



The United Republic of Tanzania

THE NELSON MANDELA
AFRICAN INSTITUTE OF SCIENCE AND
TECHNOLOGY
(NM-AIST)

CHARTER AND RULES, 2013

The State House
Dar es Salaam
Tanzania

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THE NELSON MANDELA AFRICAN INSTITUTION OF SCIENCE AND TECHNOLOGY
(NM-AIST) CHARTER, 2013

ARRANGEMENT OF ARTICLES

PART I
PRELIMINARY PROVISIONS

<i>Article</i>	<i>Title</i>
1.	Citation.
2	Interpretation.

PART II
ESTABLISHMENT OF THE UNIVERSITY

3.	Establishment of the University.
4.	Vision, Mission and Emblem of the University.
5.	General Objects.
6.	Objects and Functions of the University.
7	Powers of the University.
8.	Membership of the University.

PART III
ADMINISTRATION OF THE UNIVERSITY

9.	The Chancellor.
10.	The Vice Chancellor.
11.	Deputy Vice Chancellors.

12. Principals of University Colleges.
13. Deputy Principals of University Colleges.
14. The Deans of Schools.
15. The Directors of Institutes, Centres, the Library and Directorates.
16. The Deputy Deans and Directors.
17. Staff of the University.
18. The Council.
19. The Senate.
20. Constituent, Connected, Adopted and other affiliated institutions.
21. Campus Colleges.
22. Institutes, Schools, Centres, Library, and Directorates.

PART IV ASSOCIATIONS AND ORGANIZATIONS

23. The Convocation and Alumni Associations.
24. Staff Associations.
25. The Students' Organization, Other Students' Organizations.

PART V SUBSIDIARY LEGISLATION

26. What Rules in Schedules may Prescribe or Regulate.
27. The Schedules to Remain in Force.
28. Council may make Amending or Repealing Rules.
29. What Rules in the Schedule(s) may direct.
30. Powers of Council to make Rules.
31. Powers of Senate to make By-laws.
32. Powers to amend By-laws.

PART VI MISCELLANEOUS PROVISIONS

33. No Gender Discrimination.
34. Gender Balance Principle to be observed.
35. No Test of Religion, Race, Ethnicity and Disability.
36. Provision of Suitable Environment for Teaching and Learning.
37. Prohibition on Declaration of Dividend.
38. Amendment of the Charter.
39. Revocation of the Charter.

THE UNIVERSITIES ACT, 2005,
(CAP. 346)

GRANT OF CHARTER OF INCORPORATION

(Made under Section 25)

CHARTER OF INCORPORATION OF NELSON MANDELA AFRICAN INSTITUTION OF
SCIENCE AND TECHNOLOGY (NM-AIST)

PREAMBLE

WHEREAS the Nelson Mandela African Institution of Science and Technology (NM-AIST) has applied to the Tanzania Commission for Universities (TCU) for the grant of a Charter in the manner prescribed under the Universities Act, 2005 and Regulations made thereunder;

WHEREAS the Tanzania Commission for Universities (TCU) has visited and inspected the said Nelson Mandela African Institution of Science and Technology (NM-AIST) and is satisfied that the objects of the Nelson Mandela African Institution of Science and Technology (NM-AIST) are consistent with the advancement of university education in Tanzania;

WHEREAS the Tanzania Commission for Universities (TCU) is also satisfied that the Nelson Mandela African Institution of Science and Technology (NM-AIST) has complied with the provisions of the Universities Act, and the Universities (Chartering, Registration and Accreditation Procedures) Regulations.

WHEREAS the Tanzania Commission for Universities (TCU) after being satisfied with the University's draft

Cap. 346
GN. No.
39 of 2006

Charter submitted it to the Minister responsible for Higher Education, with a recommendation that the Nelson Mandela African Institution of Science and Technology (NM-AIST) be granted the Charter;

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 and the Eastern Africa region generally;

Cap. 346 NOW, THEREFORE, in exercise of the powers conferred upon me by section 25(2) of the said Universities Act, I, **Dr. JAKAYA MRISHO KIKWETE**, President of the United Republic of Tanzania hereby grant and order with effect from the ... day of, 20 as follows:

PART I
PRELIMINARY PROVISIONS

Citation 1. This Charter may be cited as the Nelson Mandela African Institution of Science and Technology (NM-AIST) Charter 2013 and shall be deemed to have come into operation on July, 2009.

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

Cap. 346 "Act" means the Universities Act;
"By-laws" means, where the context fits, By-laws made by the Senate under the powers conferred by the Act, the rules made thereunder, this Charter to which sanction is not hereby or by Subsidiary Legislation required;
"Commission" means the Tanzania Commission for Universities;
"comprehensive education" means education offered in a comprehensive university;

- "Comprehensive University" means a university designated as such and offers: extensive academic choices, professional and pre-professional programmes, distinguished programmes relevant to needs of stakeholders, state of the art facilities, exposure to international matters, and training to all people with all abilities;
- "emblem" means the emblem of the university as provided in Article 4(3);
- "fabrication of result" under Article 7(d) occurs when a candidate claims deceitfully to have carried out tests, research, experiments or observations as part of her or his assessed work, or presents fabricated results arising from the same with the object of gaining an unfair advantage;
- "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 for the University;
- "Minister" means the Minister responsible for Higher Education;
- "official seal" means the common seal of the University as provided in Article 3(4);
- "plagiarism" under Article 7(d) occurs whenever a candidate for an award of the University appropriates the writings or results of another person, whatever the medium (text, written or electronic; computer programs; data sets; visual images, whether still or moving) and dishonestly presents these as his or her own;
- "President" means the President of the United Republic of Tanzania;
- "Regulations" means Regulations made by the Minister for the time being responsible for higher education in accordance with the Act, and any Regulations amending, adding to or repealing the same or any of them, which may hereafter be made;
- "Rules" means Rules made in accordance with this Charter;
- "Schedules" means Schedule(s) made under this Charter;

“sister institutions in the AISTs network” means sister institutions in the African Institutions of Science and Technology (AISTs) network

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

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

(4) Wherever it appears in this Charter masculine gender shall include feminine and vice-versa.

PART II

ESTABLISHMENT OF THE UNIVERSITY

The Nelson
Mandela
African
Institution of
Science and
Technology

3.-(1) There is hereby established a university to be known as the Nelson Mandela African Institution of Science and Technology (NM-AIST).

(2) The University shall be a research based institution of science, engineering and technology where all academicians (faculty, students, research chairs and research fellows) engage in rigorous responsible and responsive research and innovation that focus on the needs and problems of the Society and Industry.

(3) The University shall have a unique status of catering for the Eastern African region and *modus operandi* as well as conditions of service for its staff commensurate with that unique status.

(4) The unique status shall enable the University to maintain comparability and staff mobility with sister institutions in the African Institutions of Science and Technology (AISTs) network, and thereby attract, motivate and retain its staff.

(5) The University shall be a body corporate with perpetual succession and a Common Seal, and shall in its corporate name be capable of-

- (a) suing and being sued;
 - (b) taking, purchasing or otherwise acquiring, holding, charging, leasing, licensing the use of, hiring and hiring out and disposing of any movable or immovable property;
 - (c) from time to time borrowing such sums of money as it may require for its purposes;
 - (d) investing in land, debenture stocks, preferential shares, units in unit trusts and other securities with the approval of the Council;
 - (e) doing or performing all such other things or acts as are necessary for the proper performance of its functions under, and for the furtherance of the provisions of, the Charter and which may lawfully be done or performed by a body corporate;
- (6) The Common Seal of the University shall-
- (a) be kept in such custody as the Council directs and shall not be used except in accordance with an order or direction of the Council;
 - (b) be authenticated by the signature of the Vice-Chancellor, or the Deputy Vice Chancellor responsible for Planning, Finance and Administration, or such other officer of the University as the Vice Chancellor may appoint on that behalf in writing.
 - (c) when affixed to any document and duly authenticated under this Article, be judicially and officially noticed and, unless the contrary is proved, any necessary order or authorization of the Council under this Article shall be presumed to have been duly given.

Vision,
Mission and
Emblem of the
University

4.-(1) The vision of the University shall be a world-class institution of higher learning dedicated to academic freedom and the pursuit and promotion of excellence in science, engineering and technology, and their applications for economic growth and sustainable development in Africa.

(2) The mission of the University is to deliver and promote high quality and internationally competitive teaching and learning, research and innovation, and public service in science, engineering and technology, for enhanced value-addition to people and natural resources, emphasizing entrepreneurship with a view to stimulating, catalyzing and promoting sustainable development in Africa.

(3) The University shall have an emblem, bearing the words "The Nelson Mandela African Institution of Science and Technology" and reflecting its vision and mission, or such design, form, attributes, characters or content as the Council may, upon advice of the Senate, prescribe.

General
Objects

5.-(1) The general objects of the university are the advancement of knowledge and creativity; the diffusion and extension of the science and technology; the provision of higher education, research and innovation that incorporates outreach and public service; and, so far as is consistent with those objects, the nurturing of the intellectual, aesthetic, social and moral growth of the students at the University.

(2) Without prejudice to the generality of the provisions of sub-Article (I), the specific objects of the university shall be to advance learning and knowledge aiming at producing high quality scientists and engineers through teaching and learning, research and innovation, extension and public service in science, engineering and technology, business studies and humanities, and their applications for sustainable socio-economic development in Tanzania, Eastern Africa and Sub-Saharan Africa.

Functions of
the University

6.-(1) For the achievement of its objects, functions of the University shall be to-

- (a) preserve, enhance and transmit knowledge through various means including the use of technological devices appropriate to higher education;

- (b) foster equity and fairness in education by ensuring that access to higher education is untied to economic, ethnic, religious and physical status of individuals;
- (c) contribute towards strengthening of science and technology in primary and secondary schools, and tertiary education;
- (d) provide quality higher education opportunities which produce the quantity and quality of graduates sufficiently equipped with requisite knowledge and expertise to address the needs and problems of the society and industry;
- (e) provide leadership in the promotion of excellence in education in Africa through programs for faculty development both for own staff and for teachers in schools and other higher learning institutions in Africa;
- (f) facilitate responsible and responsive research and innovation to generate new knowledge and develop solutions to address challenges encountered by the society and industry in Africa;
- (g) contribute to human resources development in response to needs of the various sectors of the economy;
- (h) develop and incubate scientific and technological innovations and facilitate commercialization of the same;
- (i) promote the development and enhancement of hardware and software developments;
- (j) develop students for academic and research leadership, techno-preneurship, industry captaincy and innovation management to spearhead sustainable development in Africa;
- (k) attract, motivate and retain quality students, researchers, and teachers, thereby assisting in developing Africa's human capital and mitigating the brain drain currently afflicting Africa;

- (l) assist the government in improving the national capacity to produce graduate teachers for the development of the education sector;
- (m) prepare students to be able to work responsibly and responsively in the various sectors of the economy to achieve competitiveness and sustainable development;
- (n) contribute to the enhancement of the enrolment of students in higher education in Tanzania and the Eastern Africa region generally;
- (o) deliver teaching and learning, research and innovation, and public service in science, engineering and technology, and related business studies and humanities to communities, the industry and the Government;
- (p) create a sense of public responsibility for all sector development among the educated, and promote respect for learning and pursuit of truth;
- (q) cooperate with national, regional and international centres of excellence in the initiation and conduct of collaborative research and training programmes for the mutual benefit of the collaborating institutions and the United Republic of Tanzania;
- (r) develop linkages with private sector to utilize research to improve productivity and economic growth;
- (s) improve the relevance and responsiveness, and quality of scientific and technological research;
- (t) produce the highest quality scientists and engineers who are dedicated to find solutions for African problems;
- (u) do any other thing in accordance with the provision of the Charter or any other written Law in force in the United Republic of Tanzania in pursuance of the Mission of the University.

Powers of the
University

7. The University shall be a teaching, research and innovation, consultancy, extension and examining body and shall, subject to the Act, the Regulations made

thereunder this Charter and the Rules contained in the Schedule hereto, have the following powers-

- (a) to confer Bachelor's, Master's and Doctorate degrees in its own name;
- (b) to grant certificates, diplomas, and other awards in its own name-
 - (i) to persons in respect of courses of study provided by the University and approved by Senate; or
 - (ii) to persons who, in the opinion of the Senate are entitled to receive such diplomas, certificates or other awards.
- (c) conduct examinations and to grant degrees, diplomas, certificates and other awards of the University;
- (d) to confer honorary degrees (*honoris causa*) which the Senate may, with the approval of the Chancellor upon the recommendation of the Council, wish to confer upon any person who, in the opinion of the Senate, has rendered distinguished service in the advancement of any branch of learning or has otherwise rendered himself worthy of such a degree.
- (e) accept periods of study and examinations passed by students of the university at other universities or places of learning as equivalent to such examinations and periods of study in the University as the Senate of the University may determine, and to withdraw such acceptance at any time;
- (f) affiliate with other institutions or admit members thereof to any of its privileges and accept attendance at courses of study in such institutions for relevant awards of the University and/or place them in such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such rules and by-laws as may from time to time be determined by the University.

