



**THE STATE UNIVERSITY OF ZANZIBAR
ACT, 1999**

ARRANGEMENT OF SECTIONS

SECTIONS

TITLE

**PART I
PRELIMINARY**

1. Short title and Commencement.
2. Interpretation.

**PART II
STATE UNIVERSITY OF ZANZIBAR**

3. Establishment of the State University of Zanzibar.
4. Official Seal.
5. Objectives and Functions of the University.

**PART III
AWARDS OF DEGREES, DIPLOMAS AND CERTIFICATES**

6. Awards of Degrees, Diplomas and Certificates.
7. Honorary Degrees.

**PART IV
THE ADMINISTRATION OF THE UNIVERSITY**

8. Chancellor.
9. Vice-Chancellor.
10. Deputy Vice-Chancellor.



11. The Registrar.
12. The Council.
13. Powers of the Council.
14. Secretary to the Council.
15. Validity of acts of Council in certain cases.
16. Appointments Committee for University.
17. Other Committees.
18. The Senate.
19. Functions of the Senate.
20. Establishment of Schools and Institutes.
21. School Board.
22. Boards of Institutes.
23. Academic Staff of the University.
24. Appointment of Deans and Directors.
25. Vacancy of Senior Academic Posts.
26. Administrative Staff.
27. Power to constitute Offices of the University.
28. Power to appoint University Staff.
29. Power to terminate appointments.
30. Delegation of powers of Council.
31. Exercise of power conferred under Section 29.
32. Terms of employment of University Staff.



PART V
DISCIPLINE

- 33. Council may make by-laws.
- 34. Disciplinary Authority.
- 35. Disciplinary Appeals Committee.

PART VI
CONSTITUENT COLLEGES

- 36. Constituent Colleges.

PART VII
CONVOCATION

- 37. Convocation Members.
- 38. Meeting of Convocation.
- 39. President of Convocation.
- 40. Procedure of Convocation.
- 41. Registrar to report on business of Convocation.
- 42. Academic Staff Association.

PART VII
FINANCIAL PROVISIONS

- 43. Management of property of the University.
- 44. Fund of the University.
- 45. Investments of University Funds.
- 46. Financial Year.
- 47. Annual Estimates.



- 48. Accounts of the University.
- 49. Annual Report of the Vice-Chancellor.
- 50. Reports to be tabled in the House of Representatives.
- 51. Fees and allowances.
- 52. Indemnity for bona fide acts.
- 53. Validity of acts of Senate or Board on certain cases.
- 54. Students' Organization.
- 55. Functions of Students' Organization.

PART IX
MISCELLANEOUS PROVISIONS

- 56. Regulations.
- 57. Repeal of Decree No. 4/79 Saving and Transitional.

FIRST SCHEDULE & SECOND SCHEDULE.



ACT NO. 8 OF 1999

I ASSENT

Salim Amour
DR. SALMIN AMOUR
PRESIDENT OF ZANZIBAR
AND

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

15th May, 2000

**AN ACT TO ESTABLISH THE STATE UNIVERSITY OF
ZANZIBAR AND TO PROVIDE FOR MATTERS
CONNECTED THEREWITH AND
INCIDENTAL THERETO**

ENACTED by the House of Representatives of Zanzibar.

PART I
PRELIMINARY

Short
title and
Commencement.

1. This Act may be cited as the State University of Zanzibar Act, 1999 and shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.

Interpretation.

2.(1) In this Act, unless the context otherwise requires:-

“Act” means, unless otherwise specified, the State University of Zanzibar Act, 1999;

“Academic Staff” means members of the University described in section 23;

“Academic Staff Association” means the academic staff association established by section 42(1);



"Administrative staff" means members of the University described in section 26;

"Annual estimates" means the estimates other than supplementary estimates prepared under section 47(1) in respect of any financial year;

"Appointing Authority" in relation to a person holding an office created by or under this Act, means the person or body of persons vested with the power to appoint or elect that person to the office concerned;

"Appointment" in relation to the staff of the University, means an appointment of a person to the academic or administrative staff of the University and includes an appointment on promotion, transfer, and an acting appointment;

