
and Composition
of the Council

11.-(1) There shall be a Council of the University, consisting of not less than eleven and not more than twenty-one members, which, subject to sub-rule (2), shall be composed of-

- (a) a Chairman who shall be appointed by the President in the manner provided for under the Act;
- (b) the Vice-Chancellor who shall be an *ex officio* member;
- (c) one member who shall be appointed by the Chancellor;
- (d) one member who shall be appointed by the Minister responsible for Higher Education;
- (e) one member who shall be appointed by the Minister responsible for Education and Vocational Training;
- (f) one member who shall be appointed by the Minister responsible for Finance;
- (g) three members who shall be elected by the National Assembly from amongst the members of the National Assembly at least one of whom shall be a woman.
- (h) Two members who shall be appointed by the Minister responsible for Education for the Revolutionary Government of Zanzibar provided that one of whom shall be a woman.
- (i) one member who shall be appointed by the Committee of Vice-Chancellors and Principals of the Universities and University Colleges of Tanzania;
- (j) two members representing the Open University of Tanzania Workers Council one of whom shall be a woman;
- (k) one member who shall be elected by the Senate;
- (l) one member who shall be elected by the Convocation;
- (m) two members who shall be elected by the Students' Organization one of whom shall be a woman.

(2) In appointing or electing members or any member under sub-rule (1), each appointing or electing authority and the University shall ensure that-

- (a) the person(s) appointed or elected, as the case may be, has or have integrity and such interest in higher education related matters and experience as may enable him or them to make a meaningful contribution to the deliberations of the Council; and
- (b) the composition shall as far as possible consist of members of both sexes on equal basis, and so that, in any event, at least one-third of the membership shall be women.

(3) The provisions of the Third Schedule shall apply to the tenure of office and termination of the appointment of members of Council, the proceedings of Council and other matters in relation to the Council and its members provided for in the said Schedule.

Powers of
Council

12.-(1) Subject to the provisions of the Act, Regulations made thereunder, and the Charter, the governing and control of the University shall be vested in the Council.

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

- (a) to administer the properties of the University, both movable and immovable;

- (b) to administer the funds and other assets of the University;
- (c) to signify the acts of the University by use of the Common Seal;
- (d) on behalf of the University, to receive gifts, donations, grants or other moneys and to make disbursements therefrom to the Schools, Faculties, Institutes, Directorates, Centers and academic departments.
- (e) subject to the provisions of the Charter and these Rules, to appoint such officers of the University as it may deem necessary;
- (f) to do all such other acts and things as are or may be provided for in the Act, the Regulations made thereunder, the Charter or as may be prescribed.

The Secretary
to the Council

13.-(1) Council shall appoint a qualified and suitable person to be the Secretary to Council from amongst the names submitted by the Vice-Chancellor, provided that the Secretary to Council shall not be a member to Council.

(2) The Council, on recommendation of the Vice-Chancellor, may also appoint such number of officers to assist the Secretary as Council may consider necessary.

(3) The Secretary to Council shall also be Secretary to Senate, Legal Counsel to the University and shall have such other functions as may be conferred upon him by the Council.

Validity of acts
of the Council

14. No act or proceedings of Council shall be invalid by reason only of the number of the members not forming a *quorum* at the time of such act or proceedings, or of any defect in the appointment of any member of Council or the fact that any member of Council was at the time in question disqualified or disentitled to act as such.

(c) *The Senate*

Establishment
and composition
of the Senate

15.-(1) There shall be a Senate of the University which, subject to sub-rule (2), shall be composed of-

- (a) the Vice-Chancellor, who shall be the Chairman;
- (b) the Deputy Vice-Chancellors;
- (c) Deans of Schools and Faculties of the University;
- (d) two members appointed by the Chairman of Council from amongst the members of Council one of whom shall be a woman;
- (e) the Directors of the Institutes and the library;
- (f) Four Directors representing the Directors of regional centres two of whom shall be women.
- (g) four members appointed by the Vice-Chancellor at least two of whom shall be appointed from amongst members of the academic staff, and appointment shall take into account existing expertise in Tanzania, provided that two of whom shall be women; and
- (h) three members elected by the Students' Organization from amongst the students, at least one of whom shall be women provided that in electing the representatives, the Student

Organization shall take due regard to students who are academically strong.

(2) In appointing or, as the case may be, electing members or any member under this rule, the appointing or electing authority and the University shall ensure that the membership is drawn from among senior academic and administrative staff of the University and a few from other corresponding universities in the country.

(3) 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.

(4) The provisions of the Third Schedule to this Charter shall apply *mutatis mutandis* in relation to the tenure of office of members elected under sub-rule (1)(d) and (j), their retirement, the power to terminate their appointment and the appointment of a new member to fill any vacancy, and also in relation to the election of a temporary Chairman, *quorum*, proceedings and meetings of the Senate.

Functions of
the Senate

16.-(1) Subject to the Act, the Regulations made thereunder and this Charter, the Senate shall be the principal overall decision-making organ in respect of all academic matters of the University and, in that behalf, it shall be responsible to Council for the control and general regulation of education, instruction and research within the University and, in addition thereto, shall have the following functions-

- (a) to satisfy itself regarding the content and academic standard of any course of study offered by any School, Faculty, or Institute in respect of a degree, diploma, certificate or any other award of the University and to report its findings thereon to the Council;
- (b) with the approval of the Council to make by-laws-
 - (i) regarding the eligibility of persons for admission to courses for a degree, diploma, certificate or other award of the University;
 - (ii) with regard to the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University;
- (c) to regulate the conduct of examinations of the University, including, if any, pre-University or matriculation examination;
- (d) to decide whether any candidate for a degree, diploma, certificate or other award of the University has attained standards of proficiency prescribed in the by-laws made under paragraph (b) and is otherwise fit for the award of such degree, or grant of such diploma, certificate or other award of the University;
- (e) to consider recommendations made to it by a Board of a School, Faculty, Institute, Centre, the Library or Directorate, as the case may be, and to take such action thereon as it may consider appropriate;
- (f) to make proposals to Council on matters relating to the conduct of the University generally;
- (g) to perform such other functions as are or may be conferred upon it by the Act, Regulations made thereunder, this Charter and Rules made hereunder or by the Council;

- (h) to approve and transfer credit to and from any other university; and
- (i) to recommend students who have satisfied the requirement for graduation.
- (2) In respect of any matter in relation to which the Senate is required to report to Council or to make by-laws in accordance with the provision of subrule (1)(a) and (b), the Council shall not initiate any action in respect thereto until such report has been received from the Senate or, as the case may be, such by-laws have been made by the Senate and shall not reject any such report or by-laws without further reference to the Senate.