- (g) institute and award fellowships, scholarships, studentship prizes and other aids to study and research at the University;
- (h) make provision for research, design, development, testing and advisory services and with these objects enter into such arrangements with other institutions or with public or private bodies as may be thought desirable and charge to the users of such services such fees as may be thought desirable;
- (i) enter into such contracts, to establish such trust foundations and appoint such officers, staff, employees, agents and independent contractors as may be required by the University;
- (j) establish pension, superannuating and provident fund schemes for the benefit of its officers, staff or employees or any section thereof and to enter into arrangements with the government, an insurance company, trustee company or other organizations or any person or persons for the operation of such schemes jointly, severally or otherwise;
- (k) acquire property, movable and immovable, and to take, accept and hold any property which may become vested in it by way of purchase, exchange, grant, donation, lease, licence, hire, testamentary disposition, trust or otherwise, and to sell, mortgage, lease, licence, hire out, exchange or otherwise dispose of any property held by it;
- (l) borrow money for any purpose deemed fit by the Council and to invest in land or securities such funds as may be vested in it for the purpose of endowment, whether for general or special purposes, or such other funds as may not be immediately required for current expenditure;
- (m) enter into an agreement with any other institution for the incorporation of that institution into the University and for taking

- over its property and liabilities and for any other legitimate purpose not repugnant to the Act, the Regulations made thereunder, this charter and the Rules contained in the Schedules hereto, and any other applicable written law;
- (n) determine, demand and receive fees;
 - (o) provide for printing and publication of research and other works which may be issued by the University;
 - (p) provide technical, entrepreneurship and leadership capacities to solve problems for the next generation of African scientists and engineers.
 - (q) establish an information and communication technology resource facility and provide services for the benefit of the University community, other institutions, the industry, the government and the people of Tanzania and the Eastern Africa region;
 - (r) establish a technology park with incubators and innovation centres for facilitating research and innovation spin-offs, and technology transfer to industry;
 - (s) establish an ecological park for facilitating harnessing of the bio-diversity for sustainable national development;
 - (t) develop, promote and undertake the provision of adult and continuing education alongside the teaching of regularly enrolled students designed to secure the development and dissemination of various social and applied sciences and technologies required for the enhancement of the national economy;
 - (u) to deprive persons of any degrees, diplomas, certificates, or academic awards granted to them by the University on what the Senate and Council of the University shall deem to be reasonable ground.

For the purpose of this Article "reasonable ground" for withdrawal shall mean conclusive evidence on forgery, plagiarism, cheating in examination(s), fabrication of examination results, and all other malpractices

- (v) 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 hereto.

Membership
of the
University

8.-(1) The membership of the University shall comprise the following-

- (a) The Chancellor;
- (b) The Vice chancellor;
- (c) The Deputy Vice Chancellors;
- (d) Principals of University Colleges and Deputy Principals;
- (e) deans and Deputy Deans of Schools, and Directors and Deputy Directors of Institutes, the Library, Centres and Directorates;
- (f) members of Institutes/Schools/Directorates/Centres/Library of the University;
- (g) members of the Academic Staff of the University;
- (h) members of the Administrative Staff of the University;
- (i) members of the Convocation and Alumni Association;
- (j) members of the Council;
- (k) registered Students of the University;
- (l) members of Senate;
- (m) such other members of the staff of the University or any other body formally admitted into affiliation or association with the University or with any of its University Colleges as the Council may from time to time determine.

(2) The Council shall by Rules prescribe provisions as to the duration of membership of the

University, termination of such membership, the rights, duties and, if any, privileges attached thereto and other related matters.

(3) No person shall continue to be a member of the University unless he/she possesses at least one of the qualifications listed above.

(4) A person shall enjoy the privileges of a Registered Student only when he/she has fulfilled conditions for registration and is pursuing a course of study approved by the Senate

PART III ADMINISTRATION OF THE UNIVERSITY

The
Chancellor

9.-(1) There shall be a Chancellor of the University, who shall be appointed by the President and shall be the head of the University.

(2) The Chancellor shall, in the name of the University, confer degrees, and grant diplomas, certificates and other awards of the University, and shall have such other non-executive functions and privileges as are or shall be provided under the Act, Regulations or, Rules, as the case may be.

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

The Vice
Chancellor

10. There shall be a Vice-Chancellor of the University who shall be appointed by the Chancellor upon the advice of the Council and shall be the principal executive academic and administrative officer of the University and ex-officio Chairperson of the Senate.

Deputy Vice
Chancellors

11.-(1) There shall be two Deputy Vice Chancellors, one responsible for Academics, Research and Innovation, and the other responsible for Planning, Finance and Administration who shall be appointed by the

Chancellor upon the advice of the Council, 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 her/him/them or her/his/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 Vice Chancellor as may be prescribed; and
- (c) perform any other function as may be given to him/them or as may be prescribed.

(2) Notwithstanding sub-Article (1) the number of Deputy Vice Chancellors may be increased or decreased by the Council upon the recommendation of Senate on the advice of the Vice Chancellor.

Principals of
University
Colleges

12. There shall be a Principal for-

- (a) every Constituent College and every Connected College of the University who shall be appointed in accordance with the Act, Regulations made thereunder and the Rules contained in the Second Schedule, and shall be the academic and administrative head of the University College and ex-officio Chairperson of the Academic Committee thereof;
- (b) every Campus College of the University, who shall be appointed in accordance with the Act, Regulations made thereunder and the Rules contained in the First Schedule, and shall be the head of the University College and ex-officio Chairperson of the College Board thereof.

Deputy
Principals of
University
Colleges

13.-(1) There shall be two Deputy Principals, one responsible for Academics, Research and Innovation and the other responsible for Planning, Finance and Administration, 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 University College as shall be

assigned to him/them or his/their office(s) and as may be prescribed;

(b) deputize for the Principal during her/his absence or during a vacancy in the office of the Principal.

(2) Notwithstanding sub-Article (1) the number of Deputy Principals may be increased or decreased by the Council upon the recommendation of the Principal and on the advice of the Academic Committee and the Governing Board of the University College, or University College Board as the case may be, and the Senate of the University.

The Deans of
Schools

14. There shall be a Dean for every School of the University who shall be the academic and administrative head thereof and the Chairperson of the Board of the School.

The Directors
of Institutes,
Centres, the
Library, and
Directorates

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

The Deputy
Deans and
Directors

16.-(1) There shall be-

(a) a Deputy Dean for every School, and

(b) a Deputy Director for every University-based Centre, the Library, and Directorate,
as the Council may decide on the advice of Senate, who shall be the assistant to the Dean/Director and deputize for the Dean/Director during her/his absence or during a vacancy in the office of the Dean/Director.

(2) There may be more than one Deputy Dean of a School and more than one Deputy Director of a Centre, the Library or Directorate, as shall be decided by Council on advice from Senate.

Staff of the
University

17. There shall be staff of the University, whose appointment and other terms of service shall be as provided in the First Schedule, for the general execution of the academic and administrative functions of the University

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

The Council

18. There shall be a Council of the University hereinafter called "the Council" which shall, subject to the Act, the Regulations made thereunder and the Rules contained in the Second Schedule-

- (a) be the governing body and principal policy-making organ of the University, including campus, constituent and connected colleges;
- (b) have custody and use of the Common Seal;
- (c) be responsible for the management and administration of properties both movable and immovable, funds and other assets including investment of such funds and other assets of the University; and
- (d) subject to the Act, the Regulations, this Charter and the Rules contained in the First Schedule, 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.

The Senate

19. There shall be a Senate of the University hereinafter called "the Senate" which shall, subject to the powers of the Council as provided in the Act, the Regulations made thereunder, this Charter and the Rules Contained in the First Schedule.

- (i) be the principal overall decision-making organ in respect of all academic matters of the University;
- (ii) be responsible for the academic work of the University both in teaching and learning, research and innovation, extension and consultancy; and

- (iii) be responsible for the regulation and superintendence of the education of the students of the University.

Constituent,
Connected,
and other
Affiliated or
Adopted
Institutions

20. Subject to the Act, the Regulations made thereunder, this Charter and any other written law, the University may affiliate or adopt as its branch a college, an institute, centre or directorate, in terms as provided under the rules contained in the First Schedule or as shall be provided under the Rules.

Campus
Colleges

21. There shall be Campus Colleges within the University each comprising of one or more schools as may be from time to time established by the Council upon the recommendation of the Senate in accordance with the Act, the Regulations made thereunder and the Rules contained in the First Schedule.

Schools,
Institutes,
Centres,
Library, and
Directorates

22. There shall be Schools, Institutes, Library, Centres and/or Directorates within the University each comprising one or more related branches of innovative teaching/research/extension/consultancy, organized as an academic department or unit or departments or units, as may, from time to time, be established by the Council upon the recommendation of the Senate in accordance with the Act, the Regulations made thereunder and the Rules contained in the First Schedule hereto.

PART IV ASSOCIATIONS AND ORGANIZATIONS

The
Convocation
and Alumni
Association(s)

23. Subject to the Act, the Regulations made thereunder and the Rules contained in the First Schedule hereto-

- (a) there shall be a Convocation of the University;
and
- (b) there may be established an Alumni Association of the University or discipline-based alumni associations in the University.

Staff
Associations

24.-(1) There may be an Academic Staff Association representative of all members of the Academic Staff and an Administrative Staff Association representative of all members of the Administrative Staff of the University to be established in accordance with the Act, the Regulations made thereunder and the Rules contained in the First Schedule hereto.

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

The Students'
Organization
and other
Students'
Organization

25.-(1) Subject to the Act, the Regulations made thereunder and the Rules contained in the Schedule hereto, there shall be a Students' Organization representative of all students of the University and such other student organizations as have objects that are not in conflict with the objects of the University and the provisions of any other written Law as the Council may approve.

(2) Subject to the Act, Regulations made thereunder and this Charter, matters concerning administration, welfare and discipline of students shall be conducted in accordance with the applicable provisions of the First Schedule.

PART V SUBSIDIARY LEGISLATION

What Rules in
Schedules
may Prescribe
or Regulate

26.-(1) The Rules contained in the Schedules to this Charter shall form part of this Charter.

(2) The rules contained in the Schedules hereto shall prescribe or regulate, as the case may be:

- (a) the status, appointment and continuance in office of the Chancellor, Vice-Chancellor, Deputy Vice-Chancellor(s), Principal, Deputy Principal(s), Deans, Directors, Deputy Deans, Deputy Directors, and other officers of the University;

- (b) the constitution and functions of the Council, the appointment and continuance in office of the members of the Council, the filling of vacancies among the members and all other matters relative to the Council;
- (c) the constitution and functions of the Senate and all other matters related to the Senate;
- (d) the management and administration of properties both movable and immovable and the funds and other assets including investment of such funds and other assets of the University;
- (e) the membership, constitution, functions and mode of-
 - (i) establishment and disestablishment of Campus Colleges, Schools, Institutes, Library, Centres, Directorates and/or units and all other matters relative thereto; and
 - (ii) affiliation or adoption, procedure of de-affiliation and other relevant matters concerning affiliated or, as the case may be adopted Colleges, Institutes, Centres and/or Directorates;
- (f) the establishment of offices, appointment, terms and conditions of service, including termination other than dismissal, and discipline of the academic and the administrative staff of the University and all other matters relative thereto;
- (g) subject to the provision of the First Schedule, the constitution and functions of the Academic Staff Association, the Administrative Staff Association and any other staff associations;
- (h) the constitution and functions of the Convocation and of Alumni Association(s);
- (i) subject to the provisions of the First Schedule, the constitution and functions of the Students' Organization and other students'
- (j) the membership, constitution, establishment and functions of Committees; Boards of Campus

	Colleges, Schools, Institutes, Library, Centres and/or Directorates; (k) the appointment and continuance in office of the Chairpersons of the respective Committees, Boards and all other matters relative thereto; (l) the administration, welfare and discipline of students. (m) such other matters as the Council may deem fit with respect to or for the governing or regulation of the University, its members and constituent parts and branches, or otherwise for the promotion of the objects of this Charter.
The Schedules to Remain in Force	27. The rules contained in the Schedules to this Charter shall remain in force until they have been amended, added to, or repealed in the manner hereinafter prescribed.
Council may make Amending or Repealing Rules	28.-(1) 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; provided that no such Rules shall have effect until approved by the Commission in accordance with the Act, the Regulations made thereunder and this Charter. (2) For avoidance of doubt, the Council may, subject to such approval, amend, add to or repeal such Rules.
What Rules in the Schedules may Direct	29. The Rules contained in the Schedules hereto may direct that any of the matters prescribed or regulated by the said Rules as authorized or directed by this Charter shall be further prescribed or regulated by Rules and/or By-laws, provided that any such further prescription or regulation shall not be repugnant to the provisions of the Act, Regulations made thereunder, this Charter or the Rules contained in the first Schedule hereto.
Powers of Council to make Rules	30.-(1) Subject to the Act, Regulations made thereunder, this Charter and the Rules contained in the

First Schedule, 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; provided that-

(a) notice of any proposed Rule(s)(and the date upon which it is proposed that it/they 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; and,

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

(i) relating to Admission Regulations; or

(ii) relating to Examination Regulations.

(2) The power to make Rules shall include the power to amend, add to or repeal any Rule(s) thereof made or passed.

Powers of
Senate to
make By-laws

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

Powers to
amend By-
laws

32. The By-laws made by the Senate may add to, amend or repeal By-laws made by the Senate from time to time.

PART VI MISCELLANEOUS PROVISIONS

No Gender
Discriminatio
n

33. Subject to the Act, the Regulations made thereunder, this Charter and the Rules contained in the First Schedule, men and women shall be equally eligible for holding any office in the University and for membership of any of its constituent bodies, for holding all degrees,

diplomas, certificates and other awards and for the pursuit of all courses of study in the University.

Gender
Balance
Principle to be
Observed

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

No Test of
Religion,
Race,
Ethnicity and
Disability

35. No test of religion, race, ethnicity, sex, physical condition and disability, ideology or political belief/orientation or other similar criteria shall be imposed upon any person in order to entitle her or 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

36. Subject to the Act and the Regulations made thereunder, 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 maintained; and
- (b) a structural, physical and technological environment as well as equipment, facilities and amenities suitable for the respective appropriate requirements of both female and male staff and students and for the academic and other needs of staff and students who have physical disabilities and/or are otherwise vulnerable requiring special teaching and learning aids including hearing, sight and movement aids.

Prohibition on
Declaration of
Dividend

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

Amendment
of the Charter

38.-(1) Subject to the Act, the President may, upon a recommendation of the Minister, after the Minister's

consultation with the Commission, at any time amend, add to or repeal any Article of this Charter if he/she is satisfied that such amendment, addition or, as the case may be, repeal-

(a) is in the interest of higher education in the United Republic of Tanzania; or

(b) that it may assist the University to operate in a more efficient and effective manner.

