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THE UNIVERSITIES ACT,
CAP. 346

CHARTER OF INCORPORATION

(Made under section 25(2))

CHARTER OF INCORPORATION THE UNIVERSITY OF IRINGA, 2022

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THE UNIVERSITIES ACT,
(CAP 346)

CHARTER OF INCORPORATION

(Made under section 25)

THE UNIVERSITY OF IRINGA

CHARTER OF INCORPORATION OF THE UNIVERSITY OF IRINGA,
2021

RECALLING THAT the Evangelical Lutheran Church in Tanzania-Iringa Diocese (ELCT-IRD) established Iringa Lutheran College, which subsequently evolved to Iringa University College of Tumaini University (now Tumaini University Makumira since December, 2012) under the Trust Deed dated 24th July 1996, of the Evangelical Lutheran Church in Tanzania (ELCT);

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AND CONSIDERING THAT the Assembly of the ELCT-Iringa Diocese (ELCT-IRD) constituted as a Trust between the dates of 3rd - 6th day of September 1996 under the provisions of the Trustees Incorporation Act, and in exercise of powers vested in it under the said Trust Deed, resolved in its meeting of the 6th day of September, 1996 to dissolve the Iringa Lutheran College and establish a constituent College of Tumaini University;

WHEREAS the ELCT Executive Council Resolution of 27th August 2010 at Uhuru Hotel in Moshi resolved that the matured Tumaini University Constituent Colleges devolve to fully fledged Universities;

WHEREAS the ELCT- Iringa Diocese 10th Assembly that met in Pommern between 22nd-24th September, 2010

Cap. 346 adopted the aforementioned Resolution to establish the University of Iringa, as a fully fledged, autonomous non-profit making body corporate capable of owning and disposing of property, suing and being sued in its own name and having perpetual succession, a common seal and its own organs of governance under irrevocable trusts in accordance with the provisions of the Trustees' Incorporation Act, and, upon being granted accreditation by the Tanzania Commission for Universities (TCU) in accordance with the provisions of the Universities Act, and any other applicable law;

WHEREAS the University to be so established will be known as University of Iringa or in its acronym "UoI", and shall:

- (i) be owned by the Iringa Diocese of the Evangelical Lutheran Church in Tanzania (ELCT);
- (ii) be in furtherance of the principal mission, objectives and functions of the ELCT; and
- (iii) promote the ELCT;

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WHEREAS University has applied to the Tanzania Commission for Universities (TCU) for the grant of the Charter in the manner prescribed under the Universities Act;

WHEREAS the TCU has visited and inspected the said UoI and is satisfied that the objectives of the University are consistent with the advancement of University education in Tanzania;

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WHEREAS the TCU is also satisfied that UoI has complied with the provisions of the Universities Act, and the Universities (General) Regulations, 2013;

WHEREAS the TCU, after being satisfied with the University's draft Charter submitted it to the Minister, responsible for Higher Education, with a recommendation that UoI be granted the Charter;

WHEREAS the said Minister has submitted the Charter to the President with positive recommendations thereon and I am satisfied that the granting of the Charter shall be of benefit to the advancement of University education in Tanzania;

Cap. 346 NOW, THEREFORE, in the exercise of the powers conferred upon the President by section 25(2) of the Universities Act, I SAMIA SULUHU HASSAN, the President of the United Republic of Tanzania hereby grant and order as follows:

PART I
PRELIMINARY PROVISIONS

Citation 1. This Charter may be cited as the University of Iringa Charter or in its acronym “UoI”.

Interpretation 2. In this Charter, unless the context otherwise requires:

“academic staff or faculty” means staff member engaged by the University for the purposes of teaching, research or consultancy;

“accreditation authority” means the Tanzania Commission for Universities or its successor in name or title;

Cap. 346 “Act” means the Universities Act;

“alumni” means a graduate or former student of the University referred to in Article 47;

“annual budget” means the budget prescribed to be prepared in respect of any financial year;

“annual estimates” means estimates to be prepared in respect of any financial year;

“appointing authority” in relation to any member of the titular head or governing authority, means the person or body of persons by whom such member was appointed or elected to the position of the Chancellor, Council, Senate, and Board or Committee;

“appointment” in relation to the staff of the University,

means any person for teaching, administration or support staff of the University and may include appointment, promotion, acting appointment or transfer and also direct appointment;

“Assembly” means the highest decision making organ of ELCT-Iringa Diocese as provided for under Article 3;

“Board of Trustees” means the highest policy making organ of the University, which comprises of the Trustees of the University who are appointed by the assembly of ELCT-IRD which is the founding and funding body of the University under irrevocable Trusts in terms of the Trust Deed;

“Campus College” means a campus college of the University established by the University to undertake designated academic disciplines of the University;

“Chancellor” means the titular head of the University appointed by ELCT-IRD Assembly as provided for under Article 31;

“Chaplain” means a Pastor of the University Congregation as provided for under Article 43;

“competent authority” includes the Chancellor, Council, Senate, Vice Chancellor, Committees of the Council, Senate and other organs of governance, and also other principal officers of the University;

“Constitution” means the Trust Deed and Rules of University, which may be used interchangeably with the charter;

“Council” means the governing authority of the University established under Article 10;

“constituent College” means a semi-autonomous institution of the University authorised to offer University level education placed under the tutelage of the University as provided for under Article 50;

“convocation” means a group of people from the University including alumnae, formerly gathered for an academic purpose;

“dean” means the dean of a faculty appointed under

Article 36;

“Dean of Students” means a principal officer of the University appointed under Article 39;

“deed” means the Constitution or Charter of UoI or, as the case may be, ELCT-IRD;

“Department” means an organ of governance of the University established in accordance with Article 29;

“faculty” means any faculty of the University established under Article 29;

“faculty Senate” means the Board of a Faculty established under Article 33;

“financial year” means a period used in calculating annual financial statements of the University as provided for under Article 55;

“founder” means the Evangelical Lutheran Church in Tanzania-Iringa Diocese (ELCT-IRD);

“Institute” means an institute of the University established under Article 29;

“legal counsel” means a principal officer of the University as provided for under Article 44;

“Management Committee” means the Committee established under Article 27;

“member” in relation to:

- (a) the Board, means a member of the Board and includes the Chairman of the Board;
- (b) the Faculty Senate, means a member of the Faculty Senate and includes the Chairman of the Faculty Senate;
- (c) the Council means member of the Council and includes the Chairperson of the council;
- (d) the University, means a member of the University as provided for under Article 7;

“Minister” means the Minister responsible for higher education;

“officer” means any person in the employment of the University in the category of administrative position on permanent and pensionable terms or

on contract terms, provided that the duration of any such contract is not less than two years and that the person concerned is not in the category of “supporting staff”;

“owner” means ELCT-IRD, the legal proprietor or owner of the University as provided for under Article 3(3);

“planning and development director” means an assistant principal officer to the Deputy Vice Chancellor for Planning, Finance and Administration responsible for overall planning and development of the University as provided for under Article 41;

“principal officers of the University” means administrative and academic officers of the University as provided for under Article 32;

“Principal of a College or School” means the person who is in charge of the university’s college or school;

“School” means a school of the University established within the University or constituent college academic organizational structure to undertake specific academic discipline;

“Senate” means the Senate of the University, which is the principal overall decision making organ of the Council in respect of all academic matters of the University as provided for under Article 22;

“Staff Appointments and Promotions Committee” means a committee established under Article 28;

“Strategic Alliance and Code of Allegiance also known in its acronym as “SACA” means the conduct in which the University and the owner shall retain cordial relations in the course of existence, growth advancement;

“student” means a student of the University and includes any person who is enrolled to pursue any course of study at the University;

“Students’ Organisations” means any organ representative of the students of the University as referred to under Article 46;

“supporting staff” means all persons employed by the

University who are not members of the academic staff or principal officers staff;

“University” means University of Iringa or in its acronym “UoI” established under Article 3;

“Vice Chancellor” means the Principal academic and administrative officer of the University appointed in accordance with Article 33.

PART II ESTABLISHMENT, OWNERSHIP, OBJECTIVES AND FUNCTIONS OF THE UNIVERSITY

Establishment
and ownership
of University

3.-(1) There is established a University known as University of Iringa and also known in its acronym “UoI”, under the founder and the proprietor of the Registered Trustees of the University appointed by the Assembly of ELCT-IRD.

(2) The University established under subarticle (1) shall be a body corporate and shall:

(a) have perpetual succession and a common seal; and

(b) in its corporate name:

(i) be capable of suing and being sued;
(ii) be capable of purchasing and otherwise acquiring, holding, charging, leasing, licensing the use of, hiring out and disposing of or alienating, any movable and immovable property;

(iii) from time to time, be capable of borrowing from any person such sums of money as it may require for its purposes;

(iv) be capable of lending money to any person or investing in any asset or assets; and

(v) be capable of doing or performing all such other things or acts as are necessary, expedient, or appropriate and reasonable for the proper or

better carrying out of its mission and objectives or performance of its functions under the Charter and which may lawfully be done or performed by a body corporate.