(d) Boards of Colleges, Schools, Faculties, Institutes, and the Library

Establishment
and composition
of Boards

- 17.-(1) There shall be established in respect of-
- (a) every Constituent and Connected College, 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) University Library, a Board of the University Library; and
 - (g) every Centre and every Directorate, a Board of the Centre and Directorate.
- (2) Subject to the Act, the Regulations made thereunder, the Charter, and these Rules, every Board for the Colleges, Schools, Faculties, Institutes and the Library shall be composed of-
- (a) the Dean of the Faculty, School Director of the Institute, Library who shall be the Chairman;
 - (b) Associate Deans, Directors;
 - (c) two members appointed by the Senate;
 - (d) two members elected to the Board by the students in that Faculty, Institute or School for which the Board is established, except that one member shall be a woman;
 - (e) six academic staff members elected by the Faculty or the Departments if any;
 - (f) three external members representing the professional bodies, other universities or key stakeholders; and
 - (g) an administrative officer of the College, School, Faculty, Institute and the Library who shall be the Secretary to the Board.

Functions of
Board

18. Subject to any general or specific directions of the Senate, every Board may-
- (a) approve all examinations results for the Faculty, School or Institute, as the case may be, and make recommendations to Senate;
 - (b) review and make recommendations to the Senate in respect of control and regulation of consultancy and teaching;
 - (c) make recommendations to the Senate on any matter pertaining to Colleges, Schools, Faculties, Institutes and the Library, as the case may be;

- (d) to release provisional results pending Senate's approval; and
- (e) do any other acts as it may be empowered by the Senate, the Charter and these Rules.

Meetings of the Board

19.-(1) The Board of Colleges, Schools, Faculties, Institutes and the Library may, subject to any directions of the Senate, meet at such intervals as it considers necessary and act in accordance with the directions of the Senate and shall report on discharge of its functions and actions to the senate in such manner and at such intervals as the Senate may direct.

(2) Subject to the directions of the Senate may regulate its own proceedings and set a quorum for its meetings.

(3) The provisions of this rule in relations to Boards of Colleges, Schools, faculties, Institutes and the Library, shall, *mutatis mutandis*, apply in respect of the Boards for the Departments and other Committees.

(4) In pursuance of the provisions of this Rule, the respective Boards specified under rule 17 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.

Validity of acts of Boards

20. No act or proceeding of Boards shall be invalid by reason only of the number of the members not forming a *quorum* at the time of such act or proceedings, or of any defect in the appointment of any member of the Board or the fact that any member of the Board was at the time in question disqualified or disentitled to act as such.

Establishment of other Boards and Committees

21.-(1) Council may establish such other Boards and Committees as it may consider necessary and subject to the provisions of the Charter or these Rules may delegate to any such Board or Committee any of its functions under these Rules.

(2) The number and composition of the members of a Board or Committee appointed under this rule shall be determined by the Council; Provided that-

- (a) at least one-third of the total number of members appointed to any such Board or Committee shall be appointed from amongst the members of Council; and
- (b) the provisions of Rule 17(2)(a), (c) and (d) shall apply, *mutatis mutandis*, to the composition of the Board or Committee.

(3) The *quorum* necessary for the conduct of any business of such Board or Committee appointed under this Rule shall be fixed by the Council.

(4) Where the Council establishes a Board or Committee under this rule, the Council shall elect one of its members to be the Chairman of the Board or, as the case may be, of the Committee.

(5) Where at any meeting of the Board or Committee established under this Rule the Chairman is absent, the members present may elect one of their members to be the Chairman at the meeting.

(6) Subject to the provisions of these Rules and any rules made hereunder in that behalf, and subject to any directions given by Council in that behalf, a Board or Committee established under this rule may regulate its own proceedings.

(7) For the purposes of this rule, the Deputy Vice-Chancellors and the Secretary to Council shall be deemed to be members of the Council.

(e) The Human Resource Management Committee

Establishment of the Human Resources Management Committee

22.-(1) There shall be a Human Resources Management Committee for the handling of appointments and related matters concerning Academic, Administrative and Technical Staff, which shall be composed of:

- (a) the Vice-Chancellor, who shall be the Chairman;
- (b) the Deputy Vice-Chancellor responsible for Human Resources Management, who shall be the Secretary;
- (c) The Deputy Vice-Chancellor responsible for Academic Research and Consultancy Affairs;
- (d) The Deputy Vice-Chancellor responsible for Regional Services;
- (e) Principals, Deans of Schools or Faculties, Directors of Institutes, Directorates and Library;
- (f) one member, who shall be a Senior Administrative Officer appointed by the Vice Chancellor;
- (g) two members, who shall be appointed by the Chairman of the Council from amongst members of Council who are not members of the Staff of the University;
- (h) one member appointed by the Minister for State Public Management;
- (i) one member appointed by the Minister of Finance; and
- (j) one member representing the Open University of Tanzania Workers council:

Provided that at least one third of the members shall be women.

(2) Where the Human Resources Management Committee meets to make or approve an appointment, in addition to the persons specified in sub-rule (1), the following persons shall be entitled to sit in the Committee as temporary members-

- (a) where the appointment is to be made to a Centre, the Director of the Centre; and
- (b) two members appointed by the Vice-Chancellor from amongst persons who, in the opinion of the Vice-Chancellor, are adequately qualified or have enough knowledge, skill and experience-
 - (i) in academic matters where the appointment is of academic staff;
 - (ii) in administration where the appointment is of administrative staff; and
 - (iii) in technical matters where the appointment is of a technical staff.

Functions of Human Resources Management Committee

23.-(1) The Human Resources Management Committee shall have the following functions:

- (a) recruitment and selection of all University Staff;
- (b) human resources planning;
- (c) promotion, discipline and discharge of functions;
- (d) staff development and welfare;
- (e) emoluments, compensation and benefits;
- (f) terms and conditions of development;
- (g) salaries and remunerations;
- (h) safety, health and security;

- (i) labour relations and industrial relations; and
- (j) such other functions as are or may be conferred upon it under these Rules or as may be delegated to it by the Council.

(2) The provisions of the Third Schedule to the Charter shall apply *mutatis mutandis* in relation to the tenure of office of the members of the Human Resources Management Committee appointed under rule 22, their retirement, the power to terminate their appointment, and the appointment of a new member to fill any vacancy, and also in relation to the election of a temporary Chairman, the *quorum*, proceedings and meetings of the Committee.

(3) The Vice Chancellor shall make rules for the procedure relating to the functions of the Committee.