(2) Such amendment, addition or repeal shall have effect so that this Charter shall thenceforward continue and operate as so amended, added to or, repealed as the case may be.

(3) This Article shall apply to this Charter as amended, added to or repealed in the manner aforesaid.

Revocation of
the Charter

39. The President may, subject to the Act, revoke this Charter if-

(a) it is evident that the University is not carrying on its functions in a proper manner;

(b) the University is in breach of the Charter; or

(c) it is in the interest of higher education to revoke the Charter.

FIRST SCHEDULE

(Under Article 26)

THE NELSON MANDELA AFRICAN INSTITUTION OF SCIENCE AND TECHNOLOGY
(NM-AIST) RULES, 2013

PART I
PRELIMINARY PROVISIONS

Citation	1. These Rules may be cited as the Nelson Mandela African Institution of Science and Technology (NM-AIST) Rules, 2013.
Interpretation	2.-(1) In these Rules, unless the context otherwise requires- "Academic Committee" means a committee of a Constituent College of the University responsible for academic affairs; "academic staff" shall have the meaning assigned to that term by Rule 30 of this Schedule; "Adjunct Professor" means a professor who avails his/her services to the University but does not hold a permanent or full-time position; "admission" means the process of accepting applications by potential students for entry into the University on the basis of the criteria set for respective awards, courses or programmes of the University; "administrative staff" shall have the meaning assigned to that term by Rule 33 of this Schedule; "affiliated institutions" means autonomous higher education institutions accredited to offer degree programme and confer degree on behalf of the University as provided for under Article 20 of the Charter; "appropriate officer" means an officer assigned functions of the Corporate Counsel under Paragraph (c) of the provision to sub-Rule (5) of Rule 80; "Article" means an Article of the Charter; "Associate College" means an autonomous institution provided for under Rule 67; "award" includes certificates, diplomas, degrees, postgraduate diplomas, postgraduate degrees, and honorary degrees and any other awards determined by Senate and approved by the Council; "By-laws" means the By-laws made by the Senate under Article 31; "Campus College" means any non-autonomous institution within the premises of, or in close proximity to the University established under Article 21; "Centre" means any Centre established to undertake or administer specific functions, and it includes centres established under Article 22; "centre of excellence" means a university or a university college designated as such and which has excelled in a particular field; "certificate" means an award of a professional qualification and competence, bearing that name or title, offered by the University; "Chancellor" means the Chancellor of the University as provided for under Article 9;

- "the Charter" means the Charter of Incorporation of the Nelson Mandela African Institute of Science and Technology (NM-AIST) to which these Rules constitute the First Schedule;
- "the Commission" means the Tanzania Commission for Universities (TCU) established under Section 4 of the Act;
- "Connected College" means an autonomous institution empowered to offer university level education, established under Article 20;
- "College" means a college other than a University College;
- "College Board" means a board of a campus college established under Rule 27;
- "Constituent College" means a semi-autonomous institution, established in accordance with the provisions of Article 20;
- "continuing education" includes such short courses, seminars, colloquia, workshops, refresher courses, and the like, as are designed or carried on for members of respective professions, work disciplines or vocations, desirous of improving, updating, expanding or deepening their knowledge or skills through such ways or means;
- "the Convocation" means the Convocation of the University established under Article 23;
- "Corporate Counsel" means the Corporate Counsel of the University appointed under Rule 80;
- "Council", means the Council of the University established in accordance with Article 18;
- "course" includes a planned series of instruction periods based on an approved syllabus and forming part of a curriculum or a programme designed for an award;
- "course of study" means the structure for degrees or other academic or professional qualifications and the subjects of study in such structure;
- "Dean" means a Dean of a school appointed under Article 14;
- "Dean of Students" means the Dean of Students appointed by Council in accordance with Rule 50;
- "degree" means an award of a full academic and, or professional qualification and competence, bearing that name or title offered by the University;
- "department" means a subdivision established as such within the general structure of the University;
- "Deputy Dean" means the Deputy Dean of the School provided for under Article 16;
- "Deputy Director" means the Deputy Director of the University-based institute, library, centre or directorate provided for under Article 16;
- "Deputy Principals" means the Deputy Principals or a University College provided for under Article 13;
- "Deputy Vice Chancellors" means the Deputy Vice Chancellors of the University provided for under Article 11;
- "diploma" means an award of an intermediate professional qualification and competence, bearing that name or title, offered by the University;
- "Director" means the Director of the University based centre, library, or directorate provided for under Article 15;
- "Director of Higher Education" means the Director of Higher Education in the Ministry responsible for higher education;

- "Executive Officers" include the Vice Chancellor and Deputy Vice Chancellors, and Principals;
- "financial year" means the financial year of the university as determined under Rule 75;
- "the Gazette" means the official Gazette of the Government of the United Republic of Tanzania;
- "Governing Board" means the governing board of a university college other than a campus college as provided for under Section 43 of the Act;
- "a graduate" means a person upon whom a degree has been conferred by the University;
- "grant" means financial assistance from public funds or money given by or through the Government, local authority or other local or foreign institution to the University to help it pay fully or partially for its projects, programmes or courses of study;
- "higher education institution" means a university which offers a level of academic education and professional training that leads to full academic and/or professional qualifications and competence;
- "institute" means an institute of the University established under Article 22;
- "institution" means a higher education institution;
- "intermediate awards" has the same meaning as "intermediate professional qualifications";
- "intermediate professional qualifications" means certificates or diplomas offered by the University;
- "Legal Unit" means the Legal Unit of the University established under Rule 80;
- "membership of the University" means membership as declared under Article 8;
- "the Minister" means the Minister responsible for higher education;
- "Ministry" means the Ministry responsible for higher education;
- "officer" means any person in the employment of the University holding a position of authority, but does not include the Chancellor, Vice Chancellor, Deputy Vice Chancellors, Principals and Deputy Principals;
- "organs of governance" include the Council, the Senate, a board or boards, a committee or committees or a meeting or meetings under the provisions of the Charter or the Rules;
- "other employees of the University" means employees of the University other than those in the employment of the University on permanent terms or contract terms of one or more years;
- "other students' organizations" includes students organizations, associations, societies and clubs other than the Students' Organization, established under Article 25;
- "persons in disadvantaged groups" includes persons with physical, mental or social disabilities;
- "prescribed" includes prescribed by the Rules, By-laws, resolutions, directives, instructions, or decisions by the Council, the Senate or other authority to whom or to which the Council or the Senate has delegated its powers and functions;
- "President" means the President of the United Republic of Tanzania;
- "Principal" means the Principal of a University College provided for under Article 12.
- "Private higher education institution" means a higher education institution whose infrastructure, maintenance and costs are owned and borne

- by a private person or a company, trust or a non-governmental organization or an association;
- "Professor Emeritus" means a person who, with the express approval of the Council, holds an honorary, as opposed to a substantive, title of Professor or Research Professor corresponding to that held last by that person during the person's active service in the University or any other recognised university;
- "Professorial Research Chair" means a full-time professorial appointment of a professor with recognition for significant contribution to scholarship and research which is established to develop and lead a prestigious interdisciplinary research group cutting across departments and comprising faculty, Master's and PhD students, Post-docs and visiting researchers;
- "programme" means a curriculum of studies that leads to some form of recognition or all academic or professional award;
- "public institution" means any academic institution established by or under any written law or owned by the Government or a parastatal organization within the United Republic of Tanzania;
- "public university" means a university which is owned by the Government of the United Republic of Tanzania, Regional or Local Government or by the Revolutionary Government of Zanzibar;
- "Rules" include these Rules and the Rules made by the Council under Article 30;
- "School" means a School of the University established under Article 22;
- "School Board" means a board of school established under Rule 27;
- "the Senate" means the senate of the University provided for under Article 19;
- "senior academician" includes academic member of staff with rank or senior lecturer/senior research fellow/senior librarian and above or a person with similar proven academic experience;
- "senior administrative positions" include the position of the Chancellor, Vice-Chancellor, Deputy Vice-Chancellors, Principal, Deputy Principals, Deans, Directors, Deputy Deans, Deputy Directors, and Heads of Departments;
- "senior management level" includes the level of a Dean, Director, Deputy Dean, Deputy Director and Head of Department of the University;
- "sister institutions in the AISTs network" means sister institutions in the African Institutions of Science and Technology (AISTs) network;
- "staff association" means an academic or administrative staff association established in the University or the University College in accordance with Article 24;
- "student" means any person admitted to the University as a candidate for a degree, diploma, certificate or other award of the University, and includes a part-time and an occasional or short-term student;
- "students' organization" means the students' organization established in accordance with Article 25;
- "United Republic" means United Republic of Tanzania;
- "University" means the Nelson Mandela African Institution of Science and Technology (NM-AIST) constituted and incorporated under the Charter granted by the President under the Act;
- "University College" includes a Constituent College or a Connected College as established in terms of Article 20;
- "university education" means education offered at the University;

"the University Library" means the Library of the University established under Article 22;

"university institution" includes a university college, a university school or a centre, directorate, department, library or organ established within or as part or subdivision of the University;

"the Vice Chancellor" means the Chief Executive Officer of the university as provided in Article 10;

(2) Reference in the Charter, legislation, order or other instrument by which a University college is established or governed, and designations thereunder of, offices or authorities of the University college shall be construed subject to the provisions of the Act, Regulations made thereunder, this Charter and of the Rules made hereunder:

(3) For avoidance of doubt, and without prejudice to the generality of sub-Rule (2)-

- (a) unless it shall otherwise be expressly provided by any other written law other than the Charter, campus colleges, connected colleges and constituent colleges of the University shall abide by and be governed fully by the provisions of the Charter and of the Rules and By-laws made thereunder relating to academic matters;
- (b) Wherever it appears in this Schedule masculine gender shall include feminine and vice-versa.

PART II ADMINISTRATION OF THE UNIVERSITY

(a) The Chancellor and Principal Officers of the University

Appointment of
the Chancellor

3.-(1) There shall be a Chancellor of the University who shall appointed by the President.

(2) The Chancellor shall be appointed from a list of three candidates proposed by the Council upon the recommendation of a Search Committee appointed by the Council.

(3) The term of office of the Chancellor shall be six years, and may be reappointed consecutively for one further term of six years.

(4) The Chancellor shall-

- (a) be a person of international repute, from within the Eastern Africa region, with outstanding integrity and clout in the academic, political and economic arenas;
- (b) be the Head of the University and shall, in the name of the University, confer all degrees, diplomas, certificates and other awards for the University;
- (c) have the right, from time to time, to direct an inspection of the University or an inquiry into the teaching, research, consultancy or any other work of the University;
- (d) have power to direct for visitation to the University and constituent University college(s) in such manner as may be appropriate or prescribed;
- (e) provide such advice and guidance to the Council as he/she may consider necessary or desirable for the betterment of the University.

(5) The Chancellor shall have such other functions and powers as are conferred upon her/him by the Charter or as may be provided for under rules or any other written laws.

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

(7) The privileges, other than those provided under paragraph (b) to (c) of sub-Rule (5), and if any, allowances, accruing to the position of Chancellor shall be proposed by the Council for approval by the President.

Appointment of
the Vice
Chancellor

4.-(1) There shall be a Vice Chancellor of the University, who shall be appointed by the Chancellor upon the advice of the Council.

(2) The Vice Chancellor shall be appointed from a list of three candidates who have attained the status of professor or associate professor with outstanding academic qualification and/or administrative experience and capability of at least six years at senior management level on the basis of recommendations submitted by a Search Committee set up in accordance with the Third Schedule or through a procedure of public advertisement for the post and interview or both, upon such terms and conditions as the Chancellor may prescribe upon the advice of the Council.

(3) The Vice Chancellor shall-

- (a) be the Chief Executive Officer and the Accounting Officer of the University;
- (b) be responsible to the Council for the implementation of the decisions of the Council;
- (c) have such other functions as are conferred upon her/him by the Act, the Charter, Rules or as may be prescribed.

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

(5) The Vice Chancellor shall hold office for a term of five years and may be re-appointed consecutively for one more term of five years.

(6) The terms and conditions of employment including salaries, allowances, honoraria and any other relevant privileges accruing to the position of Vice-Chancellor shall be determined and prescribed in the executive officers' scheme of service by the Council.

Appointment of
the Deputy Vice
Chancellors

5.-(1) There shall be two Deputy Vice Chancellors, one responsible for Academics, Research and Innovation and the other responsible for Planning, Finance and Administration, or otherwise as shall be decided by the Council upon the recommendation of Senate.

(2) Subject to sub-Rule 1 Deputy Vice Chancellors shall-

- (a) be appointed by the Chancellor upon the advice of the Council, and upon such terms and conditions as the Council may prescribe from a list of three candidates who have attained a status of professor or associate professor or senior academician or its equivalent in either teaching or research or both teaching and research, and who have outstanding academic and and/or administrative experience and capability of at least four years at senior management level on the basis of recommendation submitted by Search Committee set

up in accordance with the Third Schedule or through a procedure of public advertisement for the post and interview or both;

- (b) the Deputy Vice Chancellors shall hold office for a period of four years and may be re-appointed consecutively for one more term of four years.

(3) The Deputy Vice Chancellor responsible for Academics, Research and Innovation shall be the principal assistant of, and responsible to the Vice Chancellor in all matters pertaining to the academic activities of the University and in the absence of the Vice Chancellor, deputize for the Vice Chancellor.

(4) The Deputy Vice Chancellor responsible for Academics, Research and innovation shall have such other functions as may be prescribed.

(5) The Deputy Vice Chancellor responsible for Planning, Finance and Administration shall be the principal assistant of, and responsible to the Vice Chancellor in all matters pertaining to the administration of the University, including planning, the administration of funds and other assets of the University and in the absence of both the Vice Chancellor and the Deputy Vice Chancellor responsible for Academics, Research and Innovation, deputize for the Vice Chancellor.