"Appointment's Committee" means the committee established by section 16(1);

"Board" in relation to:-

- (a) school, means a Board established under section 21(1);
- (b) an Institute, means a Board established under section 22(1);

"Committee" means a Committee established under section 17 (1);

"Chairperson" means the Chairperson of the Council;

"Chancellor" means the Chancellor of the University as specified in section 8;

"Constituent College" means a college or institution established to be a constituent college or institution of the University under section 36 (1);

"Convocation" means the Convocation of the University established by section 37 (1);



"Council" means the Council of the University established by section 12 (1);

"Dean" means the Dean of a School or College;

"Deputy Vice-Chancellor" means the Deputy Vice-Chancellor appointed under section 10 (1);

"Director" means a Director of an Institute;

"Disciplinary Appeals Committee" means the Committee established by section 35;

"Disciplinary Authority" means a body or person as prescribed under sections 34;

"Disciplinary Offence" means the contravention of any by-law made under the provision of section 33 where such by-law provides that its contravention shall constitute a disciplinary offence;

"Financial year" means subject to the provision of section 46 the period of twelve months commencing on the first day of July in any year and expiring on the thirtieth day of June in the following year;

"Government" means the Revolutionary Government of Zanzibar;

"Institute" means an Institute established by section 20 (2);

"Member" in relation to:-

- (a) the Council, means a member of the Council and includes the Chairperson;
- (b) a Board, means a member of the Board and includes the Chairperson of the Board;
- (c) the Senate, means a member of the Senate and includes the Chairperson of the Senate;



- (d) the Convocation, means a member of the Convocation and includes the President of the Convocation;

"Minister" means the Minister for the time being responsible for Education.

"Officer" means any person in the permanent employment of the University but does not include the Vice-Chancellor, the Deputy Vice-Chancellor or the Registrar;

"President" means the President of Zanzibar;

"Registrar" means the Registrar of the University appointed under section 11(1);

"Regulations" means regulations made under section 56(1);

"The Senate" means the Senate of the University established by section 18(1);

"School" means a School of the University established by section 20(1);

"Student" means a student of the University and includes any person who has enrolled himself for pursuing any course of study at the University;

"Students' organization" means an organ representative of the students of the University established by section 55(1);

"Vice-Chancellor" means the Vice-Chancellor of the University appointed under section 9(1);

"University" means the State University of Zanzibar established by section 3(1).

(2). Where appropriate, reference in the Act to the masculine gender shall be construed to include the feminine and vice versa, the singular to include the plural and vice versa.



PART II

STATE UNIVERSITY OF ZANZIBAR

Establishment of
the State
University
of Zanzibar.

3.(1) There is hereby established a University to be known as the State University of Zanzibar.

- (2) The University shall be a body corporate and shall:-
- (a) have perpetual succession and a common seal;
 - (b) in its corporate name be capable of suing and being sued;
 - (c) be capable of purchasing and otherwise acquiring, and of alienating any movable or immovable property, and
 - (d) have power from time to time to borrow such sums as it may require for its purposes.

Official seal.

4.(1) The official seal of the University shall be kept in such custody as the Council directs and shall not be used except in accordance with an order or direction of the Council.

(2) The official seal of the University shall be authenticated by the signature of the Vice-Chancellor, the Deputy Vice-Chancellor, the Registrar or one member of the Council authorized in that behalf by the Council.

(3) The official seal of the University shall when affixed to any document and duly authenticated, be judicially and officially noticed and, unless the contrary is proved, any necessary order or authorization of the Council shall be presumed to have been fully given.

Objectives and
functions of
the University.

5. The objectives and functions of the University shall be:-
- (i) to preserve, enhance, transmit and disseminate



knowledge in arts, sciences and technologies in allied and applied fields, by teaching and conducting research, in various fields;

- (ii) to provide education of university and professional standard for its students;
- (iii) to provide opportunities for higher education to the people of Zanzibar in particular and Tanzania in general and of other nations;
- (iv) to conduct examinations for, and to grant degrees, diplomas, certificates and other awards of the University; and
- (v) to serve the interests of the Zanzibar community so as to enhance the social, economic, political and cultural development of Zanzibar and Tanzania in general;

PART III

AWARDS OF DEGREES, DIPLOMAS AND CERTIFICATES

Awards of
degrees,
diplomas
and certificates.