Powers of
the Human
Resources
Management
Committee

24.-(1) The Human Resources Management Committee shall have power to make appointments to all offices of the academic, administrative and technical staff and other related matters, other than the offices of the Vice-Chancellor, Deputy Vice-Chancellor, Principal, the Dean and the Director, the Associate Dean and Associate Director.

(2) The Committee may delegate its powers under subrule (1) in relation to any office, to the Vice-Chancellor, a Deputy Vice-Chancellor, a Dean or a Director:

Provided that the Vice Chancellor may on behalf of the Human Resources Management Committee appoint Tutorial Assistants, Assistant Lecturers/Assistant Research Fellows/Assistant Librarians, Lecturers, Research Fellows/Librarians and the DVC responsible for academic affairs may appoint Part Time Teaching Staffs.

(f) *University Staff*

Academic
Staff

25. The Academic Staff of the University shall be composed of-

- (a) Vice-Chancellor;
- (b) Deputy Vice-Chancellor(s) responsible for Academic Affairs;
- (c) Deans of Faculties, Schools, institutes;
- (d) Directors of Institutes, the Library, Centres and Directorates responsible for academic programmes or affairs;
- (e) Associate Professors and Professors;
- (f) Tutorial Assistants, Assistant Lecturers, Lecturers and Senior Lecturers;
- (g) Assistant Research Fellows, Research Fellows, Senior Research Fellows, Associate Research Professors and Research Professors;
- (h) Tutorial Librarians, Assistant Librarians, Librarians, Senior Librarians, Associate Library Professors and Library Professors;
- (i) Part Time Teaching Staff of the University; and
- (j) such other members of staff of the University who are engaged wholly in teaching or research in any School, Faculty, Institute, the Library, Centre or Directorate.

Vacancy of
senior
academic
post

26.-(1) Where a vacancy occurs in any senior post on the academic staff or when the holder of such post is on leave or is absent from the United Republic 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, appoint an officer to act in such post until such time as the vacancy is filled in accordance with the provisions of this Charter and these Rules or, as the case may be, the substantive holder of the post resumes duty.

(2) While on an acting appointment made under sub-rule (1), the officer so appointed shall be paid an acting allowance at such rate as Council may prescribe or, in the absence of such prescription, as the Vice-Chancellor may direct.

Administrative
and
Technical
Staff

27.-(1) The Administrative Staff shall include-

- (a) the Deputy Vice-Chancellors responsible for Human Resources Management and Regional Services;
- (b) all other officers of the University who are not members of the Academic Staff.

(2) Technical Staff shall include-

- (a) all staff involved in information communication technologies;
- (b) laboratory technicians; and
- (c) all other staff dealing with technical matters.

Power to
abolish
offices

28. The powers of constituting and abolishing offices in the service of the University are vested in the Council:

Provided that nothing in this Rule shall affect the welfare and development of the University.

Power to
appoint
Staffs

29. Subject to the provisions of these Rules hereof, the powers of making any appointment to an office of the academic, administrative and technical staff are vested in the Council upon recommendation of the Human Resources Management Committee as guided by the Human Resources Management Policy.

Power to
terminate
appointments

30. Powers of dismissing or terminating the appointment of any officer by way of disciplinary action or of punishing any officer otherwise than by dismissal or termination of his appointment for any disciplinary offence are vested in the appointing authority as provided for by the Human Resources Management Policy.

Delegation
of powers

31. Council may, in writing, delegate any of the powers vested in it under these Rules to the Human Resources Management Committee, the Vice-Chancellor, the Deputy Vice-Chancellors or any other officer of the University, subject to such limitations as the Council may specify.

Exercise of
powers

32. Notwithstanding the provisions of rule 30, power to dismiss a University officer by way of disciplinary action shall not be exercised unless-

- (a) a disciplinary charge has been made against such officer;
- (b) the officer has had an adequate opportunity to answer such charge; and
- (c) an inquiry has been held into the charge in accordance with the provisions of rules made by Council in that behalf.

Terms of
employment

33. Terms and conditions of employment of University officers shall be such as may be prescribed by the Council.

PART III
ESTABLISHMENT OF COLLEGES, SCHOOLS, FACULTIES

Establishment of
Campus
Colleges

34.-(1) The Chancellor, acting upon a resolution of the Council after consultation with the Commission may by order published in the *Gazette*, establish Campus Colleges whose functions and powers shall be provided for by Rules:

Provided that where it is deemed necessary or appropriate in order to cater for specific needs or circumstances, the Council may add to, deduct from, modify or alter the functions and powers provided under Rules such functions or powers as the Council deems fit.

(2) A Campus College shall be answerable to the Senate and the Council in all matters concerning approval and validation of academic programmes, student admissions criteria, academic and senior administrative staff appointments including their terms and conditions of service, discipline, retirement benefits:

Provided that the Senate and the Council may, as they deem fit, delegate any one or more of the powers exercisable under this rule to the Campus Academic Committee and the College Board of a Campus College.

(3) A Campus College shall consist of such Schools, Faculties, Institutes, Centres or Directorates and Units as may be provided for by Rules.

Establishment of
Constituent
Colleges

35.-(1) The University where it deems fit, may establish Constituent colleges.

(2) Subject to the Act, the Regulations made thereunder and this Charter, the President may, on the advice of the Minister and the Commission, after consultation with the Council, grant a Charter to establish or declare a public institution of higher learning, education or training to be a Constituent college of the University.

(3) A Constituent college may-

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

(4) A constituent college shall-

- (a) be a semi-autonomous institution under the tutelage of the University for nurturance, during a transitional period, towards its eventual establishment as an independent University.
- (b) be established as a body corporate with legal personality, a common seal, perpetual succession and all the rights and privileges pertaining to a body corporate, except that a Constituent College shall have no right to grant or confer awards other than the awards of and in the name of the University.

Establishment of
Connected
Colleges

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

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

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

Establishment of
Associate
College

37.-(1) The Chancellor may, on the advice of the Council after consultation with the Commission, by order published in the *Gazette*, declare a higher institution of learning, education or training or a College, other than a Campus College, or a Constituent College a Connected College, to be an Associate College of the University.

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

Provided that-

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

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

Establishment of
schools,
Faculties etc.

38.-(1) The Schools, Faculties, Institutes, Libraries, Directorates and Centres specified in the Fourth Schedule hereto are declared to be Schools, Faculties, Institutes, the Libraries, Directorates and Centres of the University.

(2) The Council may, from time to time, on the advice of the Senate establish Schools, Faculties, Institutes, the Libraries, Centres or Directorates either in addition to, or in substitution of, the Schools, Faculties, Institutes, Libraries, Centres and Directorates specified in the Fourth Schedule hereto and may disestablish or reconstitute any one or more of these or combine any one or more of these with another or others to form a new or larger School, Faculty, Institute, Library, Centre or Directorate, as the case may be.