(6) The Deputy Vice Chancellor responsible for Planning, Finance and Administration shall have such other functions as may be prescribed.

(7) The terms and conditions of employment including salaries, allowances, honoraria and any other relevant privileges accruing to the positions of Deputy Vice-Chancellors shall be determined and prescribed in the executive officers' scheme of service by the Council.

The Principals of
University
Colleges

6.-(1) There shall be a Principal in every, Constituent and Connected College of the University.

(2) The Principal shall be-

- (a) recommended by the Senate from a list of three professors or associate professors or officers of equivalent status or designation; on the basis of recommendations submitted by a Search Committee set up in accordance with the Third Schedule or through a procedure of public advertisement for the post and interview or both, and upon such terms and conditions as the Chancellor may prescribe upon the advice of the Council.
- (b) appointed by the Chancellor on the advice of the Council after consultation with the Governing Board of the University College, and upon such terms and conditions as the Council may prescribe.

(3) be reappointed for one more term of four years.

(4) Subject to the Act, Regulations made thereunder, the Charter and the University College's Charter the Principal appointed under this Rule shall be-

- (a) the academic and administrative head of the University college and have such powers and duties as are prescribed by the Charter or any other written law or as may be prescribed by Rules of the principal organs of governance of the University;

- (b) in the case of University colleges, other than connected colleges, be responsible to the Vice Chancellor, the Governing Board, the Senate and the Council in respect of all matters concerning the University College;
- (c) in the case of connected colleges, be responsible to the Vice Chancellor, the Governing Board and the Council in respect of all academic matters of the connected college.
- (5) There shall be a Principal for each Campus College who-
 - (a) Shall be recommended by the Senate from a list of three professors or associate professors or officers of equivalent status or designation, on the basis of recommendations submitted by a Search Committee set up in accordance with the Third Schedule or through a procedure of public advertisement for the post and interview or both, and upon such terms and conditions as the Chancellor may prescribe upon the advice of the Council;
 - (b) Shall be appointed by the Chancellor upon the advice of the Council in such manner and upon such terms and conditions as the Council may prescribe;
 - (c) Subject to the Act, Regulations made thereunder and the Charter, shall-
 - (i) hold office for a period of three years with eligibility for re-appointment consecutively for one further term of three years;
 - (ii) be the academic and administrative head of the Campus College of which he/she is Principal and shall under the general authority of the Vice-Chancellor, have such powers and duties as may be provided by Rules or any other applicable written law; and
 - (iii) be responsible to the Deputy Vice Chancellor responsible for Academics, Research and Innovation on academic studies, research and innovation matters, as well as consultancy and extension services, and the Deputy Vice Chancellor responsible for Planning, Finance and Administration on planning, finance and administration matters, the College Board, and the Senate in respect of all matters concerning the University College.
- (6) The terms and conditions of employment including salaries, allowances, honoraria and any other relevant privileges accruing to the position of Principal shall be determined and prescribed in the executive officers' scheme of service by the Council.

Appointment of
Deputy
Principal(s) of
the University
Colleges

7.-(1) There shall be two Deputy Principals for every University College, one responsible for Academics, Research and Innovation and the other responsible for Planning, Finance and Administration, or otherwise as shall be decided by the Council.

(2) The Deputy Principal of a University College shall be recommended by the Senate from a list of three professors or associate professors or officers of equivalent status or designation and appointed by the Chancellor upon the advice of the Council, on basis of a Search Committee's recommendation or results of a procedure involving public

advertisement and interviews for the post, processed through the Senate and the Council.

(3) Notwithstanding sub-Rule (1) above the number of Deputy Principals may be increased or decreased by the Council upon the recommendation of the Principal and on the advice of the Academic Committee and the Governing Board of the University College, or College Board as the case may be, and the Senate of the University;

(4) In appointing a Deputy Principal the appointing authority shall have regard to the recommendations of the Principal and advice of the Governing Board or College Board, as the case may be;

(5) A Deputy Principal shall-

- (a) be responsible to, the Chief advisor of and assistant to the Principal in respect of all matters relating to academics, research and innovation and/or planning, finance and administration matters of the University College;
- (b) have such powers as the Principal may in writing delegate to her/him;
- (c) in the absence of the Principal, deputize for the Principal in such matters as the Principal or Rules may specify; and
- (d) have such other powers, duties and functions as are conferred upon her/him by the Charter, the Constituent College's Charter or as may be prescribed under any other written law or relevant regulations;

(6) Where there are two or more Deputy Principals, the Deputy Principal responsible for academics, research and innovation shall deputize for the Principal during the Principal's absence from office.

(7) In case both the Principal and Deputy Principal responsible for Academics, Research and Innovation are absent then the Deputy Principal responsible for Planning, Finance and Administration shall deputize for the Principal.

(8) A Deputy Principal shall hold office for a period of three years, and may be re-appointed consecutively for one more such term of three years.

(9) The terms and conditions of employment including salaries, allowances, honoraria and any other relevant privileges accruing to the position of Deputy-Principals shall be determined and prescribed in the executive officers' scheme of service by the Council

Appointment of Deans of Schools

8.-(1) There shall be a Dean for every School who shall be appointed by the Council from a list of three academic members of staff of the rank of senior lecturer or senior research fellow or above and upon recommendation by Senate, and the Governing Board and/or College Board, as the case may be, on the basis of a Search Committee's recommendation or results of a procedure involving public advertisement and interviews for the post, processed through the Senate and the Council.

(2) The Dean of the School shall hold office for a term of three years and may be re-appointed consecutively for one more term of three years.

(3) The Dean of the School shall have the following duties and functions-

- (a) be the academic and administrative head of the School;
- (b) ensure that proper and acceptable standards of teaching and learning, research and innovation, extension, and consultancy are maintained in the School;

- (c) serve as the Examinations Officer of the School;
- (d) represent the School at University's Committees and other bodies as required;
- (e) prepare and up-date plans for the academic, administrative, and infrastructure development of the School; and
- (f) perform such other functions related to the School as may be prescribed by the Charter and Rules.

Deputy Deans

9.-(1) There shall be a Deputy Dean(s) in every School as the Council shall decide upon the recommendation of Senate.

(2) The Deputy Dean(s) shall be appointed by the Vice Chancellor upon the recommendation of the respective Dean and the Principal of the Campus College;

(3) The Deputy Dean shall hold office for a term, of three years and may be re-appointed consecutively for one more term of three years.

(4) The duties and responsibilities of the Deputy Dean shall be as may be prescribed.

Directors of
Institutes, Centre,
Directorates,
Library and other
Officers

10.-(1) There shall be a Director of Institute, Centre, Directorate, Library or other similar organs of equivalent designation of the University.

(2) The Director shall be appointed by the Council, from a list of three academic members of staff of the rank of senior lecturer or senior research fellow or senior librarian or above and upon recommendation by the Senate on the basis of a Search Committee's recommendation or the result of a procedure involving public advertisement and interviews for the post, processed through the Senate and the Council.

(3) The Director shall hold office for a term of three years and may be re-appointed consecutively for one more term of three years.

(4) The duties and responsibilities of Directors shall be as may be prescribed.

Deputy Directors
and other
Officers

11.-(1) There shall be a Deputy Director of institute, Centre, Library or Directorate or any other appropriate organ of the University.

(2) The Deputy Director shall be appointed by the Vice Chancellor upon the recommendation of the respective Director, and the Principal of Campus College.

(3) The Deputy Director shall hold office for a term of three years and may be re-appointed consecutively for another term of three years.

(4) The duties and responsibilities of Deputy Directors shall be as may be prescribed.

(5) The appointment, terms and conditions of service of other officers of the University shall be as may be prescribed.

Heads of
Academic
Department

12.-(1) There shall be a Head of an academic Department in every Campus College/School/Library/Centre or Directorate who shall be appointed by the Vice Chancellor after consultation with the Principal/Dean/Director.

(2) The Head of Department shall be appointed from amongst senior members of academic staff of the Department through prescribed procedures.

(3) The Head of Department shall hold office for a term of three years and may be re-appointed for a consecutively one more term of three years.

- (4) In addition to her/his teaching, research and other duties and responsibilities the Head of Department shall-
- (a) serve as Chairperson of Departmental meetings;
 - (b) represent department at University's Committees and other bodies as required;
 - (c) ensure that proper and acceptable standards of research and innovation, teaching and learning, public service are maintained in the Department; and
 - (d) provide professional leadership and be responsible for the administration of the Department.

Performance of
Functions in the
event of
incapacity of
officers of the
University

- 13.-(1)** The event of the incapacity of-
- (a) Vice Chancellor, the Council may, appoint one of the Deputy Vice Chancellors of the University to discharge the functions of the Vice Chancellor;
 - (b) Deputy Vice Chancellor responsible for Academics, Research and Innovation or Deputy Vice Chancellor responsible for Planning, Finance and Administration, the Vice Chancellor may appoint one of the Principals of the Campus Colleges to act in the office until such time as the incapacity ceases;
 - (c) Principal of the Campus College, the Vice Chancellor may appoint one of the Deputy Principals of the Campus College to act in the office until such time as the incapacity ceases;
 - (d) a Dean or Director, the Vice Chancellor may appoint a Deputy Dean, or Deputy Director to act in that office until such time as the incapacity ceases; and
 - (e) a Head of Department, the Vice Chancellor may appoint an officer from among the senior academic staff of that Department to act in that office until such time as the incapacity ceases.
- (2) In the event of the simultaneous incapacity of the Vice Chancellor and the Deputy Vice Chancellor responsible for Academics, Research and innovation, the functions of the office of Vice Chancellor shall be discharged by the Deputy Vice Chancellor responsible for Planning, Finance and Administration.
- (3) In the event of the incapacity of all the Deputy Vice Chancellors, a Principal, a Dean, a Director, the Vice Chancellor may, if in her/his opinion it is necessary or desirable to do so appoint a senior academician to act in that office whose holder is incapacitated until such time as the incapacity ceases.
- (4) In the event of the incapacity of the holder of any other senior office of the administrative or technical staff, the Vice Chancellor may, if in her/his opinion it is necessary or desirable to do so, appoint a senior officer in rank to act in the office whose holder is incapacitated until such time as the incapacity ceases.
- (5) A person who acts in the office whose holder is incapacitated may while he/she so acts, be paid an acting allowance at such a rate as may be prescribed.

(b) The Council of the University

Composition of
the Council

- 14.-(1)** There shall be a Council of the University which subject to the Act shall consist of-

- (a) Chairperson who shall be appointed by the President in accordance with the Act.
- (b) Vice Chancellor;
- (c) Deputy Vice Chancellors;
- (d) One member who shall be nominated by the Chancellor;
- (e) One member who shall be nominated by the Minister responsible for science and technology;
- (f) One member who shall be nominated by the Nelson Mandela African Institute of Science and Technology (NM-AIST) Academic Staff Association;
- (g) One member who shall be nominated by the Students' Organization from amongst its members;
- (h) One Principal representing Constituent Colleges who shall be nominated by the constituent college(s);
- (i) One member who shall be nominated by the Minister responsible for finance;
- (j) One Vice Chancellor representing Public Universities who shall be nominated by the Senate;
- (k) One member who shall be nominated by Minister responsible for higher education;
- (l) One member who shall be nominated by the Revolutionary Government of Zanzibar;
- (m) One member who shall be nominated by the Trade Union at the University;
- (n) One member nominated by the Vice-Chancellor representing international advisory bodies;
- (o) One member representing the East African Community (EAC) Secretariat in Arusha;
- (p) Two members representing the private sector; and
- (q) One eminent academic and/or researcher with experience in academic management from collaborating institutions or institutions abroad to which NM-AIST is affiliated.

(2) Except for the Chairperson, the Vice Chancellor and Deputy Vice Chancellor, other members of the Council shall be appointed by the Minister responsible for Science and Technology.

(3) The tenure of office of the members of the Council shall be three years, subject to member's eligibility for re-appointment for a further term or further terms of three years each.

(4) Appointments of members of the Council and Committees thereof shall consider gender balance.

The Powers and
functions of the
Council

15.-(1) The Council shall be the principal policy making body of the University.

(2) Without prejudice to generality of sub-rule (1) the Council shall have power to:

- (a) govern, administer, manage and regulate the finances, accounts, investments, property, business and all affairs whatsoever of the University and for that purpose to appoint bankers and any other officers or agents whom it may deem expedient to appoint and to cause books of account to be kept in such manner as to give a true and fair view of the state of the University's affairs and to explain its transactions; provided that before the Council makes any decisions which may have a substantial effect upon the academic life of the

- University, or on the welfare of its students, it shall take into consideration any recommendations or report of the Senate or such other relevant committee of Senate;
- (b) invest any moneys belonging to the University in such stocks, funds, fully paid shares or securities as the Council shall from time to time think fit within the United Republic of Tanzania, provided that in the case of moneys held by the University as trustees the powers conferred by this paragraph shall be exercised subject to the provisions of the law relating to investment;
 - (c) form companies of the University which shall be registered under the Companies Act or any other relevant law;
 - (d) sell, buy, exchange, lease and accept leases of right of occupancy on behalf of the University;
 - (e) provide the buildings, premises, furniture and equipment and other means required for carrying on the work of the University;
 - (f) borrow money on behalf of the University and for that purpose to mortgage or charge all or any part of the property of the University;
 - (g) enter into, vary, carry out and cancel contracts on behalf of the University;
 - (h) make provision for schemes of insurance, superannuating, pensions or retirement benefits for all salaried officers and, so far as the Council shall think fit;
 - (i) to provide for the welfare of the students of the University after taking into consideration any recommendations or reports by the Students' Affairs Committee;
 - (j) establish, after consideration of the recommendation of the Senate, University Colleges, Schools, Institutes, Directorates, Centres, Departments and similar organs of equivalent designation as may be required;
 - (k) grant, following a recommendation by the Senate, the titles of Professor Emeritus, Adjunct Professor, Research Chair or other academic distinction;
 - (l) determine the duties, right, privileges terms and conditions of employment of all University staff after taking the advice of the Appointments and Human Resource Management Committee into consideration;
 - (m) propose or to set standards of levels for remuneration packages that correspond to those of sister institutions in the AISTs network for the Chancellor, Executive officers, academic and administrative staff of the University, so as to ensure staff motivation and retention, and sustain staff mobility within the AISTs network;
 - (n) approve schemes of service for academic, administrative and technical staff that will ensure sustained staff motivation and retention;
 - (o) disestablish University colleges, schools, institutes, directorates, centres and departments or similar organs of equivalent designations upon the recommendation of Senate;
 - (p) make By-laws for the administration of students, and other matters relating to students affairs;

- (p) hear and determine students appeals from the decision lodged in accordance with the Rules or as the case may be By-laws;
- (r) signify the acts of the university by use of the common seal;
- (s) make policies for the better implementation of the University objects;
- (t) approve awards of the University as recommended by Senate;
- (u) propose such Rules and give such directives in relation to the governance of the University or of any of its organs as would ensure or facilitate a system of adequate democratic representative participation of the members of the University in the said governance and efficient and effective execution of policies, laws, Rules or decisions relating to the University, including the staff and the students of the University; and
- (v) do all such other acts and things whether incidental to the powers aforesaid or not as may be requisite in order to further the objects of the University as a place of education and learning.