(3) The University shall be owned by the Iringa Diocese of the Evangelical Lutheran Church in Tanzania (ELCT - IRD) hereinafter referred to as “the owner”.

(4) The University and the owner shall retain a perpetual Strategic Alliance and Code of Allegiance in advancing the cause of the two organisations.

Purpose and
objectives of
University

4.-(1) The purpose of Iringa University is to facilitate formation of highly competent, accountable, ethical, moral, inspiring and God fearing scholars and professionals devoted to pursue and defend truth, justice, dignity and promote scientific research and creativity.

(2) The objectives of the University shall be to:

- (a) provide a place of intellectual, vocational and professional excellence in education, research and service in the humanities and science as major fields of learning;
- (b) prepare students through regular and professional courses leading to degrees, diplomas, certificates and other awards in the name of University;
- (c) offer a carefully designed student life programme as well as extensive co-curricular, cultural and community service activities designed to create an atmosphere conducive to a well-rounded educational experience, including high academic achievement personal development, the building of lasting bonds of friendship among the University community and a growing awareness of community responsibility;
- (d) empower students for the lifelong self-evaluation, self directed learning, and updating one’s knowledge and profession;
- (e) collaborate with the Government and other

relevant institutions in the development and promotion of education, research and contribute towards the satisfaction of the demand for experts by the society by, among other ways, entering into legal agreements;

- (f) avail alternative choices of education;
- (g) be a centre of excellence in its respective fields of learning by promoting uncompromising academic policies;
- (h) empower students to develop an inquiring mind, with the ability to formulate questions, solve problems and make both intellectual and objective judgment;
- (i) empower the University alumni to aspire to lead lives of service;
- (j) empower University graduates to be sensitive and responsive to community needs by being able to plan, organise, co-ordinate and evaluate needs of individuals, families and community and be job creators instead of job seekers;
- (k) develop and promote leadership with moral character and instilled with a sense of care and responsibility for all;
- (l) develop an appreciation of other cultures and consider their religious commitments for their meaning in life and in the world which they live and serve; and
- (m) provide conducive learning and working environment for people with special needs or physical disabilities.

Functions of
University

5. For the achievement of its objectives, the University shall have the following functions:

- (a) to provide courses of study leading to degrees, diplomas, certificate and other academic awards in the name of the University, including short-term training, *symposia*, *colloquia* or conferences in various academic fields;

- (b) to conduct examinations for the conferment of degrees and the grant of diplomas, certificates and other awards in the name of the University upon persons who have followed courses of study and have satisfied the requirements approved or determined by the Senate upon the recommendation of the Senate;
- (c) to provide a centre for advancement of knowledge and continuing education in the relevant academic fields and the pursuit of original research and scholarship, innovation and consultancy and take such other steps as may appear necessary for the advancement and dissemination of knowledge;
- (d) to erect, equip and maintain laboratories, offices, halls of residence, lecture halls, libraries and other buildings and structures required for the promotion of its objectives;
- (e) to collaborate with the Government and other institutions of higher learning, in the promotion of quality and expanded education, research and services for the better well-being of the Tanzanian community in particular, Africa and the world in general;
- (f) to establish and subscribe to pension and superannuation schemes for the benefit of its staff;
- (g) to provide and maintain sports fields and other recreational facilities for its students and members of staff and generally encourage sports, a spirit of sportsmanship and a healthy life style among the University community;
- (h) to acquire any property, movable or immovable, and to take, accept and hold property which may become vested in it by way of purchase, exchange, grant, gift, endowment, donation, lease, or testamentary disposition;

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- (i) to sell, mortgage, let or hire, exchange, donate or otherwise dispose of any property held by it;
- (j) to invest in land and securities such funds as may be vested in it, whether for general or specific purposes, or such other funds as may not be immediately required for current expenditure;
- (k) to advise the Senate and the Council on persons who have distinguished themselves either through scholarship, research or public service for award of honorary degrees in business administration, law and humanities;
- (l) to demand and receive such fees as may from time to time be prescribed by the Council;
- (m) subject to the provisions of this Charter and the Act, to establish and operate University faculties, institutes, library, centres or directorates and disestablish any one or more of those;
- (n) to accelerate the pace of human resource development in socio- economic, academic and research fields;
- (o) to realise hopes and expectations of the ELCT – IRD and the ELCT in general by developing resources from which spiritual breezes will spring and spread out far and wide for the renewal of the Church and society as a whole; and
- (p) to do all such acts and things as are incidental or conducive to the proper exercise of its functions or achievement of its objectives, provided that they do not infringe the laws of the country and the provisions of the Charter of Incorporation Trust Deed and rules.

Awards of
University

6. The University shall, upon approval of the Senate and the Council-

- (a) confer degrees of bachelors, masters, doctorates and such other categorisation or

- designation as may be prescribed; and
- (b) grant diplomas or certificates or other awards.

Members of
University

7.-(1) Membership of the University shall be open to all persons qualified under the University or rules and shall consist of-

- (a) members of Board of Trustees;
- (b) members of the Council and of its committees or sub-committees;
- (c) the Chancellor;
- (d) the Vice-Chancellor;
- (e) the Deputy Vice –Chancellors and principal officers of the University;
- (f) principal officers of the Constituent Colleges, Institutions, Campuses and Schools;
- (g) the Chairman and other members of the Senate, including members of the committees and sub-committees of the Senate;
- (h) the members of the Senate, including members of its sub- committees;
- (i) the Deans of Faculties, Directors of Institutes, Campuses or Schools, Directorates, Heads of Departments and Academic Staff, Administrative and other Support Staff of the University;
- (j) students of the University;
- (k) members of the Convocation of the University;
- (l) the alumni of the University; and
- (m) such other persons as the Board of Trustees on the advice of the Council may declare to be members of the University.

(2) Subject to the approval of the Board of Trustees, on the advice of the Council shall by rules prescribe provisions as to the duration of membership of the University, termination of such membership as well as the rights, duties or obligations and privileges attaching thereto and such other matter or matters relating to the membership of the University.

Status and
government

8.-(1) Subject to the provisions of the Act and of this Charter, the University shall be an autonomous and self-governing body offering programmes or courses of study leading to the award of degrees, diplomas, certificates and other awards in the name of the University at undergraduate and postgraduate levels as well as other programmes, including seminars, workshops, *colloquia*, conferences, consultancies and various other academic services

(2) The University shall be a self-financing institution with its financial and administrative controls vested in the Board of Trustees and advised by the Council, and whose sources of funds and other resources are as provided for under Article 53.

(3) The University shall, in the performance of its functions, be accountable to the Board of Trustees through the Council.

PART III

ORGANS AND ADMINISTRATION OF THE UNIVERSITY

A. ORGANS OF THE UNIVERSITY

Board of
Trustees

9.-(1) The ELCT-IRD Assembly shall vest its powers of trusteeship to the Executive Council of ELCT-IRD, which shall be the Board of Trustees *de jure* then in turn delegate its powers to seven practising Christian members of ELCT-IRD, who shall become members of the Executive Council of the ELCT-IRD by virtue of their positions and consequently being the Board of Trustees *de facto*.

(2) The Board of Trustees *de facto* shall be composed of-

- (a) the Chairman of ELCT-IRD Assembly;
- (a) the Secretary of ELCT-IRD Assembly;
- (b) one female learned ordained Pastor of ELCT-IRD;
- (c) one male learned lay christian;
- (d) one experienced lawyer, male or female lay christian;

- (e) one experienced economist, male of female lay christian;
- (f) one male or female with the profession of educationist or medicine; and
- (g) the Vice Chancellor.

Council

10.-(1) There shall be a University Council whose members shall not be less than fifteen and not more than twenty one who shall be appointed by the Board of Trustees of the University from the diocese, outside the diocese and within the University:

Provided that, the Board of Trustees shall, subject to the provisions of the Act, have power to co-opt not more than four persons.

(2) Members co-opted under subarticle (1) shall have no right to vote.

(3) The appointing authority shall, in appointing members of the Council and committees ensure that the composition reflects the various sectors of society which have a stake in the institution and persons drawn from such sectors have such additional attributes, including integrity, interest in higher education related matters and experience as may enable them to make a meaningful contribution to the deliberations of the Council.

(4) The membership of the Council shall consist of:

- (a) the Bishop of the ELCT-IRD or his appointee who shall be the chairperson;
- (b) Vice Chairperson, who shall be elected by the Council from among the members themselves;
- (c) the Vice Chancellor;
- (d) the Legal Counsel of the University or the DVCRMA who shall be the secretary to Council;
- (e) the General Secretary of ELCT-IRD;
- (f) four members of academic staff drawn from higher learning or research institutions;
- (g) one representative from the business community;

- (h) one representative from the University's Academic Staff Organisation;
- (i) one representative from the University's workers union;
- (j) the President of the students' government;
- (k) one eminent citizen from the United Republic of Tanzania;
- (l) two female representatives in the relevant engagements of the University;
- (m) University deputy vice chancellors who shall be *ex-officio* members;
- (n) three co-opted members from amongst partner organizations in UoI institutional development;
- (o) one bishop from a Diocese other than ELCT-IRD in the United Republic of Tanzania; and
- (p) one co-opted member of the University appointed by Council.