(3) The establishment, composition, Functions, procedure and powers of Schools, Faculties, Institutes, the Library and other Libraries, Centres or Directorates, and organs of governance thereof shall be provided for by Rules.

(4) The Board of a School or Faculty may, with the approval of the Senate and Council, establish such number of Academic Departments and Units as the Board may consider necessary and may in the same manner disestablish or reconstitute any one or more of these or combine any one or more of them with another or others to form new or larger departments or, as the case may be, units.

(5) The course of study to be conducted in any School, Faculty, Institute, the Library, Centre or Directorate, shall be determined by the Senate and may include degrees, diplomas and certificates programmes in various areas and fields of learning and knowledge such as arts, social sciences, commerce, business management, education, law, science, technology and environment, information and communication technology and any other area or field of learning and knowledge as the Senate may prescribe.

(6) The provisions of rule 37 shall, *mutatis mutandis*, apply to the establishment of status of Associate Institute, School, Centre or Directorate, as the case may be.

PART IV

ADMINISTRATION, WELFARE AND DISCIPLINE OF STUDENTS

(a) Administration and Welfare

Responsibility of
Deputy Vice-
Chancellor

39.-(1) Subject to the provisions of the Charter, and the appropriate applicable written law, the Deputy Vice-Chancellor responsible for Resources Management assisted by the Dean of Students shall be responsible for the proper, efficient and effective administration of University students' affairs in accordance with the provisions of the Rules prescribed in that behalf and with lawful written instructions and/or directives of any competent authority issued to him from time to time.

(2) Without prejudice to the generality of the provisions of sub-rule (1), the administration of the University students' affairs shall include, establishment of and overseeing the machinery for monitoring, coordinating, regulating, controlling, facilitating, the general conduct of students on campus or campuses of the University, colleges of the University and any other place or places where the affairs of the University in which students are involved may take place, be conducted, provided, organized or overseen by the University.

Students'
Welfare at the
University

40.-(1) Subject to the provisions of the Charter and these Rules, the Dean of Students shall be responsible to the Deputy Vice-Chancellor responsible for Resources Management, for the general welfare of University students, in accordance with the provisions of rules prescribed in that behalf and with lawful written instructions or directives of any competent authority issued to him from time to time.

(2) Without prejudice to the generality of the provisions of sub-rule (1), the general welfare of University students shall include:

- (a) arrangements for their studies within or outside University premises, general counseling and advice, recreation, physical fitness, dispute mediation and resolution, leisure trips, non-academic meetings on and off campus, as may be provided for

	under rules or otherwise lawfully prescribed in writing by competent authority; and (b) overseeing the smooth, proper, effective and efficient implementation of the provisions of this Part of the Rules, including the provisions of this Rule. (3) For the purpose of this rule the word "arrangements" in sub-rule (2) of this Rule includes measures or steps facilitating the procurement of facility or facilities, service or services, stated expressly or by implication in the sub-rule.
Students' Rules	41.-(1) Subject to the provisions of the Charter, the Council may make rules for the administration and general welfare of the students. (2) Rules made under sub-rule (1) may provide that the contravention of any such rule shall constitute a disciplinary offence or misconduct and may further provide the punishment that may be imposed for such disciplinary offence (3) Rules made under this Rule shall be published by the Council by order in the <i>Gazette</i> or the University <i>Prospectus</i> and every such rule shall be brought to the notice of the students in such manner as the Council may determine.
Council to make Rules	42.-(1) The Council may make Rules to ensure discipline amongst the students. (2) Rules made under sub-rule (1) may provide that the Contravention of any such rule shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence. (3) The rules made under this Rule shall be published in the University's <i>Prospectus</i> and every such rule shall be brought to the notice of the students in such manner as the Council may determine.
(b) Students' Organizations	
Establishment of Students Organization	43.-(1) There shall be established a Students' Organization of the Open University which shall be known by such name as may be agreed upon by its members and approved by Council, on the advice of Senate, by notice published in the <i>Gazette</i>. (2) Every University student shall be deemed to have become a member of the organization upon his registration, and his membership shall terminate upon the cessation of his registration as a student. (3) Affairs of the Organization shall be conducted in accordance with its constitution, which, together with amendments thereto and on recommendation of Senate, shall be approved by Council.
Functions of Students' Organization	44. Functions of the Students' Organization shall include- (a) to stimulate and promote meaningful discussion amongst University students on matters of academic and social interests; (b) to coordinate social and other functions for the purposes of enhancing the intellectual and cultural development of the University; and

- (c) to co-operate with other organs of the University in matters of general interest to the University and outside the Community of the University.

Other
Students'
Associations

45. There may be established other students' associations after approval by Council, on the advice of Senate, of their respective constitutions as shall be democratically proposed by members whose aims and objects are not contrary to the Students Organization, the Act, the Charter, these Rules and any other applicable written law:

Provided that any amendment to the constitution of such an organization shall be subject to approval by the Council on the advice of Senate.

(c) Disciplinary proceedings against students

Establishment of
students
disciplinary
authority

46.-(1) There shall be a disciplinary authority for student discipline which shall be composed of-

- (a) Deputy Vice-Chancellor responsible for Resources Management who shall be the Chairman;
- (b) Dean of Students who shall be the secretary;
- (c) three members elected by the Students' Organization;
- (d) two members elected by the Senate from amongst its members; and
- (e) Dean of the School or, as the case may be, Faculty, to which the student belongs, as temporary member.

(2) In appointing members under sub-rule (1) the appointing authority shall ensure that at least one third of the members is composed of women.

(3) The tenure of office of the members under paragraphs (c) and (d) shall be two years.

Investigation
of disciplinary
offences

47. Every charge of a disciplinary offence against a student shall be investigated by the Deputy Vice-Chancellor Responsible for Resources Management who shall impose such punishment as he may consider appropriate, after inquiring into the offence in accordance with the procedure prescribed by these Rules as the case may be, and upon being satisfied that the charge against the student has been proven.

Disciplinary
Authority to
delegate powers

48. The Deputy Vice-Chancellor responsible for Resources Management may, by writing under his hand, delegate, subject to such limitations as he may prescribe, all or any of the powers vested in him to a Dean or a Director.

Formal and
summary
proceedings

49.-(1) Disciplinary proceedings under this Part may be either formal or summary.

(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 it may warrant his dismissal or rustication from the University.

(3) Summary proceedings may 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 it may not warrant his dismissal or rustication from the University.

Institution of
formal
proceedings

(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 commission of neglect, offence or, in the case of a continuance of injury or damage, within fifteen days next after its cessation.