Validation of
Proceedings of
the Council

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

Secretary to
Council

17. There shall be a Secretary to the Council who shall be appointed by the Council upon the recommendation of the Vice Chancellor as provided under Rule 79.

Delegation of the
Powers of
Council

18.-(1) The Council may delegate to a committee or committees or to an officer or officers such powers as it sees fit, subject to sub-Rule 2 below, and shall state the terms of delegation, what confirmation if any, is required, and the duration of the delegation.

(2) The Council may delegate, without any requirement of confirmation, to a Committee of the Council, or to a Committee of Senate, or to a joint Committee of the Council and the Senate of which in no case students shall be members, or to a particular person not a student, the power, to appoint, promote or dismiss or to determine the powers, duties remuneration or terms or conditions of an officer or class of officers

Appointments
and Human
Resource
Management
Committee

19.-(1) There shall be an Appointment and Human Resource Management Committee which shall consist of-

- (a) the Vice Chancellor, who shall be the Chairperson;
- (b) the Deputy Vice Chancellor responsible for Academics, Research and Innovation, who shall be the Vice-Chairperson;
- (c) the Deputy Vice Chancellor responsible for Planning, Finance and Administration;
- (d) the Principals of Campus Colleges;
- (f) two members appointed by the Chairperson of the Council from amongst the members of Council;
- (h) Chairperson of the University Academic Staff Association;
- (i) Chairperson of Trade Union at the University; and
- (m) Head of Human Resources Management unit in the University who shall be Secretary.

(2) The following shall be entitled to sit as temporary members-

- (a) the Dean/Director of the School/Institute/Library/ Centre or Directorate; and
- (b) where the appointment is to be made for a Department of a School, the Head of that Department.
- (3) The Appointment and Human Resource Management Committee shall have such functions conferred upon it under the Charter or Rules or as may be delegated upon it by the Council;
- (4) Except for appointments of the ranks of Professor, Research Professor, Research Chair and Associate Professor, which shall be referred to the Council for approval, all other academic staff appointments shall be made or approved by the Appointment and human Resource Management Committee;
- (5) The retirement, tenure of office, the right to terminate appointment, and appointment of a new member to fill any vacancy in relation to members of the Appointments and Human Resource Management Committee and also in relation to the election of a temporary Chairperson, the quorum, proceedings and meetings shall, *mutatis mutandis*, be as provided in the Second Schedule.

Finance,
Planning and
Development
Committee

- 20.**-(1) There shall be a Finance, Planning and Development Committee which shall consists of-
- (a) the Vice Chairperson of the Council who shall be the Chairperson;
 - (b) two members elected by the Council, from amongst its members;
 - (c) the Vice Chancellor;
 - (d) deputy Vice Chancellor responsible for Academics, Research and Innovation;
 - (e) deputy Vice Chancellor responsible for Planning, Finance and Administration;
 - (f) the Head of the Strategic Planning and Development in the University who shall be the Secretary;
 - (g) one representative from the University Staff Academic Association;
 - (h) representative from the Trade Union of the University; and
 - (i) one representative from the University Students' Organization.
- (2) The Finance, Planning and Development Committee shall have such functions as may be delegated upon it by the Council.

Students' Affairs
Committee

- 21.**-(1) There shall be a Students' Affairs Committee which shall comprise the following members-
- (a) a representative from the University Council who shall be the Chairperson;
 - (b) deputy Vice Chancellor responsible for Planning, Finance and Administration who shall be Deputy Chairperson;
 - (c) dean of Students who shall be the Secretary;
 - (d) One representative of Senate;
 - (e) a representative of the Higher Education Students Loan Board (HESLB);and
 - (f) three students representatives, atleast one female,
- (2) The Students' Affairs Committee shall have such functions as may be delegated upon it by the Council.

- Other Committees of Council 22.-(1) The Council may from time to time, appoint such other Boards and Committees, as it may consider necessary.
- (2) A Board or Committee appointed under this Rule shall be composed of such number of members as the Council may determine and appoint, save that 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.
- (3) The quorum necessary for the conduct of the business of any 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 Chairperson of the Board or, as the case may be of the Committee.

(c) Senate of the University

- Composition of Senate 23.-(1) There shall be a Senate of the University which shall consist of-
- (a) the Vice Chancellor, who shall be the Chairperson of the Senate;
 - (b) the Deputy Vice Chancellor responsible for Academics, Research and Innovation, who shall be the Vice Chairperson of the Senate;
 - (c) the Deputy Vice Chancellor responsible for Planning, Finance and Administration;
 - (d) the Dean of Students;
 - (e) the Principal of each University College;
 - (f) the Deans of Schools of the University;
 - (g) one member nominated by the Chairperson of the Council from amongst the members of the Council;
 - (h) the Directors of Institutes, Centres, Directorates, Library or other similar organs of equivalent designation in the University;
 - (i) two members nominated by the professors of the University from amongst themselves;
 - (j) one member nominated by the Minister responsible for Higher Education;
 - (k) one member nominated by the Minister responsible for Science and Technology;
 - (l) the Executive Director of Higher Education Students Loans Board;
 - (m) two members nominated by the Students' Organization from amongst its members;
 - (n) one member nominated by the Academic Staff Association from amongst its members; and
 - (o) Corporate Counsel who shall be Secretary to the Senate.
- (2) All members of the Senate shall be appointed by the Vice Chancellor.
- (3) Appointments of members of the Senate and Committees thereof shall consider gender balance.
- (4) The provisions of the Second Schedule to this Charter shall apply *mutatis mutandis* in relation to the tenure of office of members of the Senate and other proceeding of the Senate.

Powers and
Functions of the
Senate

24.-(1) Subject to provisions of the Act, the Regulations made thereunder and the Charter, the Senate shall be the principal decision making body in all academic matters of the University.

(2) Without prejudice to the generality of sub-rule (1) the Senate shall have the following powers-

- (a) to regulate and control, after considering any views of Academic Committees and/or Academic Boards, all teaching and learning, courses of study and the conditions qualifying for admission to the various academic programmes offered by the University;
- (b) to regulate and control all awards offered by the University as validated awards, in conjunction with other bodies in respect of validated awards upon such terms and conditions as may be required by the University;
- (c) to regulate the admission of persons to courses of study and their continuance thereon;
- (d) to make recommendations to the Council on the establishment of such University Colleges, Schools, Institutes, Directorates, Centres, Departments, and equivalent organs as may be required;
- (e) to regulate all University examinations and assessments and to appoint examiners, both internal and external where appropriate;
- (f) to hear and determine appeals of students from the provisional examination results;
- (g) to direct, regulate and promote training, research, innovation, extension and consultancy within the University through relevant organs of the University and to require reports from time to time on their progress;
- (h) to monitor the academic progress of students and determine their continuation from semester to semester or year to year;
- (i) to recognise such examinations and periods of study at such universities and places of learning as equivalent to such examinations and periods of study in the University;
- (j) to make recommendations or to express an opinion to the Council on any matter of interest to the University and its affairs;
- (k) to satisfy itself regarding the content and academic standard of any course of study offered by a school, institutes, University colleges, or department under its control and the general regulation in respect of a degree, diploma, certificate or any other award of the institution and to report its findings thereon to the Council;
- (l) to propose for approval by the Council By-Laws regarding the-
 - (i) eligibility of persons for admission to courses for a degree, diploma, certificate or other award of the University; and
 - (ii) standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University;
- (m) to regulate the conduct of all examinations of the University;
- (n) to decide whether any candidate for a degree, diploma, certificate or other award of the institution has attained the

standard of proficiency prescribed in the By-Laws made under paragraph (l), and is otherwise fit for the grant of such degree, diploma, certificate or other award of the university;

- (o) to consider recommendations made to it by boards of University colleges, institutes, schools relating to the conduct of the University generally and take appropriate action;
- (p) to establish or appoint Committees for the proper or better carrying out of its functions, and to disestablish any one or more of such Committees;
- (q) to satisfy itself regarding the performance of the University Library, laboratories, teaching hospitals and other academic related facilities; and
- (r) to perform such other functions as are conferred upon it by the Act, Regulations thereunder, the Charter or Rules.

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

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

Delegation of the
Powers of Senate

25.-(1) The Senate may delegate to a committee or committees or to an officer or officers such powers as they see fit, and shall state the terms of delegation, what confirmation if any, is required, and the duration of the delegation.

(2) The Senate may delegate the following powers to a Committee or Committees of which no students shall be members-

- (a) the admission of a student; and
- (b) the conduct of the examination of a student, and the determination of the results of any form of academic assessment of the work of a student.

(d) The Boards and Academic Committees

College Boards

26.-(1) There is hereby established a College Board in respect of each Campus College which unless otherwise determined by the Council upon the recommendation of the Senate shall consist of the following members-

- (a) Principal who shall be the Chairperson of the Board;
- (b) Deputy Principal responsible for Academics Research and Innovation, who shall be the Vice Chairperson;
- (c) Deputy Principal responsible for Planning, Finance and Administration;
- (d) all Deans of Schools within the Campus College;
- (e) all Directors within the Campus College;
- (f) all Deputy Deans/Directors within the Campus College;
- (g) all Heads of Academic Departments within Campus College;

- (h) one member appointed by Senate from outside the University;
 - (i) one representative of each of the School Boards appointed by each Board from amongst its members who are not members of the College Board by virtue of any other provision of this sub-Rule;
 - (j) four members elected to the Board by the students in the Schools one of whom shall be a postgraduate;
 - (k) three members elected by the academic staff of the Campus College from amongst themselves; and
 - (l) chairpersons of Campus Colleges' academic and research related Committees.
- (2) A College Board-
- (a) may, subject to any direction of the Senate, meet at such intervals as it considers necessary;
 - (b) shall act in accordance with the directions of the Senate and shall report on the discharge of its functions and actions to the Senate in such manner and at such intervals as the Senate may direct; and
 - (c) subject to the directions of the Senate, may regulate its own proceedings and fix a quorum for its meetings.
- (3) Subject to any general or specific directions of the Senate, every College Board may, from time to time-
- (a) review and make recommendation to the Senate in respect of the control and regulation of the training, research, innovation, extension and consultancy within the Campus College;
 - (b) make recommendation to the Senate of any matter pertaining to the Campus College; and
 - (c) do any other act or thing as it may be directed by the Senate or as prescribed.

Board of
Schools,
Directorates,
Centres and
Libraries

- 27.-(1) There shall be established in respect of every-
- (a) school, a School Board;
 - (b) directorate, a Board of the Directorate;
 - (c) centre, a Board of the Centre; and
 - (d) library, a Board of the Library.
- (2) The constitution and functions of the Boards of Schools, Directorates, Centres and Library shall be prescribed by the Council upon the advice of the Senate and College Boards as the case may be.

Tenure of
Membership of
Boards

28. The provision of the Second Schedule to the Charter shall apply mutatis mutandis in relation to the tenure of board's members.

PART III STAFF OF THE UNIVERSITY AND TERMS OF EMPLOYMENT

Staff of the
University

- 29.-(1) The staff of the University shall comprise the academic staff and administrative staff appointed to any office of any description in the service of the University.
- (2) The power to constitute and to abolish offices in the service of the University are hereby vested in the Council, subject to sub-Rule 3.

(3) Nothing in sub-Rule 2 shall apply to any office constituted by or provided for in the Charter.

Terms and
Conditions of
Employment

30.-(1) The terms and conditions of employment of all staff of the university shall be stipulated in the Terms and Conditions of Service approved by the Council.

(2) Notwithstanding sub-Rule 1:

- (a) a person seconded to the service of the University from the service of any other University or similar institution, the Government or any other public institution or authority shall be employed on such terms and conditions as may be agreed between the Council and the seconding body or authority; and
- (b) Where a member of staff reaches a retirement age, he/she may request for contract on such conditions and terms as may be prescribed by the Council.

Academic Staff
of the University

31.-(1) The academic staff of the University shall comprise-

- (a) Professors, Research Chairs, Research Professors, Library Professors and Adjunct Professors;
- (b) Associate Professors, Associate Research Professors and Associate Library Professors;
- (c) Senior Lecturers, Senior Research Fellows or Senior Librarians;
- (d) Lecturers, Research Fellows or Librarians; and
- (e) Assistant Lecturers, Assistant Research Fellows or Assistant Librarians.

(2) Notwithstanding the provisions of sub-Rule 1, where the Vice Chancellor or Deputy Vice Chancellor or Principal or Deputy Principal or Dean or Deputy Dean or Director or Deputy Director was an academic member of staff of the University, may continue to be a member of the academic staff.