(5) Notwithstanding the provisions of Article 10(1), the appointing authority shall, as far as possible, ensure that at least one third of the members are women.

Disqualification
from
membership

11.-(1) A person shall not qualify for appointment, or continue to serve, as a member of the Council where he-

- (a) becomes or is declared bankrupt or insolvent;
- (b) is adjudged or otherwise declared to be of unsound mind;
- (c) is convicted of any offence involving fraud, immorality or dishonesty;
- (d) is absent, without leave of the chairman of the Council, in three consecutive regular meetings of the Board;
- (e) resigns from office by written notification directed to the Secretary of the Board; or
- (f) dies.

Term of office
of members

12.-(1) Tenure of office of the members of the Council shall be three years with staggering terms for one third of the members and within three year terms of

internment for re-appointment, except for those who are members by virtue of their positions.

(2) An *ex-officio* member who is a serving member of the University, shall cease to be a board member where he ceases to be a serving member of the University in the respective capacity.

(3) Nothing in this Article shall be construed as preventing:

- (a) any person otherwise eligible to be appointed or elected as a member from being re-appointed or re-elected, as the case may be, for another term of office; or
- (b) 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 this Article in accordance with Article 11.

Absence from
meetings

13.-(1) Where any member absents himself from three consecutive regular meetings of the Board without reasonable cause, the Board shall advise the appointing authority of the fact and the appointing authority may, if it deems it fit so to do, terminate the appointment of the member and appoint or, as the case may be, elect another member in his place.

(2) Where any member of the Board ceases to be a member by virtue of operation of the provisions of subarticle (1) or is unable to perform his duties by reason of his absence from the country, the appointing authority may appoint or elect another member in his place, and the member so appointed or elected, as the case may be shall, subject to the provisions of this Charter, hold office for the remainder of the term of his predecessor.

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

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

Deputy Vice
chancellors to
attend meetings
without voting
right

14. The Deputy Vice Chancellor for Academic, Research and Consultancy and the Deputy Vice Chancellor for Planning, Finance and Administration shall have the right to attend at every meeting of the Council and participate in the deliberations thereof but shall have no right to vote.

Proceedings of
Council

15.-(1) The proceedings of the Council and other matters relating thereto shall be as may be prescribed in rules.

(2) The Secretary to Council shall take the record, prepare the minutes of the meetings and shall cause the minutes to be distributed to the Council members in accordance with such rules for the conduct of the Council's proceedings as may be prescribed.

Powers and
duties of
Council

16.-(1) Subject to the provisions of the Act, the governance, control and administration of the University shall be vested in the Council, being the advisory body on policy of the University.

(2) Subject to subarticle (1), the Council shall have power:

- (a) to exercise general powers of governance, regulation and control of the University;
- (b) to ensure that the University is sustainable academically and financially;
- (c) to ensure smooth succession and continuity of the University, including various offices and functions of the University;
- (d) to promulgate rules of the University, subject to approval by the University Council;
- (e) to signify the acts of the University by use of the common seal of the University and in the corporate name of the University as a legal entity, to sue or be sued for and on in any legal disputes or other legal matters;

- (f) on behalf and for the benefit of the University, to receive gifts, donations, grants, loans, or advances or other monies and to make disbursements there from to the University, faculties, institutes, or to other persons;
- (g) to acquire, sell, lease or otherwise dispose of property or assets of the University in the regular course of its business subject to approval of the Board of Trustees;
- (h) subject to the provisions of this Charter, to make appointments, settle the terms and conditions of service or terminate the appointment of principal officers of the University as on the advice of the Council, may deem necessary or appropriate;
- (i) to establish or appoint committees for the proper and better carrying out of its functions;
- (j) to be responsible for the general harmonious governance, including rules, control and administration of the University as well as matters of discipline of staff and students;
- (k) to administer the properties of the University, both moveable and immovable;
- (l) to administer the funds and other assets of the University;
- (m) subject to the provisions of and the Act, to formulate various instruments including general policies, strategies and plans of the University in furtherance of the objectives and functions of the University;
- (n) to oversee and supervise the implementation of such including general policies, strategies and plans of the University;
- (o) to make appointments of administrative officers and other support staff or employees of the University as it may deem necessary or appropriate;
- (p) subject to the provisions of this Charter and the Charter to receive and approve budgets,

accounts, statements of assets and liabilities and other financial statements;

- (q) to advise the University Senate, Council, Board of Trustees, the Chancellor or as the case may be, the Owner as may be appropriate on University matters which affects the operations of the University and to oversee and supervise the implementation of instruments including general policies, strategies and plans of the University as formulated by the Senate, Council and Board of Trustees of the University in relation to the University;
- (r) to receive and consider proposals for establishment of new programmes, faculties or institutes of the University or disestablishment of the same and submit its recommendations to the Senate or Council and the national accreditation authority for approval;
- (s) to consider or advice the university Senate or Council on any matter falling within the provisions of these Charter that the Council may deem fit either on its own instigation or upon the instigation of the Senate, Council or lower organs of governance of the University; and
- (t) to do all such other acts and things as may be provided for in this Charter, or as may be prescribed, in the achievement of the objectives and functions of the University.

Delegation of powers

17. The Council may, subject to this Charter, delegate any of its powers to a committee or to any officer of the University, subject to such limitations or conditions as the Council may specify in writing.

Validation of proceedings of Board

18. An act or proceedings of the Council and of the boards and committees of the Council shall not be invalid by reason only of the number of the members not

being complete at the time of such act or proceedings or of any defect in the appointment of any member of the Council, Board or Committee of the Council or of the fact that anyone of such members was at the time disqualified or not entitled to act as such member.

Committees of
Council

19.-(1) The Council may establish committees and delegate thereto such of its respective powers and functions.

(2) The Committees which may be established by the Council may include, among others:

- (a) Executive Committee of the Council;
- (b) Finance, Planning and Development Committee;
- (c) Staff Appointments and Promotions Committee;
- (d) Staff Disciplinary Appeals Committee; and
- (e) Tender Board.

Tenure,
composition and
powers of
committee

20.-(1) The composition, powers, tenure, procedure and quorum of the Committees of the Council shall be determined by the Council:

Provided that, in appointing members of the Committees, the appointing authority shall observe the principle of gender balance.

(2) The Committees of the Council shall be under the control of the Council and shall submit record of their actions and proceedings to the Council.

Executive
Committee of
Council

21.-(1) There shall be a principal committee of the Council to be known as the Executive Committee of the Council which shall have such powers as may be delegated to it by the Council.

(2) The Executive Committee shall be composed of:

- (a) the Chairman of the Council;
- (b) the Vice Chancellor;
- (c) the Deputy Vice Chancellor for Finance and Administration;
- (d) the Chairman of the Finance, Planning

and Development Committee of University; and

- (e) one female member from the Senate appointed by the Council;

(3) The Executive Committee shall act on the interim between the Council meetings and serve as an ad-hoc committee of the Council.

(4) All actions by the Executive Committee of the Council shall be reported to the Council and shall be deemed for ratification by the council.

(5) The Secretary to Council shall be the Secretary of the Executive Committee.

Senate

22.-(1) There shall be a Senate of the University whose total membership shall from time to time, be determined by the Council.

(2) Subject to subarticle (1) members of the Senate shall include:

- (a) the Vice Chancellor who shall be the Chairperson;
- (b) the Deputy Vice Chancellor for Academic, Research and Consultancy shall be Vice Chairperson;
- (c) the Deputy Vice Chancellor for Planning, Finance and Administration;
- (d) Dean of faculties;
- (e) Directors of institutes;
- (f) two professors elected from amongst the professors or associate professors;
- (g) two co-opted members from research institutes;
- (h) one representative elected from amongst the lecturers;
- (i) two members appointed by the Vice Chancellor at least one of whom shall be from institutions of higher education from elsewhere in Tanzania;
- (j) the Chief Librarian;
- (k) one representative of the Senate who is not a member of the academic staff of the

University;

(l) the Dean of Students; and

(m) two representatives of the University students' organisation.