6.(1) Subject to the provision of this Act, the University may confer the degrees of Bachelor, Master, Doctor and such other degrees as may be prescribed by the Senate.

(2) The University may grant diplomas, certificates or other awards to:

- (a) persons in respect of courses of study provided by the University and approved by the Senate, or
- (b) persons who in the opinion of the Senate, are entitled to receive such diplomas, certificates or other awards.

Honorary
Degrees.

7. The provisions of section 6 shall also apply to the honorary degrees which the Senate may with the approval of the Council and the Chancellor, wish to confer to any person who, in the opinion of the Senate, has rendered distinguished service in the advancement of any branch of learning or has otherwise rendered himself worthy of such a degree.



PART IV
THE ADMINISTRATION OF THE UNIVERSITY

Chancellor.

8.(1) The President or any other person appointed by him shall be the Chancellor of the University.

(2) A person who is appointed by the President under subsection (1) of this section shall hold office for such period and upon such terms and conditions as may be specified in the instrument of his appointment, provided that the duration of his term shall not exceed five years.

(3) The Chancellor shall:-

- (a) be the titular Head of the University and shall in the name of the University confer all degrees and other awards;
- (b) provide such advice and guidance to the Council for the betterment of the University.

(4) The Chancellor shall have such other functions as are conferred by this Act.

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

Vice-Chancellor.

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

(2) The Vice-Chancellor shall be a person of high standing in the community with academic prowess and proven administrative ability.

(3) The Vice-Chancellor shall hold office for a term of four years and may be appointed for only one further term of four years.



(4) The Vice-Chancellor shall be the Chief executive officer of the University and shall be responsible to the Council for the implementation of the decisions of the Council.

(5) The Vice-Chancellor shall have such other functions as are conferred upon him by this Act or as may be prescribed by the Council.

Deputy
Vice-Chancellor

10.(1) There shall be a Deputy Vice-Chancellor of the University, who shall be appointed by the President in consultation with the Council from among the Professors of the University with administrative experience.

(2) The Deputy Vice-Chancellor shall hold office for a term of three years and may be appointed for only one further term of three years.

(3) The Deputy Vice-Chancellor shall be the principal assistant and responsible to the Vice-Chancellor in all matters pertaining to the activities and life of the University.

(4) The Deputy Vice-Chancellor shall have such other functions as are conferred upon him by this Act or as may be prescribed by the Council.

The Registrar.

11.(1) There shall be a Registrar of the University who shall be appointed by the Council following procedures provided for by Regulations.

(2) The Registrar shall be a person with high academic qualification and extensive experience in administration especially in an educational institution.

(3) The Registrar shall hold office for a period of three years and may be eligible for re-appointment for further terms of three years.

(4) The Registrar shall be the principal assistant and responsible to the Deputy Vice-Chancellor in respect of all administrative matters pertaining to the University.



(5) The Registrar shall have such other functions as are conferred upon him by this Act or as may be prescribed by the Council.

The Council.

12.(1) There shall be a Council of the University which shall be composed of:

- (a) the Chairperson who shall be appointed by the President;
- (b) the Vice-Chancellor who shall be an ex-officio member;
- (c) the Deputy Vice-Chancellor who shall be an ex-officio member; and
- (d) not less than eight and not more than eleven members appointed by the Minister after consultation with appropriate authorities and organizations who may be as follows:-
 - (i) one member from the Ministry of Education;
 - (ii) one member from the Ministry of Planning or the Planning Commission;
 - (iii) one member from the Ministry of Finance or other financial institutions in Zanzibar;
 - (iv) three members from the Senate;
 - (v) one member from the House of Representatives;
 - (vi) one member from the business community in Zanzibar;
 - (vii) one member who is a Vice-Chancellor of one of the other Universities in Zanzibar;
 - (viii) one member who is a Representative of the students' organization;



- (ix) one member who is a Representative of the Academic Staff Association;
- (x) one member who is a female Academician.