(3) Such other members of staff of the University who are engaged wholly or partly in teaching and learning or research and innovation in any University College, School, Institute, the University Library or Centre or Directorate, may be designated as academic staff by the Council upon the advice or recommendation of the Senate and/or the Appointment and Human Resource Management Committee.

(4) Without prejudice to the generality of sub-Rule 3 the staff so designated shall have the required basic qualifications for an academic staff.

Appointment of
Academic Staff

32.-(1) Each member of the academic staff shall be appointed by the Council in accordance with guidelines prescribed by it from time to time.

(2) The Council may delegate its powers of appointing academic staff with exception to ranks of Professor, Research Professor, Research Chair and Associate Professor, to the Appointment and Human Resources Management Committee, subject to Rule 19.

Administrative
Staff of the
University

33. The administrative staff of the University shall comprise-

- (a) the Bursar;
- (b) the Dean of Students;
- (c) the Head of Strategic Planning and Development;
- (d) the Head of Human Resource Management;
- (e) the Head of Internal Audit;
- (f) the Head of Estates and Assets Management;

- (g) the Corporate Counsel;
- (h) members of the staff of the University who hold positions related to administration work as the Council may from time to time determine; and
- (i) such other members of the staff of the University not engaged in teaching and learning or research and innovation as the Council may, from time to time determine, upon the advice or recommendation of the Appointment and Human Resource Management Committee.

Appointment of
Administrative
Staff

34.-(1) The powers of making appointments of administrative staff, are hereby vested in the Council.

(2) Each member of the administrative staff shall be appointed by the Council in accordance with guidelines prescribed by it from time to time.

(3) The Council may delegate its power under sub-Rule 1 in relation to any office to the Appointment and Human Resource Management Committee subject to Rule 19.

Technical and IT
Staff of the
University

35. The technical and IT staff of the University shall comprise-

- (a) Medical and Health Personnel;
- (b) Engineers, Architects, Quantity Surveyors, and related professionals;
- (c) Laboratory Scientists or Engineers;
- (d) IT Specialists;
- (e) Systems Administrators;
- (f) Technologists;
- (g) Technicians; and
- (g) Library Assistants.

Appointment of
Technical and IT
Staff

36.-(1) The powers of making appointments of technical and IT staff are hereby vested in the Council.

(2) Each member of the technical and IT staff shall be appointed by the Council in accordance with guidelines prescribed by it from time to time.

(3) The Council may delegate its power under sub-Rule (1) in relation to any office to the Appointment and Human Resource Management Committee subject to Rule 18.

Delegation of
Council's
Appointment
Powers

37. The Council may, by Rules made under the Charter, delegate any or all of the powers vested in Rules 32, 34 and 36 to the Appointment and Human Resources Management Committees, the Vice Chancellor, the Deputy Vice Chancellor responsible for Academics, Research and Innovation, the Deputy Vice Chancellor responsible for Planning, Finance and Administration or any other officer of the University, subject to such limitations as the Council may specify.

PART IV DISCIPLINE OF STAFF AND TOP EXECUTIVE OFFICERS

Disciplinary
Action Against
Staff

38.-(1) Every staff shall abide by the Terms and Conditions of Service for the University staff and Staff Regulations for the time being in force and shall in addition abide by the specific instructions issued to her/him by Council. Every staff shall conduct herself/himself in a manner designed to the interest, good name and well being of the University and as provided

under the code of ethics, conduct and good practices for the administrative and academic staff of the University, Staff failing to conduct herself/himself in such manner through willful acts, omission or negligence shall be guilty of misconduct and subject to disciplinary action.

(2) Subject to other written laws, the powers of dismissing or terminating the appointment of any member of academic or administrative staff other than, the Vice-Chancellor, Deputy Vice-Chancellors, Principals and Deputy Principals, by way of disciplinary action or of punishing any member of the academic or administrative staff otherwise than by dismissal or termination of her/his appointment, for any disciplinary offence or misconduct shall be vested in the Council.

(3) There shall be a Staff Disciplinary Committee which shall consist of the following members:

- (a) a Chairperson, who shall be the Deputy Vice-Chancellor responsible for Planning, Finance and Administration;
- (b) a legally qualified person holding senior position in the Attorney General's Chambers nominated on that behalf by the Attorney General;
- (c) two members, one from the Academic Staff and the other from the Administrative Staff chosen by the Vice Chancellor; and
- (d) a representative of each of the following:
 - (i) the University's Academic Staff Association;
 - (ii) the University's Administrative Staff Association; and
 - (iii) the Trade Union at the University.

(4) Three members of the Staff Disciplinary Committee, one of whom shall be the member referred to in paragraph (b) of sub-Rule 3, and the Chairperson, shall form a quorum.

(5) Charges of disciplinary offence or misconduct against academic members of staff and senior administrative staff, Professors or Associate Professors of constituent, connected or associate colleges, other than the Vice-Chancellor and Deputy Vice Chancellors shall be handled in accordance with the provisions of Rule 36 and a recommendation shall be made to the Vice-Chancellor through the Deputy Vice-Chancellor responsible for Planning, Finance and Administration for imposition of such punishment as the Appointments and Human Resource Management Committee, exercising its powers under these Rules or any other applicable Rules, may deem justified.

(6) Charges of disciplinary offence or misconduct or breach of code of ethics against other members of staff shall be handled in accordance with the provisions of Rule 37 and a recommendation shall be made to the Vice-Chancellor through the Deputy Vice Chancellor responsible for Planning, Finance and Administration and imposition of such punishment as the Appointments Committee, exercising its powers under these Rules or any other applicable Rules, may deem justified.

(7) All matters concerning discipline of staff, other than members of staff of level of Professor or Associate Professor, of constituent, connected or associate colleges, shall be dealt with in accordance with their respective enabling legal instruments and/or other applicable written law.

Disciplinary
Procedures and
Principles of
Natural Justice

39. Notwithstanding Rule 38 the power to dismiss staff by way of a disciplinary action shall not be exercised unless-

- (a) a disciplinary charge is made against the staff;
- (b) the staff is afforded a fair opportunity to answer the charge;

- (c) an inquiry is held into the charge in accordance with Provisions of the Rules made by the Council on that behalf in accordance with the Rules, or any applicable general law of the land as the case may be;
- (d) the staff concerned as the case may be, has, after such inquiry and defence, been found to be guilty of the charge levelled against her/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; and
- (e) unless otherwise provided in her/his conditions of appointment the staff of the University may resign by writing to the appointing authority.

Disciplinary
Action Against
Executive
Officers

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

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

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

(3) If the charge is established against the officer, the Council shall make a decision as it deems fit, and/or, if it deems it proper, it may refer the findings to the Appointing Authority. Provided that-

- (a) a two-thirds majority vote at a special meeting of the Council shall be necessary for the Council to recommend to the Appointing Authority that a Vice Chancellor or Deputy Vice Chancellor or Principal or Deputy Principal 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; and
- (c) if the Appointing Authority does not endorse the decision of the Council, the Appointing Authority may substitute its own decision after consultation with the Council where such consultation is deemed fit.

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

Disciplinary
Appeals
Committee for
Staff of the
University

41.-(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) the Chairperson appointed by the Chancellor from amongst the members of the Council;
- (b) one member appointed by the Chancellor;

- (c) three members elected from amongst the members of the Council;
- (d) two representatives appointed by the Vice Chancellor, one nominated by the Academic Staff Association and one by the Administrative Staff Association at the University or, as the case may be, the University college;
- (e) one representative nominated by the Trade Union at the University or, as the case may be, the University college, appointed by the Vice Chancellor; and
- (f) a senior legally qualified person appointed by the Attorney General.

(3) The Committee may appoint one of its number as Vice Chairperson thereof.

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

(5) The quorum for meetings of the Staff Disciplinary Appeals Committee shall be a simple majority of the members of the Committee, including sub-Rule (2) (f).

(6) The Staff Disciplinary Appeals Committee shall have appellate power over the decisions of a disciplinary nature or dismissals from and terminations of service or employment with the University affecting officers, other than the Vice Chancellor or a Deputy Vice Chancellor or Principal or Deputy Principal. Provided that the provisions of this Rule shall have no prejudice to the provisions of any other applicable written law in respect of disciplinary matters.

Appeals of
Executive
Officers

42.-(1) Subject to the Charter and these Rules and any other applicable written law, the provisions of Rule 41 shall apply, *mutatis mutandis*, in respect of the appeals by the Vice Chancellor or, as the case may be, a Deputy Vice Chancellor, Principals and Deputy Principal.

(2) Any recommendation for disciplinary action including removal and replacement or dismissal from or termination of service, made under Rule 41 against the Vice Chancellor, a Deputy Vice Chancellor or Principal or Deputy Principal, shall be open to contestation by the affected person before the Council which shall submit a recommendation to the Appointing Authority who may-

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

(3) The Vice-Chancellor or any Deputy Vice Chancellor or Principal or Deputy Principal 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, as the case may be, the Appointing Authority.

PART V
STAFF ASSOCIATIONS, CONVOCATION AND ALUMNI

Establishment of Staff Associations	43.-(1) The Council may approve the establishment of an academic staff association representative of all academic staff of the University and an administrative staff association representative of all administrative staff of the University. (2) An Academic Staff Association and an Administrative Staff Association whose establishment is approved under sub-Rule (1) may 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 association or associations whose objects and constitution are not in conflict with the objects of the University and the provisions of any other written law. (4) The affairs and functions of the Associations shall be conducted in accordance with their constitutions, which shall be approved by the Council including amendment thereof, and in compliance to the Act and the Charter.
Establishment and Membership of Convocation	44.-(1) There is hereby established a Convocation of the Nelson Mandela African Institute of Science and Technology (NM-AIST) which shall consist of- (a) Vice Chancellor; (b) Deputy Vice Chancellors; (c) Principals; (d) Deputy Principals; (e) Deans/Directors/Deputy Deans/Deputy Directors; (f) all members of the academic staff; (g) all persons who become graduates of the Nelson Mandela African Institute of Science and Technology (NM-AIST); and (h) such persons as the Chancellor may, upon recommendation by the Council, appoint to be members of the convocation. (2) The Deputy Vice Chancellor responsible for Academics, Research and Innovation shall cause to be compiled and maintained a Convocation Roll in which he/she shall enter the names of all persons who are, for the time being, members of the Convocation.
Functions of the Convocation	45. The Convocation may meet and discuss any matter within the sphere of competence of the University and transmit any resolution arising from such discussion to the Chancellor and the Minister, or to the Council, to the Senate, or any other authority as the convocation may consider appropriate.
President of the Convocation	46.-(1) The Convocation shall at its meeting elect from amongst its members a President of the Convocation. (2) The President of the Convocation shall, subject to her/his continuing to be qualified to be a member of the Convocation and unless he/she sooner dies or resigns, hold office for a period of three years and shall be eligible for re-election.
Procedures of the Convocation	47.-(1) The Deputy Vice Chancellor responsible for Academic, Research and Innovation 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 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 Chairperson who shall preside over the meeting.

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

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

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

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

Report on
Activities of
Convocation

48.-(1) The Deputy Vice Chancellor responsible for Academics, Research and Innovation 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 responsible for Academics, Research and innovation shall send a copy of the minutes of every meeting of the Convocation to the Chancellor and to the Minister.

Alumni
Associations

49.-(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/their constitution(s) which shall be subject to approval by the Council including amendment thereof.

(2) An Alumni Association of the University whose establishment is approved under sub-Rule (1) may 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) may transmit its resolutions to the Board of the School, Institute, the Library, Centre or, as the case may be, Directorate under which the association's based discipline falls.

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

PART VI STUDENTS ADMINISTRATION, WELFARE AND DISCIPLINE

Dean of Students

50.-(1) There shall be a Dean of Students for the University who shall be appointed by the Council from a list of three candidates obtained through result of a procedure involving public advertisement and interviews for the post.

(2) The Dean of Students shall be responsible to the Deputy Vice Chancellor responsible for Planning, Finance and Administration for proper, efficient and effective administration of the affairs and general welfare of the students of the University.

	(3) For the purposes of this part the administration of the affairs of the students of the University shall include establishment of and overseeing the machinery for monitoring, coordinating, regulating, controlling and facilitating the general conduct of students on the campus or campuses of the University, the University's branches and any other place where the affairs of the University in which its students are involved may take place, be conducted or extended to or where the residence of its students is established, provided, organised or overseen by the University. (4) There shall be Assistant Dean of Students who shall be appointed by the Deputy Vice Chancellor responsible for Planning, Finance and Administration upon the recommendation of the Dean of Students.
Establishment and Recognition of Students' Organization	51.-(1) There shall be a Common Students Organization of the University which shall be known by such name as may be agreed upon by its founder members and approved by the Council. (2) The affairs of the organization shall be conducted in accordance with its Constitution as approved by the Council including amendments thereof. (3) No Students' Organization shall have objects which are in conflict with the objects of the University and the provisions of any other written law. (4) Subject to the provisions of Section 51 of the Act, the Students' Organization shall not engage in any political party activity. (5) For the purpose of this sub-Rule:-"engaging in political party activity" includes regular recruitment, training, registering or enrolment of political party members, regular organization of meetings, seminars and conferences for a political party or political parties, operating a branch office or cell or the like of a political party or political parties and matters of a similar nature.
Other Students' Organizations	52.-(1) The Council may, by Rules, provide for the approval and conduct of other students' organizations. (2) The provisions of sub-Rule (3) and (4) of Rule 51 shall apply mutatis mutandis in respect of other students' organizations.
Interpretation	53.-(1) In this Part, unless the context requires otherwise: - "Students' Disciplinary Authority" means the Deputy Vice Chancellor responsible for Planning, Finance and Administration exercising the powers conferred upon her/him by Rule 55 and includes any person to whom such powers have been delegated in accordance with Rule 56. (2) "Disciplinary offence" means the contravention of any Rules made under Rule 54 where the contravention constitutes a disciplinary offence. (3) "Inquiry Officer" means an officer appointed by the Disciplinary Authority under sub-Rule (3) of Rule 58 to hold an inquiry into the charge and students defence (4) "Rules" means Students Rules made under Rule 54.
Students' Rules	54. Subject to other written laws- (1) The Council may make Rules designed to secure the maintenance of discipline amongst the students. (2) Rules made under sub-Rule 1 may provide that the contravention of any of the Rules shall constitute a disciplinary offence and

may further provide for the punishment that may be imposed for such a disciplinary offence.