Functions of
Senate

23.-(1) Subject to the general and specific directions of the Council on academic control and general regulation of instruction, education, research and consultancy programmes of the University, the Senate shall have the following functions:

- (a) to direct, regulate and satisfy itself regarding the content and academic standard of instruction, education and research within the University and approve syllabuses and amendments thereto for any course of study offered by the University and make recommendations thereof to the Council;
- (b) in accordance with the by-laws approved by the Senate under the provisions of the Charter, consider and approve amendments regarding:
 - (i) eligibility of persons for admission to courses for degrees, diplomas, certificates or other awards of the University offered by the University; and
 - (ii) the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other awards of the University conducted by the University;
- (c) to consider and approve recommendations of a Board of a faculty or institute, for award of the University degrees, diplomas, certificates and any other awards to candidates who have attained the standard of proficiency prescribed in the by-laws made under paragraph (b) of this sub-article;
- (d) to revoke any award of the University for a good cause and to revoke any examination,

- test or practical training for a good cause;
- (e) to form permanent or temporary committees among its members to undertake any task;
- (f) to settle academic matters within the faculties, institutes and departments, as are reported from time to time and to deal with academic disputes arising therefrom;
- (g) subject to the provisions of the Charter, to recommend to the Council and the Senate or Council from time to time on the establishment of faculties, institutes or departments, and make recommendations as to their organisation, Constitution and functions and the modification or revision thereof;
- (h) to receive and consider reports submitted to it by the Senate committees of the University and to take such action thereon as it may consider appropriate;
- (i) review or refer back or disallow any decision of any faculty board, institute board etc, or other academic committees;
- (j) subject to the direction of the Council, Senate shall perform and prescribe the time and conditions of completion for fellowships, scholarships, exhibitions and examine for and award the same or delegate to the faculty board, department, institute or delegate to any or other board concerned, power to examine for and award the same;
- (k) to carry out academic audits on regular basis;
- (l) subject to the approval by the Senate, the faculty, institute, centre or directorate shall prescribe the subjects which shall belong to each of them provided that any one subject may be prescribed to belong to more than one faculty, institute, centre or directorate; and
- (m) to recommend to the Council as appropriate under provisions of the Charter the institution of professorship, research professorship,

professorship emeritus, associate
professorship, associate research
professorship and other academic offices, and
to abolish or hold in abeyance any such
office.

(2) In respect of any matter in relation to which the Senate is required to report to the Council or to make rules or by-laws, 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 rules or by-laws have been made by the Senate and shall not reject any such report, rules or by-laws without further reference to the Senate.

Proceedings of
Senate

24.-(1) The Deputy Vice Chancellor for Academic, Research and Consultancy also known as the DVC - ARC shall be Secretary to the Senate and the committees of the Senate.

(2) The Senate shall determine among others the quorum for its meetings and procedures and make internal and rules for conduct of its proceedings.

(3) In the absence of the Senate Chairman, the DVC - ARC shall preside at a meeting of the Senate while one of the faculty deans of the Senate shall be the secretary.

(4) In the absence of both the Senate chairman and Deputy Vice Chancellor for Academic, Research and Consultancy, the Deputy Vice Chancellor for Planning, Finance and Administration shall preside at a meeting upon a written directive from the Vice Chancellor and in an unexpected absence of all the three persons, the Vice Chancellor shall give the meeting directive to elect from among the members present, one of them to preside as the chairperson of that particular meeting in an unexpected event when all three are absent.

(5) Proposals having financial implication shall be recommended by the Senate Academic Committee to the Council for approval.

Powers to
establish Senate

25.-(1) Subject to the provisions of this Charter,

Committees for the proper or better carrying out its functions the Senate shall have powers to establish or disestablish committees and subcommittees.

- (2) Committees of the Senate shall include:
- (a) Committee of Deans of the University;
 - (b) University Management Committee;
 - (c) Academic and Curriculum Affairs Committee;
 - (d) Academic Staff Qualifications, Appointments and Promotions Committee;
 - (e) Student Affairs Committee; and
 - (f) Students Disciplinary Appeals Committee.

Committee of
deans of Senate

26.-(1) There shall be the Committee of Deans of the Senate which shall consist of:

- (a) the Vice Chancellor who shall be the Chairman;
- (b) the Deputy Vice Chancellor for Academic, Research and Consultancy who shall be the Vice-Chairman;
- (c) the Deputy Vice Chancellor for Finance and Administration;
- (d) Deans of Faculties, and Directors of institutes, centres and directorates.

(2) The Committee of Deans of the Senate shall exercise functions as the Senate may delegate to it and shall regulate its own proceedings.

(3) The legal counsel shall be the *ex-officio* secretary to the Committee.

University
Management
Committee
composition

27.-(1) There shall be a University Management Committee which shall comprise:

- (a) the Vice Chancellor who shall be Chairman;
- (b) the Deputy Vice Chancellor for Academic, Research and Consultancy who shall be the Vice Chairman;
- (c) the Deputy Vice Chancellor for Planning, Finance and Administration;
- (d) Deans of Faculties;
- (e) one representative of the Academic Staff

Association;

- (f) the Director of Finance;
- (g) the Dean of Students; and
- (h) one representative of the trade union field branch; and
- (i) the Legal Counsel who shall serve as the *ex-officio* Secretary to the Committee.

(2) The University Management Committee shall advise the Vice Chancellor and other officers on various management matters involved in the normal running of the University in accordance with the policies and decisions of the Council and the Senate in accordance with the Charter.

(3) The university management committee may at any time co-opt a particular person, from within or outside the University, whether in an official or personal capacity, or may invite such person for attendance at a particular meeting of the Management Committee to assist it as it may deem necessary for the effective and efficient discharge of its functions.

(4) The University Management Committee shall perform such other functions as the Council may delegate to it or as may be prescribed.

(5) The University Management Committee shall regulate its own proceedings.

(6) The University Management Committee shall have power to create committees to facilitate smooth functioning of its administrative responsibilities, and such committees may include:

- (a) students disciplinary committee; and
- (b) staff disciplinary committee.

Staff
Appointments
and Promotions
Committee

28.-(1) There shall be the Staff Appointments and Promotions committee of the University for the purposes of appointing, promoting, removal from service and discipline of all members of the academic, administrative and support staff and determination of all matters relating to the grades and points of entry upon salary scales:

Provided that, appointments, promotions,

removal from service and discipline of professors and associate professors in the University shall be subject to approval by the Council.

(2) The Staff Appointments and Promotions Committee shall be composed of:

- (a) the Vice Chancellor who shall be the chairperson;
- (b) the Deputy Vice Chancellor for Academic, Research and Consultancy who shall be the Vice Chairperson;
- (c) the Deputy Vice Chancellor for Finance and Administration;
- (d) Deans of faculties;
- (e) the Director of the institute, centre or directorate to which appointment is being made;
- (f) the head of the department to which the appointment is being made;
- (g) one member appointed by the Council from amongst its members, provided that he is not a member of the academic, administrative and support staff of the University;
- (h) a member appointed by the Vice Chancellor who, in the opinion of the Vice Chancellor, has adequate experience in academic and administrative affairs to enable him assist in making suitable decisions;
- (i) one full professor elected by the Senate;
- (j) one member nominated by the representative of the academic staff ;
- (k) one representative of the trade union field branch at the University;
- (l) the Dean of Students; and
- (m) the legal counsel who shall be the *ex-officio* Secretary.

(3) The Staff Appointments and promotions committee shall be responsible for appointment of staff of the University and shall have such functions as may be conferred upon it by or under this Charter or as may be delegated to it by the Council or as may be prescribed

in rules

(4) Subject to rules issued by the Council or in accordance with the Charter, appointments of academic staff shall be referred to the Council for approval and to the Senate or Council as the case may be, for approval of academic rank and appointment of senior administrative staff shall be referred to the Council.

(5) In carrying out its functions, the Staff Appointments and Promotions Committee shall, subject to the general and specific directions of the Council abide by and follow the laid down procedures prescribed by the staff rules governing the terms and conditions of service for academic staff approved by the Council under provisions of the Charter upon the recommendation of the Council.

(6) The Staff Appointments and Promotions Committee shall meet at such intervals as the chairman may determine or as may be necessary for the transaction of its business and shall regulate its own proceedings.

(7) The term of office of the members shall be three years and other matters concerning renewal, the right to terminate appointments, to appoint a new member to fill a vacancy, to elect a temporary chairman, as well as the *quorum*, proceedings and meetings of the Committee shall be as provided for under rules.

Establishment
of faculties,
institutes,
directorates,
centres, schools,
etc.,

29.-(1) There shall be established the following initial faculties and institutes as provided for under the Charter namely:

- (a) the faculty of theology;
 - (b) the faculty of counselling;
 - (c) the faculty of business and economics;
 - (d) the faculty of law;
 - (e) the faculty of arts and social sciences;
 - (f) the faculty of science;
 - (g) the faculty of education;
 - (h) the institute of agricultural development;
 - (i) the institute of micro finance; and
 - (j) the institute of mission.
- (2) Subject to the provisions of the Charter, the

Council on advice of the Senate may, from time to time, establish faculties, institutes, centres or directorates and departments, either in addition to, or in substitution of, the faculties established under subarticle (1) and may abolish any one or more of such faculties, institutes, centres, directorates or departments subject to the approval of the Council.