(2) The Council may invite either for a specific meeting, or for all its meetings such other persons who in its opinion will better facilitate the deliberations and functions of the Council. Such persons shall not be regarded as members of the Council and shall have no vote in the decisions of the Council.

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

**Powers of
the Council.**

13.(1) Subject to the provisions of this Act the governing and control of the University shall be vested in the Council.

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

- (a) to administer the property of the University, both movable and immovable, other than the property of a constituent college, for the promotion of the best interest of the University, subject to sub-section (3);
- (b) to administer the funds and other assets of the University;
- (c) to signify the acts of the University by the use of the common seal;
- (d) to receive on behalf of the University or a constituent college gifts, donations, grants or other moneys and to make disbursements from them to the schools, institutes, constituent colleges or to other persons or bodies of persons;



- (e) to provide for the welfare of the students and staff of the University;
- (f) to enter into association or co-operation with any other university or institution of learning within or outside Zanzibar as the Council may deem necessary or appropriate;
- (g) subject to the provisions of this Act, to appoint such officers of the University as it may deem necessary;
- (h) to do all such other acts or things as are provided for by this Act or as may be prescribed.

(3) All documents, other than those required by law to be under seal, made on behalf of the Council, and all decisions of the Council, may be signified under the hand of the Vice-Chancellor, the Deputy Vice-Chancellor, the Registrar or of one member of the Council generally or specifically authorized by the Council in that behalf.

Secretary to
the Council.

14.(1) The Registrar shall be the Secretary to the Council.

(2). The Council may also appoint such number of officers to assist the Secretary as the Council may consider necessary.

(3) The Secretary shall have such functions as may be conferred upon him by the Council.

Validity of
acts of
Council in
certain
cases.

15. No act or proceeding of the Council shall be invalid by reason only of any vacancy in the membership or of the number of the members not forming a quorum at the time of such validity of acts or proceeding or of any defect in the appointment of any member of the Council or in the fact that any member of the Council was at the time in question disqualified or dis-entitled to act as such.

Appointments
Committee for
University.

16.(1) There shall be an Appointments Committee for the University Staff which shall be composed of:-



- (a) the Vice-Chancellor, who shall be the Chairperson;
- (b) the Deputy Vice-Chancellor who shall be the Vice-Chairperson;
- (c) the Registrar;
- (d) one member who shall be the Dean of the relevant School, or the Director of the relevant institute or the library;
- (e) one member who shall be the Head of the relevant department; and
- (f) two members who shall be appointed by the Council from amongst their numbers who are not members of the Staff of the University.

(2) The Appointments Committee shall have such functions as may be conferred upon it under this Act or as may be delegated to it by the Council.

(3) The provisions of the First Schedule to this Act shall apply mutatis mutandis in relation to the tenure of office of the members of the Appointments Committee appointed under paragraph (f) of sub-section (1), their retirement, the power to terminate their appointment and the appointment of a new member to fill any vacancy, and also in relation to the election of a temporary chairperson, the quorum, proceedings and meetings of the Committee.

Other
Committees.

17.(1) The Council may, from time to time, appoint such other Committees as it may consider necessary and, subject to the provisions of this Act delegate to any such Committee any of its functions under this Act.

(2) A Committee appointed under this section shall be composed of such number of members as the Council may determine provided that at least one-third of the total number of members appointed to any such Committee shall be appointed from amongst the members of the Council.

(3) The quorum necessary for the conduct of any business of such Committee shall be fixed by the Council.



(4) Where the Council establishes a Committee under this section, the Council shall elect one of its members to be the Chairperson of the Committee.

(5) Meetings of a Committee established under this section shall be presided over by the Chairperson and in the absence of the Chairperson, the members present may elect one of their numbers to be the Chairperson for that meeting.

(6) Subject to the provisions of this Act and any regulations made thereunder in that behalf, and subject to any directions given by the Council in that behalf, a Committee established under this section may regulate its own proceedings.

(7) For the purpose of this section the Registrar shall be deemed to be a member of the Council.