(3) Rules made under this Rule shall be published in the University Prospectus and every such Rule shall be brought to the notice of the students in such manner as the Council may determine.

Students'
Disciplinary
Authority

55.-(1) The Deputy Vice Chancellor responsible for Planning, Finance and Administration shall be the Disciplinary Authority.

(2) The Disciplinary Authority shall-

- (a) investigate every charge of disciplinary offence against a student in accordance with the procedure prescribed under the Rules;
- (b) have the power to impose such punishment as may consider appropriate after inquiring into the offence in accordance with the procedure prescribed under the Rules and upon being satisfied that the charge against the student has been proved, *mutatis mutandis* with Students By-laws approved by Council; and
- (c) have other powers as may be prescribed.

Delegation of
Powers of
Disciplinary
Authority

56.-(1) The Deputy Vice Chancellor responsible for Planning, Finance and Administration may, in writing under her/his hand, delegate, subject to such limitations as he/she may prescribe any or all of powers vested in her/him by Rule 55.

(2) Notwithstanding the provisions of sub-Rule (1) the Disciplinary Authority shall not delegate such powers to the Dean of Students, or any officer responsible for the general administration of the welfare of students.

Disciplinary
Procedures

57.-(1) Disciplinary procedures 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/she be found guilty of it, it may warrant her/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/she be found guilty of it, may not warrant his dismissal or rustication from the University.

(4) Notwithstanding the nature of the procedure intended to be adopted by the Disciplinary Authority, no disciplinary proceedings shall be instituted against any student after the expiration of thirty days from the date of commission of a neglect, offence or, in the case of a continuance of injury or damage, within fifteen days next after its cessation.

Formal
Proceedings

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

(2) The charge drawn up shall then be served upon the accused student, together with a notice addressed to her/him, inviting her/him to state in writing, within twenty one days, the ground upon which he/she relies to exculpate himself.

(3) The Disciplinary Authority shall within thirty days from the day on which the charges were served to the accused student appoint an inquiry officer or officers, to hold an inquiry into the charge together with an accused student's defence if any.

(4) The Inquiry Officer shall notify the accused student of the day, date, time and place at which the inquiry shall be held.

(5) The inquiry shall not be open to the public.

(6) The accused student shall have the right to appear before the Inquiry Officer, examine witnesses and be heard in her/his own defence, save that failure by the accused student to appear at the inquiry shall not vitiate the proceedings.

(7) The accused student shall have the right to-

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

(8) The Inquiry Officer may take into consideration any evidence which he/she considers relevant to the subject of the inquiry before her/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 her/him.

(9) Upon the conclusion of the inquiry, the Inquiry Officer shall forward the record of proceedings before her/him, together with her/his report on the proceedings to the Disciplinary Authority.

(10) A report under sub-Rule 8 shall state-

- (a) whether in the opinion of the Inquiry Officer 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, 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 is relevant but shall not contain any punishment to be awarded.

(11) 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 within thirty days after receiving the report, make and record a finding whether or not, in her/his opinion, the accused student is guilty of the disciplinary offence with which he/she was charged.

(12) Where the Disciplinary Authority's finding as to the guilt or innocence of the accused is contrary to the opinion of the Inquiry Officer as expressed in her/his report, the Disciplinary Authority shall record her/his reasons for the finding.

(13) Where the Disciplinary Authority finds the accused student guilty, he/she shall proceed to award the punishment prescribed by the Rules in respect of the disciplinary offence or such lesser punishment as he/she deems appropriate.

Summary
Proceedings

59.-(1) Where the Disciplinary Authority decides to institute summary proceedings against an accused student, he/she 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 day, time and place for the investigation of the charges and shall give the accused student notice of it.

(3) The investigation of the charge or charges shall be carried out in such manner as the Disciplinary Authority may determine. The accused student shall have a right to appear at the investigation and make her/his defence, but failure or refusal by her/him to attend the investigation shall not vitiate proceedings.

(4) Where at any stage of the proceedings before the finding is made, it appears to the Disciplinary Authority from the nature of the facts and circumstances disclosed that it is necessary or desirable that the matter be dealt with by way of formal proceedings, the Disciplinary Authority may terminate the summary proceedings and institute formal proceedings in accordance with Rule 57.

(5) Upon the conclusion of the investigation the Disciplinary Authority shall make findings whether or not, in her/his opinion, the accused student is guilty to the disciplinary offence or offences with which he/she is charged, and if he/she finds the accused student guilty, the Disciplinary Authority shall proceed to award such punishment as he/she may consider appropriate, save that under no circumstances shall, on investigation under this Rule, the accused student be punished by dismissal or rustication from the University.

Students'
Disciplinary
Appeals
Committee

60.-(1) There is hereby 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 Chairperson, who shall be appointed by the Council;
- (b) four members elected by the Council, one of whom shall be a member elected to the Council by the Students' Organization; and
- (c) a legally qualified person holding position in the Attorney General's Chambers nominated on that behalf by the Attorney General.

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

(4) The provisions of the Second Schedule of this Charter shall apply mutatis mutandis in relation to the tenure of office of the members of the Students' Disciplinary Appeals Committee, their retirement, the right to terminate their appointment, and appointment of a new member to fill any vacant, and also in relation to the proceedings and meetings of the Committee, as they apply to the Council.

Students'
Appeals
Procedures

61.-(1) Where a student has been punished for any disciplinary offence and he/she wishes to appeal, he/she 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/she shall, within not more than three days of the decision of the Disciplinary Authority, give a written notice of her/his intention to so appeal to the Disciplinary Authority who shall forthwith submit it to the Chairperson of the Students Disciplinary Appeals Committee.

(3) Upon receiving an appeal, the Students Disciplinary Appeals Committee, shall meet within thirty days to determine appeals.

(4) On every appeal under this Rule the student appealing and the Disciplinary Authority shall both have a right to appear before and be heard by the Students' Disciplinary Appeals Committee.

(5) The Students' Disciplinary Appeals Committee shall dismiss an appeal where the appellant student fails to appear without reasonable cause.

(6) On an appeal under this Rule the Students' Disciplinary Appeals Committee may either-

(a) set aside the finding made against the student and the punishment imposed on her or him;

(b) uphold the finding; or

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

(7) Notwithstanding sub-Rule (6)(c) where the investigations of the offence by the Disciplinary Authority was conducted in accordance with the summary proceedings prescribed by Rule 58, the Student's Disciplinary Appeals Committee shall not enhance the punishment to dismissal or rustication from the University.

Disciplinary
Offences not
Criminal
Offences Cap. 1

62. For the purposes of Section 72 of the Interpretation of Law Act, disciplinary offences under the Charter shall be deemed not to be offences created by or under any written law.

Restriction on
Representation

63.-(1) No advocate or representative whatsoever shall be allowed to act or appear for any party in the students' disciplinary proceedings.

(2) In this Rule "disciplinary proceedings" include disciplinary procedures and appeals procedures.

PART VII

ESTABLISHMENT OF COLLEGES, SCHOOLS, CENTRES

Establishment of
Schools

64.-(1) There is hereby established a School of Computational and Communication Science and Engineering (CoCSE) with the following Departments-

(a) the Department of Applied Mathematics and Computational Science (AMCS);

(b) the Department of Information Technology Development and Management (ITDM); and

(c) communications Science and Engineering (CoSE).

(2) There is hereby established a School of Materials, Energy, Water and Environmental Sciences (MEWES) with the following Departments:

(a) The Department of Water and Environmental Science and Engineering (WESE); and

(b) The Department of Materials and Energy Science and Engineering (MESE)

(3) There is hereby established a School of Life Sciences and Bio-Engineering (LiSBE) with following Departments-

- (a) The Department of Global Health and Bio-Medical Sciences (GHBM);
 - (b) The Department of Sustainable Agriculture, Bio-diversity and Ecosystems (SADE);
 - (c) The Department of Food Biotechnology and Nutritional Sciences (FBNS); and
 - (d) Department of Bio-Engineering (BioE).
- (4) There is hereby established a School of Business Studies and Humanities (BuSH) with the following Departments-
- (a) the Department of Innovation, Technology Management and Entrepreneurship (ITME);
 - (b) the Department of Business Administration and Management (BuAM); and
 - (c) the Department of Humanities, Governance and Leadership (HuGL).
- (5) There is hereby established a School of Earth Sciences and Engineering (EaSEn) with the following Departments:
- (a) Geo-Sciences and Mining Engineering (GeME);
 - (b) Petroleum and Gas Science and Engineering (PGSC); and
 - (c) Civil Infrastructure Development and Management (CIDM).

Establishment of
Constituent
Colleges

- 65.**-(1) Subject to the Act, the Regulations made thereunder and the Charter, the President may, upon the advice of 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.
- (2) A Constituent College may-
- (a) consist of campus Colleges, Schools, Institutes, Centres, Directorates, departments and other organs as may be provided for or declared by the Charter under which it is established;
 - (b) affiliate schools, institutes, centres and/or directorates; and
 - (c) establish associateship with University colleges, institutes, schools, centres and/or directorates.
- (3) A Constituent College shall be a semi-autonomous institution under the auspices of the University for nurturance, during a transitional period, towards its establishment as an independent University;
- (4) Without prejudice to the generality of sub-rule (3), a Constituent College shall be established as a body corporate with legal personality, a common seal, perpetual succession and all the rights and privileges pertaining to a body corporate, except that a Constituent College shall have no right to grant or confer awards other than the awards of and in the name of the University.
- (5) Subject to the Act, the Regulations made thereunder and the Charter the administration of Constituent College shall be vested in the Governing Board.

Establishment of
Connected
Colleges

- 66.**-(1) The Minister may, upon the advice of the Council after consultation with the Commission 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 the Act, the Regulations made thereunder, the 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
Colleges

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

- (a) 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) Associate College shall not have any right to participate in any of the academic programmes of the University with which its is associated nor to make awards bearing the name or emblem of the University; and
- (c) The order under which an institution or college is declared to be an Associate College of the University may provide for the means by which and the mode, ways or manner in which the University shall accord to the Associate College such professional and academic guidance and supervision as are required by this sub-rule and any other matter connected or associated therewith.

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

Affiliation with
other Universities

68. Subject to the Act, Regulations made thereunder and the Charter the mode of affiliation between the University and other world universities renowned in science, engineering and technology shall be as prescribed by the Council.

Powers of the
Council to
Establish
University
Colleges,
Institutes,
Schools,
Directorates,

69.-(1) Subject to the Act, Regulations made thereunder and the Charter the Council may from time to time upon the recommendation of the Senate and approval of the Chancellor and by order published in the Gazette establish in the University such University colleges, schools, directorates, libraries, and centres or other similar organs of equivalent designation as the Council may from time to time determine;

(2) Notwithstanding sub-Rule 2 above the Council may from time to time after consultation with Senate and with approval of the Chancellor

Centres, Libraries and other Organs disestablish any University college, school, directorate, institute, centre, and library.

Establishment of Academic Departments **70.-(1)** In every School, Directorate, Library and Centre, as the case may be, there shall be academic departments, as may be determined by the respective Boards from time to time with the approval of the Senate and, as the case may be, upon the recommendation of the College Board.

(2) The course of study to be conducted in any school, library, centre or directorate, shall be determined by the respective Boards with the approval of the Senate and, as the case may be, upon the recommendation of the College Board.

PART VIII
FINANCIAL PROVISION

Management of Assets of the University **71.** The Council shall manage all the assets and properties, movable and immovable, of the University, in such manner and for such purposes as in the opinion of the Council would promote the best interest of the University.

Funds and Properties of the University **72.** The funds and properties 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, from time to time, 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 the Charter or incidental to the carrying out of its functions, and,
- (d) any such sums obtained by the University through its internal revenue generating sources.

Investment of the University Funds **73.** The Council shall have power to invest the funds of the University in such University Funds investment, and subject to such conditions, as are prescribed by the law or any relevant law, in relation to investment of funds by a trustee.

Financial year of the University **74.** Notwithstanding the period specified in the definition "financial year" in Rule 2, the Council may determine any other period or 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 of more or less than twelve months, shall be regarded as if it were a financial year.

Annual estimates of the University **75.-(1)** Before the commencement of any financial year, the Bursar shall prepare or cause to be prepared for the approval of the Council annual estimates of the revenue and expenditure of the University for the ensuing financial year.

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

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

- (a) payment of salaries, allowances, passages and other charges in respect of officers of the University including the Vice Chancellor, the Deputy Vice Chancellors;
- (b) payment of allowances, fees and expenses in respect of the members of the Council, the Senate, the Convocation, Boards and Committees;
- (c) payment of all pensions, gratuities and other charges in respect of retiring benefits which are payable out of the funds of the University;
- (d) construction, improvement, maintenance and replacement of any building or other immovable property of the University;
- (e) proper maintenance and replacement of the furniture and equipment of the University; and
- (f) creation of such reserve funds to meet future contingent liabilities as the Council may think fit.

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

Accounts and
Auditing

76.-(1) The Council shall cause to be kept proper accounts and shall, within six months after the end of each financial year, cause such accounts relating to such financial year together with a statement of-

- (a) income and expenditure during such financial year; and,
- (b) the assets and liabilities of the University on the last day of such financial year, to be submitted to and audited by the Controller and Auditor General (CAG) in accordance with provisions of law relating to public procurement and in accordance with the procedure prescribed by the provisions of the Charter.

(2) Copies of the statements referred to sub-Rule (1) and a copy of the auditor's report if any, shall be forwarded to the Chancellor, the Minister and the Commission.