(3) The inner divisions of a faculty, institute, centre or directorate shall, where applicable be established in accordance with the provisions of this Charter or the Act.

Boards of
faculties,
institutes,
centres and
directorates

30.-(1) The board of a faculty, institute, centre or directorate shall be composed of:

- (a) the dean of the faculty or the director of the institute, the centre or directorate, who shall be the chairman;
- (b) heads of departments;
- (c) full professors and associate professors;
- (d) three representatives of academic staff;
- (e) one representative of the administrative staff;
- (f) three students representatives one of whom shall be a postgraduate student;
- (g) one female, who shall attend meetings as an invitee;
- (h) two appointees of the Vice Chancellor who are senior members of staff; and
- (i) a senior administrative officer of the faculty, the institute, centre or directorate as the case may be, who shall serve as Secretary but shall have no right to vote.

(2) Every faculty or institute board shall, subject to the general or specific directions of the Deputy Vice Chancellor for Academic, Research and Consultancy or the Senate, have power, from time to time, to:

- (a) review and make recommendations to the Vice Chancellor or Senate in respect of the control and regulation of the instruction, education and research within the faculty, institute, centre or directorate;

- (b) make recommendations to the Senate on any matter pertaining to the faculty, institute, centre or directorate;
- (c) receive and consider recommendations and reports submitted to it by the departmental committees and take such action thereon as it may be appropriate; and
- (d) perform any other duty as it may be empowered to do by the Senate under the provisions of this charter;

(3) Subject to the provisions of the Charter of incorporation Trust Deed and rules, the respective boards specified under subarticle (1) shall establish such number of departments and units within a faculty, institute, centre or directorate, as the case may be necessary.

(4) The *quorum* and procedure for conduct of proceedings of the faculty or institute boards shall be determined by the boards and approved by the academic committee.

PART IV

ADMINISTRATION OF THE UNIVERSITY

Chancellor

31.-(1) The Chancellor of the University shall be appointed by the ELCT-IRD Assembly as the titular head of the University, upon recommendation of a search committee of the University.

(2) Subject to the provisions of the Charter, the Chancellor shall confer all degrees and grant diplomas, certificates, distinctions and other awards in the name of the University pursuant to the objectives and functions of the University.

(3) The tenure of the office for the Chancellor shall be four years and may be reappointed for another term as may be determined by ELCT- IRD Assembly.

Principal
officers of
University

32. Subject to the provisions of the Charter, the principal officers of the University shall include the Vice Chancellor; the Deputy Vice Chancellor for Academic, Research and Consultancy; the Deputy Vice Chancellor

for Planning, Finance and Administration; assisted by director of planning and development, director of finance; and director of administration and human resources, the directors of postgraduate studies or functional institutes, research institutes; deans of faculties; heads of departments; the University Chief Librarian, the legal counsel; the Dean of Students and the Chaplain.

Vice-
Chancellor

33.-(1) There shall be a Vice Chancellor of the University who shall be appointed by the Council in accordance with the provisions of the Charter.

(2) Pursuant to the directives of ELCT-IRD Assembly, one and not more than two of the principal officers in the title of the Vice Chancellor, Deputy Vice Chancellor for Academic Research and Consultancy and the Deputy Vice Chancellor for Planning, Finance and Administration shall preferably be an ordained minister of the Evangelical Lutheran Church in Tanzania.

(3) Pursuant to the provisions of the Charter the Vice Chancellor shall be:

- (a) the Chief Executive Officer of the University as academic and administrative head responsible to the Council on the management and administration of the University.
 - (b) a person of integrity, senior academic member of staff in a recognised University with academic qualification of at least an associate professor with administrative experience and capability.
 - (c) the Chairperson of the Senate and *ex-officio* member of all University committees;
 - (d) responsible for the general security and welfare of students of the University;
 - (e) the leader of the University delegation to University Committees;
 - (f) the spokesman of the University; and
 - (g) a custodian of the University resources.
- (4) The Vice Chancellor shall -
- (a) have such powers and functions as are conferred on him by the Trust Deed and the

Charter or as may be prescribed by the Council or the Board of Trustees, the Senate or delegated by the provisions of the UoI Charter or as may otherwise be prescribed by relevant competent authority ; the Vice Chancellor may delegate any one or more of the powers conferred upon and the functions stipulated for him as provided for by the Charter;

- (b) have such other powers and duties as prescribed herein or provided for under any relevant rules or as may otherwise be prescribed by relevant authority;
- (c) have powers to delegate to the Senate powers to appoint search committees for candidates for specified posts or positions;
- (d) be the leader of the University delegation to University Committees;
- (e) be the spokesman of the University; and
- (f) be a custodian of the University's resources.

(5) The Vice-Chairman shall hold office for a term of five years and may be re-appointed for one more term of five years after which, except under extenuating circumstances the Council may add another term of five years upon ratification of the Board of Trustees.

Deputy Vice
Chancellor for
Academic,
Research and
Consultancy

34.-(1) There shall be a Deputy Vice Chancellor for Academic, Research and Consultancy of the University who shall be appointed by the Council from a list of three candidates on the basis of a recommendation of a search committee.

(2) Where it is provided in this Charter that a search committee's recommendation of candidates to be considered for appointment to a post or position shall be the basis of such appointment and subject to the provisions of the Act and the regulations made there under, the Council, in appointment of any search committee, shall have power:

- (a) to determine the number of members, tenure, remuneration and other terms and conditions

of service of the members of search committee;

- (b) to appoint the same committee or different or separate search committees for the different posts or positions for which a search committee's recommendation is prescribed as mandatory.

(3) Candidates for the office of Deputy Vice-Chancellor Academic, Research and Consultancy shall be from among persons of moral credibility, integrity, with outstanding academic and administrative experience who have attained the status of professor or associate professor

(4) The Deputy Vice Chancellor for Academic, Research and Consultancy shall hold office for a period of four years and shall be eligible for re-appointment for one more term and the Council may under extenuating circumstances add a third final term of two years.

(5) The Deputy Vice Chancellor for Academic, Research and Consultancy shall:

- (a) be responsible to the Vice Chancellor in relation to all matters pertaining to the academic activities of the University;
- (b) assist the Vice Chancellor in his duties, and, except where the Vice Chancellor directs otherwise, generally or on a specific occasion or specific occasions, act on behalf or assume functions, of the Vice Chancellor in case of his absence from office;
- (c) assist the Vice Chancellor in recruiting, recommending for promotion or demotion of the academic staff of the University and graduation of students according to laid down procedures; and
- (d) have such other powers, functions and duties and enjoy such other rights and privileges as are conferred upon him by the Charter or any written law or as may be conferred or delegated to him by the Council or the Vice Chancellor or as may

be prescribed.

Deputy Vice
Chancellor for
Planning,
Finance and
Administration

35.-(1) There shall be a Deputy Vice Chancellor for Planning, Finance and Administration who shall be appointed by the Council from a list of three candidates on the basis on recommendation of a search committee.

(2) A candidate for the office of Deputy Vice Chancellor for Planning, Finance and Administration shall be prescribed under the rules in accordance with the provisions of the Charter.

(3) Pursuant to the provisions of the Charter, the Deputy Vice Chancellor for Planning, Finance and Administration shall hold office for a period of four years and shall be eligible for reappointment only once:

Provided that, the Council may, upon consultation with the Board of Trustees and under extenuating circumstances, add a third term of two years.

(4) The Deputy Vice Chancellor for Planning, Finance and Administration shall:

- (a) be responsible to the Vice Chancellor in respect of planning, finance and all administrative matters pertaining to the University;
- (b) be the main advisor of the Vice Chancellor in relation to hiring and firing while manning administrative and technical staff of the University and carrying out effectively and efficiently its objectives and functions;
- (c) be the main advisor of the Vice Chancellor in relation to the management and effective utilisation of all resources of the University;
- (d) be responsible for formulation and oversight of formulation and implementation of all policies and procedures of the University in carrying out effectively and efficiently its objectives and functions;
- (e) be in charge of disciplining and welfare for

- staff and students;
- (f) coordinate and prepare Fundraising activities and records for the University; and
- (g) have such other powers and functions and enjoy such rights and privileges as are conferred on him by the Charter.

Deans of
faculties,
directors of
institutes and
heads of
departments

36.-(1) There shall be a dean for every faculty and a director for every institute, who shall be appointed by the Council in consultation with the Vice Chancellor pursuant to the provisions of the Charter.

(2) The procedure for the appointment under subarticle (1) the rights, duties and privileges of deans of faculties, directors of institutes, and heads of departments shall be prescribed in the rules.