50.-(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 the disciplinary authority may consider necessary.

(2) 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.

(3) 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.

(4) 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 make representations which in the opinion of the disciplinary authority do not amount to a complete defence of the offence charged, the disciplinary authority shall appoint an inquiry officer or officers, to hold an inquiry into the charge.

(5) The inquiry officer or officers shall notify the accused student of the date, time and place at which the inquiry shall be held and the inquiry shall not be open to the public.

(6) The accused student shall have the right-

- (a) to appear before the inquiry officer or officers, examine witnesses and be heard in his own defence, save that failure by the accused student to appear at the inquiry shall not vitiate the proceedings;
- (b) to cross-examine any witness examined by the inquiry officer(s) or by the disciplinary authority;
- (c) to examine and make copies of any document produced as evidence against him;
- (d) to call witnesses on his own behalf and produce any document relevant to the inquiry.

(7) The inquiry officer(s) may take into consideration any evidence which he or they consider(s) 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 or them.

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

(9) A report under sub-rule (8) shall state-

- (a) whether, in the opinion of the inquiry officer(s), the charges against the accused student have been proved;
- (b) the reason or reasons for holding that opinion;

- (c) any fact which, in the opinion of the inquiry officer(s), aggravates or mitigates the gravity of the act or omission which was the subject matter of the charge; and
- (d) any other fact which, in the opinion of the inquiry officer(s), is relevant, but shall 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(s), make and record a finding whether or not the accused student is guilty of the disciplinary 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(s) as expressed in his or their report, the disciplinary authority shall record its reasons for the finding.

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

Institution of
summary
proceedings

51.-(1) Where the disciplinary authority decides to institute summary proceedings against an accused student, it shall cause a statement giving particulars of the charge or charges to be prepared and served upon the accused student.

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

(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 the right to appear at the investigation and make his defence, but failure or refusal by him to attend the investigation shall not vitiate the 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 stop the summary proceedings and institute formal proceedings in accordance with rule 50.

(5) Upon conclusion of the investigation, the disciplinary authority shall make a finding whether or not the accused student is guilty of the disciplinary offence or offences with which he is charged, and if it finds the accused student guilty, the disciplinary authority shall proceed to award such punishment as it may consider appropriate, except that under no circumstances, on an investigation under this Rule, shall the student be punished by dismissal or rustication from the University.

The
Disciplinary
Appeals
Committee

52.-(1) There is established a Committee to be known as the Students' Disciplinary Appeals Committee of the University.

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

- (a) a Chairman, who shall be appointed by the Council;
- (b) four members elected by Council from amongst its members, one of whom shall be a member elected to the Council by the Students' Organization; and

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

(3) The *quorum* of the meetings of the Students' Disciplinary Appeals Committee shall be the Chairman and four other members, one of whom shall be the member referred to in sub-rule (2)(c).

(4) The provisions of the Third Schedule to this Charter shall apply, *mutatis mutandis*, in relation to the nature of office of the members of the Students' Disciplinary Appeals Committee, their retirement, the power to terminate their appointment, and the 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.

Appeal by a
convicted
student

53.-(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 Students' Disciplinary Appeals Committee within thirty days of the decision of the disciplinary authority.

(2) Where a student wishes to appeal pursuant to sub-rule (1), he shall, within not more than twenty one (21) days of the decision of the disciplinary authority, give a written notice of his intention to so appeal to the disciplinary authority which shall forthwith submit it to the Chairman of the Students' Disciplinary Appeals Committee.

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

(4) On an appeal under this rule, the Students' 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; or.

(c) uphold the finding and reduce or enhance the punishment imposed upon the student.

(5) Notwithstanding sub-rule (4)(c), where the investigation of the offence by the disciplinary authority was conducted in accordance with the summary procedure prescribed by rule 50, the Students' Disciplinary Appeals Committee shall not enhance the punishment to dismissal or rustication from the University.

Decision of
the
Disciplinary
Appeal
Committee

54. Subject to the provisions of these Rules relating to appeals to the Students' Disciplinary Appeals Committee, no decision of an inquiry officer or the Students' Disciplinary Committee shall be subject to review by any Court.

PART V

DISCIPLINE OF STAFF AND TOP EXECUTIVE OFFICERS

Establishment
of the Staff
Disciplinary
Committee

55. There shall be a Staff Disciplinary Committee which shall consist of the following members:

(a) a Chairman, who shall be the Deputy Vice-Chancellor responsible for Resources Management;

(b) Deputy Vice-Chancellor responsible for academic affairs;

(c) Deputy Vice-Chancellor responsible for regional services;

- (d) a legally qualified person with at least five years experience of practice as a state attorney, advocate, magistrate or judge and who does not hold any post at the University, who shall be appointed by Council;
- (e) three members, one from the Academic Staff and the other from the Senior Administrative Staff and Technical Staff chosen by the Vice-Chancellor; and
- (f) a representative of the University's Workers' Union at the University.

Powers of
dismissing or
terminating

56.-(1) Subject to the Act, Regulations, this Charter and Rules made hereunder the powers of dismissing or terminating the appointment of any member of Academic Staff, or terminating Senior Administrative Staff or Support Staff other than the Vice-Chancellor and the Deputy Vice-Chancellor, by way of disciplinary action or of punishing any member of the Academic, Administrative or Technical Staff otherwise than by dismissal or termination of his appointment, for any disciplinary offence or misconduct shall be vested in the appointing authority.

(2) Three members of the Staff Disciplinary Committee, including the Chairman, shall form a *quorum* and the Chairman shall have a casting vote in addition to his deliberative vote in the event of equal votes.

(3) Charges of disciplinary offence or misconduct against academic members of staff, senior administrative staff or technical staff other than the Vice-Chancellor and the Deputy Vice-Chancellors, shall be handled in accordance with the provisions of Rules 30 and 31 and a recommendation shall be made to the Vice-Chancellor through the Deputy Vice-Chancellor responsible for Resources Management for imposition of such punishment as the Human Resources Management Committee exercising its powers under these rules, may deem justified.

(4) All matters concerning discipline of staff, other than members of staff of the rank of Associate Professor, Professor of Affiliated or Adopted institutions, namely Constituent and Connected Colleges and staff of Associate Colleges, Schools, Institutes, Centres and Directorates shall be dealt with in accordance with their respective enabling legal instruments and/or other applicable written law.

(5) All matters of discipline of members of staff of the rank of Professor or Associate Professor of Affiliated or Adopted institutions, namely, Constituent and Connected Colleges, shall be dealt with in accordance with these Rules.