The Senate.

18.(1) There shall be a Senate of the University which shall be composed of:-

- (a) the Vice-Chancellor, who shall be the Chairperson;
- (b) the Deputy Vice-Chancellor who shall be the Vice-Chairperson;
- (c) the Registrar;
- (d) the Deans of the Schools of the University;
- (e) two members appointed by the Council from amongst its numbers who are not members of the University;
- (f) the Directors of the Institutes;
- (g) one member elected by the students' organisation from amongst the students;
- (h) two representatives of each of the school Boards and Boards of the institutes.



(2) The Senate may invite either for a specific meeting, or for all its meetings such other persons who in its opinion will better facilitate the deliberations and functions of the Senate. Such persons shall not be regarded as members of the Senate and shall have no vote in the decisions of the Senate.

(3) The provisions of the First Schedule to this Act shall apply mutatis mutandis in relation to the tenure of office of members elected under paragraph (c) of sub-section (1), their retirement, the power to terminate their appointment and the appointment of a new member to fill any vacancy and also in relation to the election of a temporary chairperson, the quorum, proceedings and meetings of the Senate.

Functions
of the
Senate.

19.(1) The Senate shall be responsible to the Council for the control and general regulation of the instruction, education and research within the University and in addition thereto shall have the following functions:-

- (a) satisfy itself regarding the contents and academic standards of any course of study offered by any School or Institute in respect of a degree, diploma, certificate or any other award of the University and to report its findings therein to the Council;
- (b) with the consent of the Council to make by-laws:
 - (i) regarding the eligibility of persons for admission to courses for a degree, diploma, certificate or other award of the University;
 - (ii) with regard to the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other awards of the University;
- (c) to decide whether any candidate for a degree, diploma, certificate or other award of the University has attained the standards of proficiency prescribed in the by-laws made under paragraph (b) and is otherwise fit for the



grant of such degree, diploma, certificate or other award of the University;

- (d) to consider recommendations made to it by a School Board and to take such action therein as it may consider appropriate;
- (e) to make proposals to the Council on matters relating to the conduct of the University generally; and
- (f) to perform such other functions as may be conferred upon it by regulations made thereunder or by the Council.

(2) In respect of any matter in relation to which the Senate is required to report to the Council or to make by-laws in accordance with the provision of paragraphs (a) and (b) of sub-section (1), the Council shall not initiate any action in respect thereto until such report has been received from the Senate or, as the case may be, such by-laws have been made by the Senate and shall not reject any such report or by-laws without further reference to the Senate.

Establishment of
Schools and
Institutes.

20.(1) There shall be established the following Schools of the University:

- (a) the School of Education, Arts and Sciences;
- (b) the School of Engineering;
- (c) the School of Business;
- (d) the School of Agriculture;
- (e) the School of Health and Medical Sciences;
- (f) the School of Law.

(2) There shall be established the following Institutes of the University:-

- (a) the Institute of Policy Studies and Research;



- (b) the Institute of Continuing Education;
- (c) the Institute of Kiswahili and Foreign Languages, and
- (d) the Institute of Marine and Environmental Studies.

(3) The Council may, from time to time, after consultation with the Senate and with the approval of the Chancellor, by order published in the Gazette, establish Schools and Institutes either in addition to, or in substitution of the above Schools and Institutes.

(4) The course of study to be conducted in any School or Institute, shall be determined by the Senate.

School Board.

21.(1) There shall be established a School Board in respect of each School.

(2) Every School Board established for a School shall be composed of:

- (a) the Dean of the School who shall be the Chairperson;
- (b) all Heads of departments of the School;
- (c) a representative of each department of the School elected by the staff of the department from amongst their numbers;
- (d) one member appointed by the Senate from outside the University; and
- (e) two members elected to the School Board by the Students in the School for which the Board is established.