(3) The dean of a faculty and the director of an institute shall:

- (a) be a person with exemplary record of scholarship, teaching, research and consultancy services and with extensive knowledge and experience of university systems and who has attained the status of professor, associate professor or equivalent or senior lecture or senior research fellow or equivalent in either teaching or research;
- (b) be the academic and administrative head of a faculty, institute, as the case may be;
- (c) be responsible to the Vice Chancellor through the Deputy Vice Chancellor for Academic, Research and Consultancy for the co-ordination of the faculty, institute;
- (d) be the chairperson of the board of the relevant faculty, or institute;
- (e) be responsible for the duties as provided under the provisions of the Charter; and
- (f) have such other functions as are conferred upon or as may be prescribed or delegated by the Vice Chancellor provided that delegation shall normally be in writing.

(3) Every dean or director shall hold office for a period of three years and shall be eligible for re-appointment for two consecutive periods of three years.

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37.-(1) There shall be heads of departments for each department of a faculty or institute, who shall be appointed by the Vice Chancellor after consultation with the relevant dean of the faculty or director of the institute, in such manner and upon such terms as may be prescribed by the Council on the advice of the Senate.

(2) The Head of the department shall:

- (a) be a senior academic member of staff with exemplary record of scholarship, teaching, research and consultancy services;
- (b) be responsible to the Vice Chancellor through the dean of the faculty or director of the institute, as the case may be, in respect of all matters concerning the department.

(3) A head of department shall hold office in such manner and upon such terms and conditions of service as provided by the Council.

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38.-(1) There shall be a head of the library of the University, to be known as the Chief Librarian, who shall be appointed by the Vice Chancellor through the management and upon ratification of the Council in such manner and upon such terms and conditions as the Council may prescribe.

(2) The Chief Librarian shall be a person who holds a first degree and at least a postgraduate diploma in Librarianship from a reputable institution and shall have outstanding administrative experience and capability and shall be information technology literate.

(3) The Chief Librarian shall be:

- (a) responsible to the Vice Chancellor through the Deputy Vice Chancellor for Academic, Research and Consultancy for all matters pertaining to the University library and as may otherwise be prescribed;
- (b) the head of the library providing leadership

and direction in the discharge of its functions.

(4) The Chief Librarian shall serve for such tenure of office as shall be determined by the Council.

Dean of
Students

39. -(1) There shall be a dean of students of the University who shall be appointed by the management and ratified by the Council in such manner and upon such terms and conditions as the Council may prescribe in rules pursuant to the provisions of the Charter.

(2) The dean of students shall be responsible to the Vice Chancellor through the Deputy Vice Chancellor for Planning, Finance and Administration for all matters pertaining to students' welfare and discipline and as may otherwise be prescribed.

(3) The dean of students shall have such powers and duties and shall enjoy such rights and privileges as are conferred upon him by this Charter or as may be prescribed in the rules.

(4) The dean of students shall hold office for a period of three years and shall be eligible for re-appointment only once as the management and the Council shall be satisfied by the deans performance.

Director of
Finance

40.-(1) There shall be a director of finance who shall also be the chief accountant of the University.

(2) The director of finance shall, subject to the international accounting and reporting standards, be appointed by the management and ratified by the Council in such manner and upon such terms and conditions as the Council may prescribe in rules pursuant to the provisions of the Charter.

(3) The director of finance shall:

(a) be a person of integrity, a holder of Certified Public Accountant qualification and registered as an Authorised Accountant, plus solid experience and capability in finance, accountancy and management; and

(b) be accountable to the Deputy Vice Chancellor for Planning, Finance and Administration for all financial matters of the University relating

to maintenance of up-to-date accounts, preparation of annual budgets, preparation of draft accounts for external audit and giving advice on various financial matters, including those provided for under this Charter.

Director of
planning and
development

41.-(1) There shall be a director for planning and development who shall be appointed by the management and ratified by the Council in such manner and upon such terms and conditions as the Council may prescribe in rules pursuant to the provisions of the Charter.

(2) The director of planning and development shall:

- (a) perform an overall management of the directorate;
- (b) provide leadership and management roles in relation to planning processes as proposed by the University;
- (c) monitor the infrastructure required for improvement and quality assurance;
- (d) monitor the external environmental dynamics and signal the necessary measures for academic policies, procedures, guidelines and plans;
- (e) coordinate the preparation of new programmes or review of the existing programmes from all faculties;
- (f) engage all senior officers, Deans, Directors in bench marking activities and all developments of the University's key performance indicators.
- (g) coordinate the collection of information from the industry or stakeholders and analyse the data for further application;
- (h) engage all members of the University management to understand and act on planning as well as policy development;
- (i) participate in proposing of staff training and development in collaboration with director of human resources and administration;

- (j) support all units of the University on matters related to planning and implementation;
- (k) perform such other duties as specified by the Deputy Vice Chancellor for Planning, Finance and Administration; and
- (l) liaise with external donors in fund raising activities.

Director of
human
resources and
administration

42.-(1) There shall be a director of human resources and administration who shall be fully responsible of training and other programmes of capacity building for both teaching and support staff of the University.

(2) The director of human resources and administration shall be appointed by the respective committee of the Council responsible for staff matters but subject to the ratification of the Council in the manner, terms and conditions as prescribed by the Council from time to time.

(3) The director of human resources and administration shall:

- (a) provide effective services that meet the needs of the University, its management and employees and administer them efficiently;
- (b) assist and advise management in the development and modification of the best human resources policies and procedures;
- (c) develop effective policies and procedures for hiring, training, deploying, development and retention of high quality manpower;
- (d) monitor decentralized human resource actions such as performance appraisal, promotions, annual increments, merit increases, internal transfers and termination of services and provide advice to the Management in a manner that achieves consistency and equitable treatment of employees;
- (e) participate in the formulation of the scheme of service and rules to assist in the administration of such schemes and rules;

- (f) give guidance to directors to ensure the consistent decisions are made on such matters as performance ratings, pay increases and disciplinary actions;
- (g) deal with pension, termination and terminal benefit schemes; and
- (h) deal with manpower planning, manpower surveys and performance management.

Chaplain of
University

43.-(1) There shall be a Chaplain of the University who shall be appointed by the Bishop of ELCT-Iringa Diocese in consultation with the Vice Chancellor.

(2) The Chaplain shall be the head of the University Chaplaincy and shall-

- (a) provide pastoral services and counselling to the University community in general;
- (b) in co-operation with the Dean of Students provide counselling to students of the University;
- (c) be accountable to the Bishop of ELCT-IRD on all pastoral functions and to the Deputy Vice Chancellor for Academic, Research and Consultancy in all matters pertaining to academic affairs; and
- (d) have such powers, duties and privileges as may be prescribed by the Vice Chancellor in writing.

(3) The Chaplain shall attend meetings of the Christian Council of Tanzania on equal and the same consideration as members of the Lutheran Church.

(4) The Chaplain shall consult with the Vice Chancellor:

- (a) on the best way to attend to the needs of other christian denominations; and
- (b) the best way to attend to the needs of students of other faith.

Legal counsel
of University

44.-(1) There shall be a legal counsel of the University who shall be recommended by the management and appointed by the Council upon such

terms and conditions of the University.

(2) The legal counsel shall:

(a) hold at least a masters degree in law with at least three years of relevant work experience; and

(b) a person of high credibility and integrity.

(3) The legal counsel shall be accountable to the Council through the Vice Chancellor.

(4) The functions of the legal counsel shall be to:

(a) advise the Board of Trustees, Council, Senate, the University management, and Committees of the Council;

(b) authenticate by his signature the affixing of the common seal of the University and the decisions made by the respective organs of governance in the University;

(c) carry out such other duties and functions as may be required by the Council; and

(d) represent the University in legal matters.

Internal auditor
of University

45.-(1) There shall be an internal auditor of the University who shall be recommended by the management and appointed by the Council upon such terms and conditions of the University.

(2) The internal auditor shall:

(a) hold at least a masters degree in accounts and be a professional Accountant qualified in Certified Public Accountant Tanzania, Association of Chartered Certified Accountants, Associated Chartered Accountant and Chartered Institute of Management Accountants with at least three years of relevant work experience in Auditing and recognised by the National Board of Accountants and Auditors;

(b) be a person of high credibility, integrity and competency; and

(c) be accountable to the Council through the Vice Chancellor.

(3) The functions of the internal auditor shall be

to:

- (a) advise the Vice Chancellor and management on financial matters;
- (b) prepare an annual audit plan and develop a comprehensive schedule for audit coverage;
- (c) evaluate the adequacy and effectiveness of management financial controls;
- (d) ascertain adequacy and effectiveness of financial information system, policies, plans and procedures;
- (e) evaluate adequacy of budgets and management financial controls;
- (f) review quarterly, monthly and annual financial reports;
- (g) ensure that all management units adhere to financial procedures, standards and conform to spending budget ceilings;
- (h) draft audit reports for executing audit programmes as recommended by University external auditors;
- (i) monitor regularly accuracy of accounting systems and ensure that standards, practices and procedures are upheld by the University; and
- (j) carry out such other duties and functions as may be required by the Council and the Vice Chancellor.