The Vice
Chancellor's
Annual Report

77. The Vice Chancellor shall at the end of each financial year prepare a report on the activities of the University during that financial year and submit such report to the Chancellor, the Minister, the Minister responsible for science and technology and the Commission within three months.

Annual
Statement of
Accounts and
Vice
Chancellor's
Report to be laid
before National
Assembly

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

- (a) copies of the statement referred to in Rule 77; and
- (b) a copy of the Vice Chancellor's report.

PART IX

MISCELLANEOUS PROVISIONS

The Legal Unit
and Corporate
Counsel

79.-(1) There is hereby established a Legal Unit of the University which shall be responsible for handling of the legal affairs of the University.

(2) There shall be a Corporate Counsel of the University who shall be appointed by the Council on the recommendation of the Vice-Chancellor upon such terms and conditions as the Council may prescribe, shall be a person with minimum academic qualification of a second degree in law or equivalent and experience as a lawyer on the roll of advocates.

(3) The Corporate Counsel shall-

- (a) be head of the Legal Unit;
- (b) be responsible to the Vice-Chancellor in respect of all legal matters of the University;
- (c) be Secretary to the Senate and the Council; and
- (d) have such other functions as are conferred upon her/him by the Act, the Charter, these Rules or any other written law or as may be prescribed.

(4) It shall be lawful for the University to hire the services of a legal counsel from outside the establishment of the Legal Unit to carry out the functions and duties provided for under this Rule either in whole or in part and concurrently or in collaboration with the Corporate Counsel; Provided that where the University hires the services of a legal counsel from outside the establishment of the Legal Unit to carry out such functions and duties in whole and does not employ a Corporate Counsel within the establishment of the Legal Unit the:

- (a) provisions of sub-Rule (1) shall apply to the extent that the Legal Unit shall serve as liaison between the University and the external legal counsel;
- (b) provisions relating to the functions of the Corporate Counsel under paragraphs (a), (b), (c) and (d) of sub-Rule (4) shall not apply; and
- (c) functions of the Corporate Counsel provided for under paragraphs (a), (b), (c) and (d) of sub-Rule (4) shall be assigned to such other appropriate officer(s) of the University as the Council, upon the advice of the Vice Chancellor, shall deem fit.

Memoranda of
Understanding

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

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

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

Rules and By-laws of the University

81.-(1) Subject to the provision of the Act, Regulations and the Charter, Rules may prescribe or regulate as the case may be:-

- (a) the powers, duties, terms and conditions, appointment and continuance in office of the Vice Chancellor, Deputy Vice Chancellors, Principals and other officers of the University;
 - (b) the constitution, powers and business of the Council, the Senate and other Committees and Boards of the University or its University Colleges, Schools, Directorates and Centres, the appointment and continuance in office of the members of those bodies, and all other matters related to those bodies; and
- (2) Without prejudice to the generality of the foregoing the Council may make Rules with respect to or for the governing of the University, its Members and constituent parts, or otherwise for the convenience, effective attainment, execution or promotion of the objects of the Charter:
- (a) prescribing the degree, diplomas, certificates and other awards which may be conferred or granted by the University;
 - (b) prescribing the conditions which must be satisfied before the award of 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 University College, or Institute established by or under the Charter;
 - (e) prescribing the manner in which By-laws made by the Senate under Paragraph (q) of sub-Rule (2) of Rule 24 shall be submitted to the Council for its approval;
 - (f) regulating the conducting of examinations;
 - (g) prescribing fees for admission to the University, University Colleges, or Institutes established by or under the Charter;
 - (h) prescribing fees payable by the candidate for any examination held or conducted by the University;
 - (i) providing for and regulating disciplinary proceedings against the staff and executive officers of the University;
 - (j) prescribing terms and conditions of service, including the appointment, dismissal, termination, remuneration and retiring benefits of the executive officers and staff of the University;
 - (k) providing for the general welfare of students;
 - (l) prescribing the administration of students which may provide that the contravention of any such Rules shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence;
 - (m) prescribing the composition, functions, procedure and powers of the Disciplinary Authority and of Disciplinary Appeals Committee and the rights, duties and privileges of the members thereof;
 - (n) prescribing the establishment, composition, functions, procedure and powers of University Colleges, Schools, Institutes, Directorates, Centres, Departments or any other similar organs of the University and their organs of

	governance, as well as the members and quorum for meetings of the organs of the governance; (o) prescribing provisions governing the appointment and the duration thereof, the rights, duties and privileges of holders of the position of Professor Emeritus; (p) prescribing provisions governing the appointment and the duration thereof, the rights, duties and privileges of holders of the position of Adjunct Professorships; (q) prescribing provisions governing the appointment and the duration thereof, the right, duties and privileges of holders of Professorial Research Chairs; (r) prescribing anything which may be prescribed under the Charter and Rules; (s) governing any matter in respect of which Rules and/or By-laws may be made under the Charter; and (t) 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.
Amendments or Repeal Provisions	82.-(1) The Rules or By-laws made under the Charter shall be the Rules of the University until they have been amended, added to or repealed in the manner hereinafter prescribed and such amendment, addition or repeal shall, when approved by the Commission have effect so that the Charter shall henceforward continue and operate as though it had been originally granted and made as so amended, added to or repealed. (2) The Council may, from time to time with the concurrence of the Senate, make Rules for the University amending, adding to or repealing the Rules for the time being in force.
Powers to make Rules and/or By-laws	83.-(1) The Council and the Senate may make Rules and/or By-laws in relation to any matter within the powers of each respective body. (2) The power to make such Rules and/or By-laws shall include the power to add to, amend or repeal any such Rules or By-laws as the case may be.
Students' Admission By-laws	84.-(1) Subject to the provisions of the Act, the University shall enunciate and publish in the University Prospectus the students' admission By-laws of the University, including qualifications required by the University's programmes and awards. (2) No applicant shall be admitted to pursue a programme of study in the University unless he/she meets the admission qualifications spelt out in the enunciated admission regulations governing the University in accordance with sub-Rule (1) above.
Deployment of Forces	85. The Vice Chancellor may request through civil authority deployment or police or paramilitary forces on the University or University College grounds where he/she finds that there are threats of endangering life, property and peace.
Appointment procedure for Senior Administrative Position	86.-(1) In making appointments to senior administrative positions in the University the appointing authorities shall ensure that such appointments are made on merit; and in accordance with an open system capable of inspiring confidence, fairness, that the respective appointee's

competence for the relevant positions and their general acceptability in the University, have all been taken into account.

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

Special Needs for
Vulnerable
Groups

87.-(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 the special needs of women and of persons with common physical disabilities or sight, hearing and movement.

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

Restriction on
Power of the
University to
Alienate
Immovable
Property

88. The University shall not, without express authorisation by the Minister, dispose of or alienate in any manner, any immovable property acquired from or with the financial assistance of the Government.

Fees and
Allowances

89. The Minister responsible for science and technology may issue directions prescribing fees and allowances payable to the members of the Council, the Senate, Board and Committees.

Chancellor may
give directions

90. The Chancellor may give the Council directions of a general or specific character and the Council shall give effect to every such direction.

Protection of
Members of
Council, Senate,
Convocation,
Boards and
Committees

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

Protection of
Proceedings of
Senate, Boards
and Committees

92. No act or proceeding of the Senate or a Board shall be invalid by reason only of any vacancy in the membership, absence of member, or any defect in the appointment of any member or of the fact that any member was at the time in question disqualified to act as such.

SECOND SCHEDULE

(Made under Article 18)

PROVISIONS RELATING TO THE COUNCIL

1. The Chairperson of the Council shall hold office for a period of four years from the date of her/his appointment and shall be eligible to be appointed for one more term.

2. Subject to the provisions of this Schedule, the term of office of all members of the Council other than the Chairperson and the ex-officio members shall be three years after which all such members shall, and 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 member from being re-appointed or, as the case may be re-elected for another term of office.
- (b) In the case of a member elected by the National Assembly or the Zanzibar House of the Representatives she/he shall cease to hold office if at any time prior to the date of retirement ceases to be a member of the National Assembly or the Zanzibar House of Representative.
- (c) in the case of a member elected by the Students' Organization, he/she shall cease to hold office if at any time prior to the date of his retirement under this paragraph he ceases to be a representative or the Students Organization.

3. Nothing in Rule 2 of this Schedule 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 Rule 2 of this Schedule.

4. Where any member absents himself for 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 so terminate the appointment of the member and appoint or, as the case may be elect another member in her/his place.

5.-(1) Any member of the Council, not being ex-officio member, may resign in writing addressed to the Appointing Authority through the Chairperson of the Council.

(2) Where any member of the Council ceases to be such a member by resignation or death or by virtue of the operation of the provision to Rule 2 of this Schedule or is unable to perform her/his functions as such member by reason of her/his absence from the United Republic or by reason of any infirmity of body or mind or where the appointing authority terminates her/his appointment under Rule 3 of this Schedule or Rule 4 of this Schedule the appointing authority may appoint or as the case may be elect another member in her/his place and the member so appointed or elected shall subject to the provision of this Schedule hold office for the remainder of the term of her/his predecessor.

(3) Where in the opinion of the appointing authority, the absence or infirmity of any member is of a temporary nature only it may appoint or as the case may be elect a temporary member to take his place and such temporary member shall have so long as he/she remains a temporary member all the powers and functions of a member of the Council. Provided that on the resumption of office by the substantive member the temporary member shall cease to hold office.

6. The Secretary to the Council shall have a right to be present at every meeting of the Council but shall have no right to vote.

7. The Council shall elect one of its members to be the Vice Chairperson and any member elected as Vice Chairperson shall subject to her/his continuing to be a member, hold office of Vice Chairperson for a term of one year renewable.

8. Power of Chairperson and Vice Chairperson-

- (1) The Chairperson shall preside at all meetings of the Council.
- (2) Where at any meeting of the Council, the Chairperson is absent, the Vice Chairperson shall preside.
- (3) In the absence of both the Chairperson and the Vice Chairperson at any meeting of the Council, the members present may, from amongst their number, elect a temporary Chairperson who shall preside at that meeting, save that no ex-officio member shall be elected to that position.
- (4) The Chairperson, Vice Chairperson or temporary Chairperson presiding at any meeting of the Council shall have a vote and, in the event of an equality of votes, shall have a casting vote in addition to his deliberative vote.

9. Meeting and Procedures of Council-

(1) Subject to any general or specific direction by the Chancellor, the Council shall meet not less than four times during every financial year and at such additional times as may be fixed by the Chairperson or, if he is absent from the United Republic or unable for any reason to act the Vice Chairperson. Provided that the Chairperson or, if he is absent from the United Republic or is unable for any reason to act, the Vice Chairperson shall, at the request of at least ten members, summon a meeting of the Council within thirty days of such request being made to him in writing.

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

(3) A Member who is unable to attend a Council Meeting physically may be allowed by the Chairperson to participate through video or skype link or such other ICT facility if available.

10. Quorum:

- (1) At any meeting of the Council, Senate or Committees thereof not less than one-half 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 the members present, or the Secretary if no member is present, may adjourn the meeting to any time not later than fourteen days from the date of adjournment.

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

12. 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

13. Common Seal:

- (1) The Common Seal of the University shall be of such shape, size and form as the Council may determine.
- (2) The Common Seal shall be affixed in accordance with Article 3 and the person or persons present shall sign over or underneath the seal in witness thereof.

14. Subject to Article 3(6) and Rule 13 of this Schedule, all conveyances, transfers, contracts, guarantees, agreements, bonds, authorities mortgages charges, bills of exchange, promissory notes, bank drafts, letter of credit, securities and other instruments whatsoever to which the University is a party shall be executed on behalf of the University by-

- (a) the Vice Chancellor, or
- (b) the Deputy Vice Chancellor responsible for Planning, Finance and Administration, or
- (c) such other officer of the University as the Vice Chancellor may appoint on that behalf in writing.

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

THIRD SCHEDULE

(Made under Article 9)

PROVISIONS RELATING TO SEARCH COMMITTEE

1. There shall be Search Committees for making recommendations to the Chancellor for appointments of the Vice Chancellor and Deputy Vice Chancellors of the University.

2. There shall also be Search Committee for making recommendations to the Council for appointments of such other position/posts as prescribed by the Council.

3. A Search Committee shall consist of three members of whom two shall be nominated by the Council and one by the Chancellor, and the person nominated by the Chancellor shall be the convenor of the Committee;

Provided that no person who is an employee of the University or any authority of the University shall be nominated to be a member of the Committee.

4. The Council shall have powers to delegate to the Senate power to appoint Search Committee in general or for specified posts or position.

5. The Chancellor shall appoint a Vice Chancellor, Deputy Vice Chancellors, or Principals as the case may be from lists of not more than three persons recommended by the Search Committee constituted under Rule 2 of this Schedule; Provided that if the Chancellor does not approve of any of the persons so recommended he/she shall call for a fresh recommendation process.

FOURTH SCHEDULE

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(Made Under Article 26(2))
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PROVISIONS RELATING TO RESOURCE MOBILIZATION AND INVESTMENTS
COMMITTEE

1. There shall be established a Fund Raising and Promotion Committee of the University.

2. The Resource Mobilization and Investments Committee shall comprise a chairperson and not less than five and not more than ten members.

3. The chairperson and the members of the Resource Mobilization and Investments Committee shall be appointed by the Council.

Provided that the chairperson shall be appointed from three names proposed by the Management of the University and one third of the total membership shall consist of the members from outside the University.

4. The Resource Mobilization and Investments Committee shall have the following functions:-

- (a) To advise the council on matters relating to resource mobilization and investments for the University.
- (b) To propose or advise Council on viable investment, income generating and resource mobilization including fund-raising activities.
- (c) To mobilize resources for and on behalf of the Council for the promotion of the objects and functions of the University.
- (d) To perform such other functions as may be conferred upon the Committee by the Council.

Given under my hand and the Public Seal this 23rd day of February, 2013

The State House,
Dar-es-Salaam.

JAKAYA MRISHO KIKWETE,
President