(6) Charges of disciplinary offence or misconduct against other members of staff and junior technical staff shall be handled in accordance with the provisions of rule 30 and a recommendation shall be made to the Vice-Chancellor through the Deputy Vice-Chancellor responsible for Resources Management and imposition of such punishment as the Human Resources Committee exercising its powers under rule 28 may deem justified.

Discipline of
top Executive
Officers

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

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

- (a) the right of the accused to know the nature of the disciplinary offence or misconduct he stands accused of;
 - (b) the right to be granted a fair opportunity for self-defence; and
 - (c) the right to be judged without bias.
- (3) If the charge is established against the officer, where the Council is the appointing authority, it shall make a decision as it deems fit, or where the Council is not the appointing authority, and, if it deems it proper, it may refer the findings to the Appointing Authority:

Provided that-

- (a) two-thirds majority vote at a special meeting of the Council shall be necessary for the Council to decide or, as the case may be, recommend to the appointing authority that a Vice-Chancellor or Deputy Vice-Chancellor be removed and replaced;
 - (b) where the Council does not deem it proper to refer the findings to the appointing authority for a decision, the Council shall itself decide on what measure, other than a punitive measure is to be taken against the officer and shall forward such a decision to the appointing authority for endorsement;
 - (c) if the appointing authority does not endorse the decision of the Council, it may substitute its own decision after consultation with the Council where such consultation is deemed fit.
- (4) If the charge is not established against the officer in question, it shall be dropped and the officer shall be informed in writing of that outcome forthwith.
- (5) All matters concerning discipline of top executive officers, of-
- (a) Affiliated or Adopted institutions, namely Constituent and Connected Colleges shall be dealt with in accordance with these Rules;
 - (b) Associate Colleges, Schools, Institutes, Centres and Directorates shall be dealt with in accordance with their respective enabling legal instruments and/or other applicable written law.

Staff
Disciplinary
Appeals
Committee

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

- (2) The Staff Disciplinary Appeals Committee shall be composed of-
- (a) a Chairman who shall be appointed by the Chancellor from amongst the members of Council;
 - (b) one member appointed by the Chancellor from within or outside the University, who shall be Vice-Chairman of the Committee;
 - (c) three members elected from amongst the members of the Council;
 - (d) two representatives appointed by the Vice-Chancellor from the Workers' Union at the University; and
 - (e) a legally qualified person with ten years experience of practice as State Attorney, Advocate, Magistrate or Judge, who shall be appointed annually by the Council from outside the University Community.

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

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

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

(6) The procedure for appeals by other Staff from the decisions of the Staff Disciplinary Committee shall, in respect of disciplinary decisions of the said Committee, follow the procedure under the Security of Employment Act, 1964 or the provisions of any other applicable written law and in the case of other decisions shall be as prescribed by Rules or as prescribed by the directives of the Council.

Disciplinary
Appeals Board

59.-(1) Subject to the Charter and these rules and any other applicable written law, the provisions of rule 57 shall apply, *mutatis mutandis*, in respect of the appeals by the Vice-Chancellor or a Deputy Vice-Chancellor, as the case may be.

(2) Any recommendation for disciplinary action including removal and replacement or dismissal from or termination of service, made under Rule 56 against the Vice-Chancellor or any one of the Deputy Vice-Chancellors, shall be open to contestation by the affected person before the Council which shall submit a recommendation to the Appointing Authority who may act on the Council's recommendation, or appoint an *ad-hoc* Committee with terms of reference for investigating and recommending the action to be taken; and on receipt of the *ad-hoc* Committee's findings as to the guilt or innocence of the accused person, accept or reject the recommendation submitted by the Council.

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

PART VI

CONVOCATION, ALUMNI AND OTHER STAFF ASSOCIATIONS

The
Convocation of
the University

60. There shall be a Convocation of the University which shall consist of-

- (a) the Vice-Chancellor;
- (b) the Deputy Vice-Chancellor(s);
- (c) Principals;
- (d) Deputy Principals;
- (e) Deans, Directors, Deputy Deans and Deputy Directors;
- (f) all members of the academic staff; and
- (g) all persons who become graduates of the University;
- (h) such other persons as the Chancellor may, upon recommendation by the Council, appoint to be members of the Convocation.

Convocation Roll	61. Deputy Vice Chancellor Resource Management shall cause to be compiled and maintained a convocation roll in which he shall enter the names of all persons who are for the time being members of the convocation.
Meeting of Convocation	62. The Convocation shall have the right to meet and discuss any matter within the sphere of competence of the University and to transmit any resolution arising from such discussion to the Chancellor or to the Council or to the Senate, as the Convocation may consider appropriate.
President of Convocation	63.-(1) The Convocation shall at its first meeting elect from amongst its numbers the President of the Convocation. (2) The President of the Convocation shall, subject to his continuing to be qualified to be member of the Convocation and unless he resigns, hold office for a period of three years and shall be eligible for re-election.
Procedure of Convocation	64.-(1) The Deputy Vice Chancellor Resource Management shall be the Secretary of 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 the 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 of the Convocation is absent the members present may elect from amongst their number a temporary Chairman who shall preside over that meeting. (6) Fifteen members shall constitute a quorum for meeting of the Convocation. (7) A decision shall be made by the majority of the members present and voting at a meeting of the Convocation. (8) In the event of an equality of votes, the President of the Convocation 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 any defect in the appointment of any member of the convocation or by reason only of the fact that a person who is entitled to be member of the Convocation has not been registered in the Convocation roll.
Report on business of Convocation	65.-(1) Deputy Vice-Chancellor Resources Management 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 Deputy Vice-Chancellor Resources Management shall send a copy of the minutes of every meeting of the Convocation to the Chancellor.
Alumni Associations of the University	66.-(1) The Council may approve the establishment of an Alumni Association of the University or discipline-based alumni associations whose affairs shall be governed by its or their constitution(s) which shall be subject to approval by the Council including amendments thereof. (2) An Alumni Association of the University whose establishment is approved under sub-rule (1), shall have the right to transmit its resolutions

to the Council and the Senate and may exercise such other functions and enjoy such other privileges as Rules may provide.

(3) A discipline-based alumni association whose establishment is approved under sub-rule (1), shall have the right to transmit its resolutions to the Board of the Campus Colleges School, Faculty, Institute, the Library, Centre or, as the case may be, Directorate under which the association's base discipline falls.

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

Staff
Associations

67.-(1) The Council may approve the establishment of staff associations representative of the staff of the University.

(2) The staff association whose establishment is approved under sub-rule (1), shall have the right to transmit its resolutions to the Council and the Senate and may exercise such other functions and enjoy such other privileges as Rules may prescribe.

(3) 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 associations whose objects and constitutions are not in conflict with the objects of the University and the provisions of any other written law.