(4) The internal auditor shall be an *ex-officio* member of the Planning and Finance Committee of the Council and shall be the secretary.

Students'
organisations
and associations

46.-(1) There shall be students' organisations which shall be comprised of the Students' government and other Students' Organisations within the University premises to be known by such names as may be agreed upon by its members and approved by the Council according to the Charter through recommendation of the University Management.

(2) The membership and affairs of the students' organisations shall be governed by their respective

constitutions and conform to Charter.

(3) All *bona fide* students at University shall be members of the Students' Organisation.

(4) The constitution of the students' organisation including amendments thereto, shall be subject to approval by Council.

(5) The Students' organisation shall include preparation of annual budgets based on financial rules and such funds shall be audited by the University auditor.

(6) The students' organisation of the constituent colleges and schools shall be governed by constitutions establishing such constituent college and schools.

(7) All *bona fide* students of constituent colleges and schools shall be members of the students organisations.

(8) The Constitutions of students' organisations of constituent colleges and schools, including any amendments thereto, shall be subject to approval by the constituent college or school governing board.

(9) The Council may, through the recommendation of the University Management, provide for approval and conduct of other students' organisations in a fair and transparent manner as it deems appropriate.

(10) Student, students' organisation or association of the University, constituent college or school of the University shall not engage in any political party activity, contact its affairs or have a political party constitution which in anyway or ways offend, or offence, conflict or conflicts with the provisions of the University a Charter or the enabling registration or statutes establishing the University or any written law.

Establishment
of Convocation
and Alumni
Associations

47.-(1) There shall be an Alumni Association of the University consisting of all persons who are graduates of the University and its constituent colleges.

(2) Subject to the provisions of the Charter the Alumni Association of the University shall-

(a) deal with the promotion of the University, interests of the students and its members and maintain liaison with the Vice Chancellor and

the Council;

(b) deal with any matter relating to management and operation of the University and report its recommendations to the convocation;

(c) have such other rights and perform such other functions as the rules may prescribe.

(3) There shall be an Alumni Association for the constituent college which shall be established under the constitution of the college.

(4) The established alumni Associations in the constituent college shall function in accordance with the functions of the Alumni Associations of University.

Establishment
of the
Convocation

48.-(1) There shall be a Convocation of the University which shall be the union of convocations of the University, constituent Colleges and schools consisting of-

(a) Vice Chancellor, principal officers of the University, provosts of constituent colleges and principals of schools;

(b) alumni association of University;

(c) graduating students of University; and

(d) members of the convocations from constituent colleges and schools.

(2) Subject to the provisions of the University Charter, the Convocation of the University shall-

(a) have the right to meet and discuss any matters within the sphere of competency of the University and to transmit resolutions to the Senate or Council; and

(b) have such other rights, and perform such other functions as the rules may prescribe.

(3) There shall be convocation for constituent colleges and schools which shall be established under the enabling statutes that established the colleges.

(4) Subject to the provisions of the constitutions of constituent colleges, the provisions of the functions of the convocations of University shall be applicable to the convocations of the constituent colleges and schools functioning at the college or school level.

PART V
STAFF ASSOCIATIONS IN THE UNIVERSITY

Establishment
of Staff
Associations
in University

49.-(1) The Council may approve the establishment of Staff Association or Academic staff association in the University.

(2) Subject to the provisions of the Charter the affairs of the staff associations including membership shall be governed by its Constitution which will be approved by the Council.

(3) The constitution of a staff association including amendment there too shall be determined by the members of the association and shall be subject to the approval by the Council.

(4) A staff association established and governed in accordance with the provisions of this Article shall have a right to make presentations to the organs of governance of the University.

(5) A staff association shall not engage in any political party activity in the University, contact its affairs, attempt to recruit its members or have a constitution which in anyway offend or offence, conflict or conflicts with the provisions of the University Charter or any written law.

Constituent
colleges,
connected,
colleges,
affiliated
colleges,
campus
colleges and
schools

50.-(1) The University shall, through the Council establish constituent colleges and connected colleges according to the Charter, which shall be semi-autonomous.

(2) Constituent colleges and connected colleges shall have their own Charter of Incorporation which shall be approved by the Council pursuant to the Act.

(3) The University shall establish affiliated colleges and campus colleges according to the Charter, that shall have limited autonomy;

(4) The University shall establish schools within the campus, which shall be earmarked to specific academic disciplines as decided by the Senate and approved by the Council.

Management
of constituent,
connected,
affiliated
colleges and
schools

51.-(1) Constituent colleges and connected colleges established under this Charter, shall be headed by provosts while affiliated colleges and campus colleges shall be headed by principals and schools shall be headed by directors.

(2) The provost of every constituent college and connected college shall be the chief Executive officer of the college and *ex-officio* chairman of the academic committee thereof.

(3) The principal of every affiliated college and campus college shall be responsible to the Vice Chancellor for the academic and administrative matters of the college and *ex-officio* chairman of the academic committee.

(4) For every constituent college and connected college there shall be a provost and deputy provost who, shall:

(a) be responsible to, the chief advisor of and assistant to the provost in respect of such matters of the college as shall be assigned to him or them or his or their office and as may be prescribed; and

(b) deputise the provost during his absence or during a vacancy in the office of the provost.

(5) The number of deputy provosts, shall be determined by the Council upon the recommendation of the provost and on the advice of the academic committee and the governing board of the college, and the Senate of the university.

(6) For every affiliated college and every campus college of the University there shall be a principal and deputy principal as shall be determined by the Council upon recommendation of the principal and the advice of the governing board of the college, who severally or together shall:

(a) be responsible to, the chief advisor of, and assistant to the principal in respect of such matters of the college as shall be assigned to him or them or his or their office and as may be prescribed; and

(b) deputise the principal during his absence or

during a vacancy in the office of the principal.

(7) There shall be a director for every school and a dean for every faculty of the University who shall be the academic and administrative head thereof and the chairman of the board of the school or the faculty.

(8) There shall be a director for every University-based institute, library, centre, or directorate, who shall be the academic and administrative head of the institute, library, centre, or directorate.

(9) There shall be associate deans for every faculty and associate director for every University-based institute, library, centre and directorate who shall:

- (a) be responsible to, the chief advisor of, and the assistant to the dean or, as the case may be the institute, library, centre or directorate;
- (b) deputise the dean or director during his absence or during a vacancy in the office of the dean or, as the case may be, director; and
- (c) perform any other functions as may be given to him or as may be prescribed.

(10) There may be more than one associate dean of a school or faculty and more than one associate director of an institute, library, centre or directorate.

(11) There shall be heads of academic departments for every faculty, school, library, institute and directorate.

(12) There shall be staff of the University, whose appointment and other terms of service shall be as provided in the university schemes of service.

(13) The staff of the University shall be responsible for the general execution of the academic, administrative and technical functions of the University and related matters, and bearing such titles, designations and occupying such offices as are provided in the Act, or, in accordance with the Rules contained in the UoI Schemes of Service and any other rules or by-laws.

PART VI FINANCIAL PROVISIONS

Management
of assets of

52. Subject to the provisions of the Charter, the

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

Funds and
resources of
University 53.-(1) The funds and resources of the University shall consist of:

- (a) funds accruing to the University by way of students fees, consultancy fees, endowment, gifts and grants;
- (b) funds which shall be provided for the purposes of the University by individuals, dioceses, organisations or the Government either by way of donations, contributions, grants, loans, sponsorship and subventions;
- (c) funds which may be borrowed by the Council for the purpose of the University;
- (d) funds payable to or vested in the University either under the provisions of the Charter or due to their being incidental to the carrying out of its functions;
- (e) funds realised through the sale of goods and services provided by the University and through the sale, rent, mortgage or in any way of charging for the University's movable and immovable properties; and
- (f) funds provided for the purposes of the University by the Board of Trustees as grants or loans.

(2) The Council may, with the approval of the Board of Trustees, borrow funds for the administration of the University.

(3) Subject to the provisions of the Charter, the University Board shall have power to invest the funds of the University as prescribed by the Board of Trustees and in accordance with the laws of the country on investments.

University
financial rules 54. The Council shall, with the approval of the Board of Trustees, make rules to govern and regulate

financial matters of the University including the revenue and expenditure of the funds.

Financial year
of University

55. Subject to the provisions of the Charter and with the approval of the Board of Trustees, the Council may determine any period of twelve consecutive months to constitute the financial year of the University:

Provided that, for the purpose of transition from one financial year to another, the transitional period, whether of more or less than twelve months shall be regarded as a financial year.

Annual
estimates of
University

56.-(1) The Vice Chancellor shall prepare annual estimates of revenue and expenditure to be approved by the Council.

(2) The Council shall, before the commencement of a financial year, approve prepared budget estimates prepared in accordance with subarticle (1).