(3) Every School Board shall, subject to the general or specific directions of the Senate, have power, from time to time to:

- (a) review and make recommendations to the Senate in respect of the control and regulation of the



instruction, education and research within the School;

- (b) make recommendations to the Senate on any matter pertaining to the School;
- (c) do any other acts or things it may be empowered to do by the Senate or under any provision of this Act.
- (4) A School Board:-
 - (a) may, subject to any direction of the Senate, meet at such intervals as it considers necessary;
 - (b) shall act in accordance with the directions of the Senate in such manner and at such intervals as the Senate may direct;
 - (c) subject to the directions of the Senate, may regulate its own proceedings and fix a quorum for its meetings.

Boards of
Institutes.

22.(1) There shall be established in respect of each institute a Board of the Institute.

- (2) Every Board of an Institute shall consist of:-
 - (a) the Director of the Institute who shall be the Chairperson;
 - (b) not more than three representatives from the Schools and Institutes of the University, elected by the Senate;
 - (c) five members elected by the University Council, at least two of whom shall be from amongst the members of the Council, and
 - (d) four members elected to the Board by the academic staff of the Institute from amongst their numbers;
 - (e) one member who is a representative of the students' organization;



Academic Staff
of the
University.

(3) Every Board of an Institute shall, subject to the general or specific directions of the Senate, have powers as described in sub-sections 21 (3) and 21 (4), *mutatis mutandis*.

23. The Academic Staff of the University shall be comprised of:-

- (a) the Deputy Vice-Chancellor;
- (b) the Deans of the Schools;
- (c) the Directors of the Institutes;
- (d) the Heads of the Departments of Schools and Institutes;
- (e) Professors and Associate Professors;
- (f) Senior Lecturers, Lecturers and Assistant Lecturers;
- (g) Research Professors and Associate Research Professors;
- (h) Research Fellows, Associate Research Fellows and Senior Assistant Research Fellows;
- (i) Such other members of the staff of the University who are engaged wholly in teaching or research in any School or Institute.

Appointment
of Deans
and Directors.

24.(1) The Dean of a School or a Director of an Institute shall be appointed by the Council in accordance with Regulations laid down by the Council.

(2) Every Dean or Director appointed in accordance with the provisions of this section shall, subject to the provisions of this Act, hold office for a period of three years from the date of his appointment and shall be eligible for re-appointment for only one further consecutive term.



Vacancy of
Senior
Academic
Posts.

25.(1) Where a vacancy occurs in any senior post on the academic staff or where the holder of such post is on leave or is absent from the United Republic of Tanzania or is temporarily unable to perform the functions of his office, the Vice-Chancellor may, if it is necessary or desirable so to do, appoint an officer to act in such post until such time as the vacancy is filled in accordance with the provisions of this Act or until the substantive holder of the post resumes duty;

(2) While on an acting appointment made under sub-section (1), the officer so appointed may be paid an acting allowance in accordance with laid down regulations.

Administrative
Staff.

26. The Administrative Staff shall be comprised of:

- (a) the Registrar;
- (b) the Bursar; and
- (c) all other officers of the University who are not members of the academic staff.

Power to
constitute
offices of
University.

27. The power of constituting and abolishing of offices in the services of the University is vested in the Council, provided that nothing in this section shall apply to any office the constituted by or provided for in this Act.

Power to
appoint
University
Staff.

28. Without prejudice to any other section of this Act, the power of making appointments to all offices of University staff is vested in the Council.

Power to
terminate
appointments.

29. The power of dismissing or terminating the appointment of any officer by way of disciplinary action or of punishing any officer otherwise than by dismissal or termination of his appointment for any disciplinary offence is vested in the Council.

Delegation of
powers of
Council.

30. The Council may, by regulations made under section 56 delegate any of the powers vested in it by sections 24, 27, 28 and 29 to the Appointments Committees, the Vice-Chancellor, the Deputy Vice-Chancellor, the Registrar or any other officer of the University subject to such limitations as the Council may specify.



Exercise of the power conferred under section 29.

31. Notwithstanding the provisions of section 29, power to dismiss an officer of the University by way of disciplinary action shall not be exercised unless:-

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

Terms of employment of University Staff.

32. The terms and conditions of the employment of officers of the University shall be such as may be prescribed by the Council.

PART V **DISCIPLINE**

Council may make by-laws.

33.(1) The Council may make by-laws to ensure discipline amongst the students.