(4) The affairs of the staff associations, including membership, shall be governed by its constitution.

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

PART VII FINANCIAL PROVISIONS

Management of
University
property

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

University
Funds

69. Funds and resources of the University shall consist of-

- (a) such sums as may be provided for the purposes of the University by Parliament, either by way of grant or loan;
- (b) such sums as the Council may borrow for the purposes of the University;
- (c) such sums as may in any manner become payable to or vested in the University either under the provisions of this Charter and these Rules or as incidental to the carrying out of its functions;
- (d) such sums as may be obtained through donations, grants, gifts, fund raising, self generated income, charities or bequests by benefactors;
- (e) such sums as may accrue to the University from investments, leases, licences, consultancies and other services of the University; and
- (f) such other funds as may be lawfully obtained.

Investment of University funds Cap. 53	70. Council shall have power to invest University funds in such investments or assets, and subject to conditions as are prescribed by the Trustees Investment Act in relation to investment of funds by a trustee.
Financial Year	71. Notwithstanding the financial year, Council may determine any other period of twelve consecutive months which shall constitute the financial year of the University: Provided that 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 longer or shorter than twelve months, shall be regarded as if it were a financial year.
Annual budget estimates	72.-(1) At least two months before the commencement of any financial year, the Director of Finance and Accounts shall prepare or cause to be prepared for the approval of Council, annual estimates of revenue and expenditure of the University for the ensuing financial year. (2) 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 sub-rule (1). (3) Annual estimates shall contain provisions for estimated expenditure during the ensuing financial year and, in particular- (a) for payment of salaries, allowances, passages and other charges in respect of officers of the University including the Vice-Chancellor, and the Deputy Vice-Chancellors; (b) for research, and publications and other academic matters; (c) for payment of allowances, fees and expenses in respect of members of the Council, the Senate, the Convocation and other Boards and Committees; (d) for payment of all pensions, gratuities and other charges in respect of retiring benefits which are payable out of the funds of the University; (e) for payment of 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; and (g) for the creation of such reserve funds to meet future contingent liabilities as the Council may think fit. (4) No expenditure shall be incurred for purposes of the University except in accordance with the provisions of annual estimates, or any supplementary estimates approved by Council. (5) A copy of the annual estimates and of every supplementary estimate, if any, shall immediately after approval be forwarded to the Minister.
Accounts of University	73.-(1) Council shall cause to be kept proper books of account and shall, as soon as is practicable after the end of each financial year, cause to be made a statement of accounts relating to such financial year together with- (a) a statement of income and expenditure during such financial year; and

Cap. 286 (b) a statement of the assets and liabilities of the University on the last day of such financial year to be submitted to and audited by a person registered as an auditor under the Accountants and Auditors (Registration) Act, as appointed by the Council on such terms and conditions as the Council may determine.

Cap. 348 (2) Copies of the statements referred to in sub-rule (1) and a copy of the auditor's report, and any other document as may be required by the Public Finance Act and any other written law in force shall be forwarded to the Commission and the Chancellor.

Financial report of Vice-Chancellor
G.N. No. 132 of 2001 74. The Vice-Chancellor shall at the end of each financial year, prepare an annual financial report as required by the Public Finance Regulations on the activities of the University during that financial year and submit such report to the Commission, Chancellor and the Minister.

Financial report to be tabled in the National Assembly 75. The Minister shall cause to be laid before the National Assembly as soon as may be practicable-
(a) copies of the statements referred to in rule 73(1);
(b) a copy of the auditor's report, if any; and
(c) a copy of the Vice-Chancellor's report.

PART VIII MISCELLANEOUS PROVISIONS

Rules 76.-(1) The Council may make rules for the better carrying out of the purposes of the Charter, and without prejudice to the generality of the foregoing, may make rules-
(a) prescribing the degrees, diplomas, certificates and other awards which may be conferred and granted by the University;
(b) prescribing the conditions which must be satisfied before the granting of any (degree, diploma or other) 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) regulating the administration of any School, Faculty, institute, the Library, Centre or Directorate established under the Charter;
(e) prescribing the manner in which By-laws made by the Senate shall be submitted to the Council for its approval;
(f) regulating the conduct of examinations;
(g) prescribing fees for admission to the University, Colleges, or Institutes, established under the Charter;
(h) prescribing fees payable by the candidates for the examinations held or conducted by the University;
(i) prescribing fees payable by members of the public for the consultancy services conducted or authorized by the University;
(j) providing for or regulating disciplinary proceedings against the officers of the University;
(k) providing for the general welfare of students;

- (l) prescribing anything which may be prescribed under this Charter and these Rules;
 - (m) prescribing for the administration of students;
 - (n) governing any matter in respect of which Rules may be made under this Charter and the Rules made thereunder;
 - (o) 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; and
 - (p) providing for the delegation of the powers of Council.
- (2) Provisions made under this rule shall be published in the *Gazette* and the *Prospectus* of the University.

Allowances

77. Council may issue directions prescribing allowances payable to the members of Council its Committees and other committees established by the Senate.

Principles of natural justice

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

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

Indemnity for *bona fide* acts

79. No matter or thing done by any member, or officer, the Council, Senate, Convocation or a Board shall, if done *bona fide* in the execution or in the purported execution of the functions of such Council, Senate, Convocation or Board, as the case may be, render such member or officer personally liable for such matter or thing.

Proceeding not to be invalidated

80. No act or proceeding of the Senate shall be invalid by reason only of any vacancy in the membership thereof, 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.

Special needs of vulnerable persons

81.-(1) In the 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 paid to persons with special needs.

(2) Without prejudice to the generality of sub-rule (1), the Library of the University, including its branches wherever they may be, shall be so constructed or structured, set up and equipped as to cater, as far as possible, for the needs specified under sub-rule (1).

(3) The principle of representation of persons with special needs shall be observed and implemented whenever a board, committee or other organ or body of the University, including its affiliated and campus institutions, is formed or established to perform a function or functions involving matters that may affect the interests of staff and/or students with common special needs such that at least one of the members of the board, committee or organ or body, as the case may be, shall be a person with special needs.

Gender Equity
Principles

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

SECOND SCHEDULE

(Under Article 8)

PROVISIONS RELATING TO THE SEARCH COMMITTEE

1. There shall be a Search Committee for making recommendations to the President for appointment of a Chancellor and on the basis of terms of reference prescribed by Council.

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

3. There shall be Search Committee for making recommendations to the Vice Chancellor for appointment of Deputy Vice Chancellor.

4. The Search Committee shall consist of three members, at least one of whom shall be a woman, who shall be nominated by the Council from amongst non-University staff.