(3) The annual estimates shall include provisions for all the estimated revenue and expenditure during the ensuring financial year and the contents of the report shall include, , provisions for:

- (a) operating costs of the University;
- (b) the payments of all salaries, charges in respect of the staff of the University;
- (c) the payment of all pensions, gratuities and charges in respect of the accounts of the University;
- (d) the repayment of loans if any;
- (e) the proper maintenance of the buildings and grounds of the University; and
- (f) the creation of such reserve funds within the revenue account for the University sustainability.

(4) Expenditure shall not 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 of
accounts of
University

57.-(1) The Council through the University management shall maintain proper books and records of accounts on income and expenditure of the University as specified by the University financial rules and prepare:

- (a) a statement of income and expenditure of the University during each financial year;
- (b) a statement of assets and liabilities of the University on the last day of each financial year; and
- (c) any other such statements as may be required by any written law, to be submitted to and audited by a competent authorised auditor or authorised firm of auditors appointed by the Council and approved by the Board of Trustees.

(2) The external auditor's report shall state whether in the auditor's opinion:

- (a) proper books of accounts have been kept by the University management; and
- (b) the financial statement of the University:
 - (i) was prepared according to international accounting standards prescribed by National Board of Accountant and Auditors; and
 - (ii) in the case of income and expenditure, give a true and fair view of the income and expenditure of the University for the financial year.

(3) The Vice Chancellor shall at the end of each financial year prepare a performance report on the activities of the University during that financial year and submit such report to the Council.

(4) The engagement of a serving external auditor or firm of auditors shall not be terminated by the Council without the consultation with the Board of Trustees.

(5) The Board of Trustees may, on the advice of the Council and on special circumstances, give general or specific directions to a serving external auditor or firm of auditors who shall comply with such directions.

(6) A serving external auditor or firm of auditors so

directed under subarticle (5) shall report directly to the Council on any matter relating to the directions so given.

(7) The format, contents and structure of the report required under this article shall be as prescribed under the financial rules.

PART VII
MISCELLANEOUS, TRANSITIONAL, CONSEQUENTIAL
AND SAVING PROVISIONS

Association or
collaboration
with
Government
or other
institutions

58.-(1) In the discharge of its functions the Charter, the University may legally associate or collaborate with the Government, with other Universities, any other institutions or organisations regarding anything that the University is empowered to do under this Charter.

(2) Where the University has associated or collaborated legally as provided for under subarticle (1), the University shall abide by the terms and conditions of any such legal association or collaboration as may be agreed between the Government or collaborating institution and the University.

Provisions
relating to
principles of
natural justice

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

- (a) a disciplinary charge has been made against such officer or member of staff or student, as the case may be;
- (b) the officer or member of staff or student, as the case may be, has had opportunity to answer such charge;
- (c) an inquiry has been held into the charge in accordance with the provisions of the rules made by the Council or any applicable law, as the case may be; and
- (d) the officer or member of staff or student concerned, as the case may be, has, after such inquiry and defence, been found to be guilty of

an offence.

Student by-laws

60.-(1) Subject to provisions of the Charter, the students' affairs committee shall make by-laws for the administration and general welfare of students which shall be approved by the Council.

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

(3) By-laws made under this Article shall be published in the University prospectus or be made available to students on admission or in such other manner as the Council may determine.

Power to make rules

61.-(1) In the University management performance of its functions under these this Charter, with the approval of the Council and the Senate shall subject to the provisions of this Charter and any written law and directives make general rules for governance, control and administration of the University.

(2) Without prejudice to the generality of subarticle (1), the University may make rules-

- (a) prescribing procedures including the appointment of and terms and conditions, for positions of staff of the University, except where the conditions and terms of service are explicitly stipulated in the Charter;
- (b) prescribing allowances, fees and charges;
- (c) making settlement of the terms and conditions of service, including the attributes, appointment powers and privileges, functions, tenure, dismissal, termination, remuneration and retirement benefits of the officers and other employees of the University;
- (d) formulating provisions of Rules for and the manner of conducting disciplinary proceedings against, officers, staff and employees of the University;

- (e) determining tenure of office of members of the University Senate, termination of their appointment, quorum and procedure of meetings of the Senate and for the establishment, composition and terms of reference or functions of Committees of the Senate and other matters related to the proper functioning of the University Senate;
- (f) establishing tenure of office of members of the Council, termination of their appointment, *quorum* and procedure of meetings of the Council and for the establishment, composition and term of reference or functions of Committees of the Council and other matters related to the proper functioning of the Council;
- (g) providing for the general welfare of the University students as directed;
- (h) determining the time within which the University accounts have to be audited by External Auditor or firm of Auditors;
- (i) establishing the activities of the convocation and alumni of the University;
- (j) prescribing modalities of entering contracts with service providers with the University;
- (k) formulating procurement policies, rules and procedures as stipulated in the procurement legislation; and
- (l) which conform to Charter for the smooth functioning of the University.

(3) Notwithstanding the provisions of the Charter, the Council shall not make, amend or revoke any rules relating to the functions or privileges of the Senate, without first ascertaining the opinion of the Senate.

(4) Rules under this Article shall only be made by the Council based on advice of the Senate or the University management committee by a resolution passed at a meeting of the Council passed by a majority vote of not less than half of the total voting members present.

(5) Rules passed by the Council under this Article, shall be publicised in such a manner as the Council may

determine.

(6) Rules adopted by the Council shall not be in conflict with University rules issued in respect of the Charter, and where such if a conflict arises in interpretation of any rules *vis-à-vis* Charter on a particular subject, the Charter shall prevail.

Allowance

62. The University Management shall issue conditions and terms prescribing modalities for payment of fees, *honoraria* and allowances payable for work done for or service rendered to the University as shall be approved by the Council.

Directions by
owner and
Vice
Chancellor

63.-(1) The Board of Trustees shall issue general or specific policies to the Council after consultations with the ELCT-IRD and the Council shall direct the Vice Chancellor to implement such policies.

(2) The Vice Chancellor may give directions of a general or specific issue to the Senate with regard to academic matters requiring the Senate to implement.

Protection of
members and
proceedings

64.-(1) Any matter or anything done by any member or officer of the Council, the Senate, faculty boards and committees thereof, if done *bona fide* in the execution or purported execution of the functions of such council, the Senate, faculty board or committee thereof as the case may be, shall not render such member or officer personally not liable for such matter or decision.

(2) Acts or proceedings of the Council, Senate, or faculty boards or committee thereof shall not be invalid by reason only of any vacancy in the membership thereof, or any defect in the appointment of any member or of the fact that any member was at the time in question disqualified or disentitled to act as such.

Governance
and control

65.-(1) Subject to the provisions of the Charter, the University shall be autonomous, self-governing, self-financing and self-accounting institution with its financial and administrative controls vested in the Council which shall be accountable to the owner.

(2) The University shall be eligible for all such facilities, benefits or privileges as may be extended under any written law or from time to time by the Government to other private Universities in the country.

Rules relating
to students
admission

66.-(1) The University shall offer a range of courses leading to awards in the name of the University to candidates who meet the requirements.

(2) Entry qualifications for admission of students shall be in accordance with by-laws approved by the Council upon the recommendation of the Senate.

(3) Subject to the provisions of any applicable written law relating to immigration, students from countries other than Tanzania may be admitted to the University and shall comply with and abide by the immigration laws and study permit or any other Government regulation on foreign students.

Prohibition
against
discrimination

67.-(1) A person shall not be discriminated on account of religious beliefs or political inclinations, colour, race, ethnic origin, nationality or gender for admission as a student or appointment as a member of staff of the University or holding any office or enjoying any privilege, as the case may be, in the University.

(2) In the construction of infrastructure in the University due consideration shall be paid to people with special needs.

(3) Without prejudice to the generality of subarticle 3, all University facilities shall be accessible by people with special needs.

Transitional,
consequential
provisions and
savings

69. Such academic, administrative and other support staff of the University appointed prior to the coming into force of the Charter shall be deemed to have been properly appointed under the provisions of this Charter, and nothing done in good faith in accordance with such rules and procedures as were in place prior to the coming into force of this Charter shall be invalidated on grounds only that it was not done in accordance with any

provision of this Charter.

Dissolution of
University

70.-(1) Subject to the provisions of the Charter where it is resolved that the University is to be dissolved, such resolution shall be executed:

Provided that, such resolution for the dissolution of the University shall be recommended by three quarters of the majority votes of the Council and of the Senate, each sitting and voting separately and, further, the said resolution shall be:

- (a) passed by three quarters majority votes of the total membership of the Council and of the Senate, each sitting and voting separately; and
- (b) recommended to the Board of Trustees for a final decision.

(2) In the event of such a final decision by the Board of Trustees to dissolve the University, or of any other cause or any assets remaining after satisfaction of the debts and other liabilities of the University shall not be paid to and distributed among the trustees but shall be given in full to the ELCT-Iringa Diocese.

GIVEN under my hand and the Public seal this 11th day of March 2022.

SAMIA SULUHU HASSAN
President