5. The Chancellor shall appoint a Vice-Chancellor from out of a list of not more than three persons, recommended by the Search Committee constituted under Rule 3:

Provided that, if the Chancellor does not approve any of the persons so recommended he may call for a fresh recommendation.

THIRD SCHEDULE

(Under Article 17)

PROVISIONS RELATING TO THE COUNCIL

Tenure of
office

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

(2) Subject to the provisions of this Schedule, the term of office of all members of the Council other than the Chairman and the *ex-officio* members shall be three years and all such members shall retire on the last day of June of the third year; and, on the last day of June of every third year, their places shall be filled by the newly appointed or, as the case may be, elected members who shall come into office immediately upon such retirement:

Provided that-

- (a) nothing in this Schedule shall be construed as preventing any person otherwise eligible to be appointed or elected as a member from being reappointed or, as the case may be, re-elected for another term of office;
- (b) in the case of a member elected by the National Assembly, he shall cease to hold office if at any time prior to the date of his retirement he ceases to be a member of the National Assembly;

	(c) in the case of a member elected by the Students' Organization, he shall cease to hold office if at any time prior to the date of his retirement under this paragraph, he ceases to be a student. (3) Nothing in sub-Paragraph (2) shall be construed as preventing any appointing authority from terminating the appointment of any member appointed or elected by it, prior to the date when such member is required to retire from office under paragraph 1.
Termination of membership	2. 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 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 membership	3.-(1) Where any member of the Council ceases to be such a member by resignation or death, or by virtue of the operation of the <i>proviso</i> to Paragraph (2), or is unable to perform his functions as such member by reason of his absence from the United Republic or by reason of any infirmity of body or mind, or where the appointing authority terminates his appointment under paragraphs (2), 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 only, it may appoint or, as the case may be, elect a temporary member to take his place, and such temporary member shall have, so long as he remains a temporary member, all the powers and functions of a member of Council: Provided that on the resumption of office by the substantive member, the temporary member shall cease to hold such office.
Deputy Vice-Chancellor to attend meetings	4. The Deputy Vice-Chancellor responsible for Resources Management shall have the right to be present at every meeting of the Council and to participate in its deliberations but shall have no right to vote unless he is elected to be a member of the Council.
Vice-Chairman	5. The Council shall elect one of its members to be the Vice-Chairman and any member elected as Vice-Chairman shall, subject to his continuing to be a member, hold office of Vice-Chairman for a term of three years from the date of his election, and shall be eligible to be re-elected.
Chairman to preside all meetings	6.-(1) The Chairman shall preside at all meetings of Council. (2) Where at any meeting of Council, the Chairman is absent, the Vice-Chairman shall preside. (3) In the absence of both the Chairman and the Vice-Chairman at any meeting of Council, the members present may, from amongst their number, elect a temporary Chairman who shall preside at that meeting. (4) The Chairman, Vice-Chairman or temporary Chairman presiding at any meeting of Council, shall have a vote and, in the event of any equality of votes, shall have a casting vote in addition to his deliberative vote.
Meetings of the Council	7.-(1) Subject to this Charter and any general or specific direction by the Chancellor, 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-Chancellor:

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

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

Quorum

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

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

Decision making

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

(2) Notwithstanding the foregoing provisions of this Schedule, decisions may be made by the Council without a meeting, by circulation of the relevant papers among the members and the expression of the views of the majority thereof in writing:

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

The Seal of The University

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

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

(a) the Vice-Chancellor;

(b) the Deputy Vice-Chancellor responsible for Resources Management; or

(c) such person or persons appointed in writing by the Vice-Chancellor in that behalf, and the person or persons present shall sign over or underneath the sealing witness thereof and

(d) one member of the Council.

(3) Subject to rule 12(2), all conveyances, transfers, contracts, guarantees, agreements, bonds, authorities, mortgages, charges, bills of exchange, promissory notes, bank drafts, letters of credit, securities and other instruments to which the University is a party shall be executed on behalf of the University by-

(a) the Vice-Chancellor;

(b) the Deputy Vice-Chancellor responsible for Resources Management; or

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

Council to

12. Subject to the provisions of this Schedule, the Council may regulate its own meetings.

regulate its
proceedings

FOURTH SCHEDULE

(Under Article 21)

FACULTIES, INSTITUTES, LIBRARIES AND CENTRES OF THE UNIVERSITY

1. The following Faculties are declared to be Faculties of the University:-
 - (a) the Faculty of Arts and Social Sciences;
 - (b) the Faculty of Business Management;
 - (c) the Faculty of Education;
 - (d) the Faculty of Law;
 - (e) the Faculty of Science, Technology and Environmental Studies;
2. The following Institutes are declared to be Institutes of the University:
 - (a) the Institute of Continuing Education;
 - (b) the Institute of Educational Technology; and
 - (c) ODeL Centre.
3. The following are declared to be Libraries of the University-
 - (a) The Open University of Tanzania main Library;
 - (b) Arusha mini Library;
 - (c) Coast mini Library;
 - (d) Dodoma mini Library;
 - (e) Ilala mini Library;
 - (f) Iringa mini Library;
 - (g) Kagera mini Library;
 - (h) Kigoma mini Library;
 - (i) Kilimanjaro mini Library;
 - (j) Kinondoni mini Library;
 - (k) Lindi mini Library;
 - (l) Manyara mini Library;
 - (m) Mara mini Library;
 - (n) Mbeya mini Library;
 - (o) Morogoro mini Library;
 - (p) Mtwara mini Library;
 - (q) Mwanza mini Library;
 - (r) Pemba mini Library;
 - (s) Rukwa mini Library;
 - (t) Ruvuma mini Library;
 - (u) Shinyanga mini Library;
 - (v) Singida mini Library;
 - (w) Tabora mini Library;
 - (x) Tanga mini Library;
 - (y) Temeke mini Library;
 - (z) Zanzibar mini Library
4. The following are declared to be Regional Centres of the University-
 - (a) Arusha;

- (b) Coast;
- (c) Dodoma;
- (d) Ilala;
- (e) Iringa;
- (f) Kagera;
- (g) Kigoma;
- (h) Kilimanjaro;
- (i) Kinondoni;
- (j) Lindi;
- (k) Manyara;
- (l) Mara;
- (m) Mbeya;
- (n) Morogoro;
- (o) Mtwara;
- (p) Mwanza;
- (q) Pemba;
- (r) Rukwa;
- (s) Ruvuma;
- (t) Shinyanga;
- (u) Singida;
- (v) Tabora;
- (w) Tanga;
- (x) Temeke; and
- (y) Zanzibar

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

The State House,
Dar-es-Salaam .

JAKAYA MRISHO KIKWETE,
President