(2) By-laws made under sub-section (1) 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 section shall be published in the Gazette and every such by-laws shall be brought to the notice of the students in such manner as the Council may determine.

Disciplinary Authority.

34. There shall be a Student Disciplinary Authority appointed by the Council whose composition, powers, functions and mode of operation shall be provided for under Regulations made by the Council.



Disciplinary
Appeals
Committee.

35. There shall be established by the Council a Disciplinary Appeals Committee of the University for the Students, whose composition, powers, functions and mode of operation shall be provided for under Regulations made by the Council.

PART VI **CONSTITUENT COLLEGES**

Constituent
Colleges.

36. (1) The President may, on the advice of the Council, and by order published in the Gazette declare any institution of learning, higher education or training established by or under any written law, or owned by the Government to be a Constituent College of the University or a School or Institute of the University.

(2) Where any institution is declared to be a Constituent College, School or Institute of the University, the President may upon the advice of the Council:

- (a) by the same or subsequent order make such provision for the administration of the Constituent College, School or Institute, as may be considered appropriate, modify any of the provisions of this Act so as to provide for the representation of that College, School or Institute, on the Council, the Senate or a Board;
- (b) by the same or subsequent order transfer the assets and liabilities of that institution to the University;

(3) Where in pursuance of this section any asset or liability of an institution is vested in the University, the President may make provision in respect of the transfer of the rights and liabilities of the institution to the University under any contract, guarantee, agreement, bond, authority, mortgage, charge, bill of exchange, promissory note, bank draft, bank cheque, letter of credit or any other security or instrument of any kind and may provide for the substitution of the University as the party to it.



(4) Where the President vests any asset or liability of an institution in the University in pursuance of this section, the asset or liability to which the order relates shall, by virtue of that order and without further assurance, vest in the University.

(5) Where in the exercise of the powers vested in the President by this section, the President declares any institution to be a School or an Institute of the University, the School or Institute shall be deemed to have been established by section 21.

(6) The President may, in any order made under this section, make such supplementary, transitional or consequential provisions as he may deem necessary to give effect to it.

(7) Every order made under sub-section (1) shall be subject to approval by resolution of the House of Representatives at its next meeting following the making of that order.

(8) Where an institution is established as or declared to be a Constituent College the Council shall appoint a principal for that Constituent College in accordance with Regulations made by the Council on that behalf.

(9) Where an institution is declared to be a Constituent College, School or Institute of the University, the Council may transfer any person who is an employee of that institution to the University and vice-versa.

(10) Where in pursuance of this section the Council transfers any employee of an institution to the service of the University:-

- (a) the employee shall, as from the date of the transfer, be deemed to be an employee of the University;
- (b) the terms and conditions of service applicable to the employee after the transfer shall be in accordance with this Act and its regulations, but shall not be less favourable than those the employee was entitled to before the transfer; and



- (c) for the purpose of determining any right to gratuity or any other superannuation benefits, the service of the employee with the University shall be regarded as continuous with the service immediately preceding the transfer, and the employment of that employee immediately before the transfer and the employment with the University by one employer.

PART VII

CONVOCATION

Convocation
Members.

37.(1) There shall be a Convocation of the University which shall consist of:-

- (a) the Vice-Chancellor;
- (b) the Deputy Vice-Chancellor;
- (c) all members of the academic staff;
- (d) all persons who become graduates of the University; and
- (e) a maximum of ten persons who may be appointed by the Chancellor for a period of three years provided that they may be reappointed for further terms of three years each.

(2) The Registrar shall cause to be compiled and maintained a Convocation roll in which shall be entered the names of all persons who are, for the time being members of the Convocation.

Meeting of
Convocation.

38. The Convocation shall have the right to meet and discuss any matter within the sphere of competence of the University and to transmit any resolution arising from such discussion to the Chancellor or the Council or the Senate, as the Convocation may consider appropriate.

President of
Convocation.

39.(1) The Convocation shall at its first meeting elect from amongst its members the President of the Convocation.



(2) The President of the Convocation shall, subject to continuing to be qualified to be a member of the Convocation, hold office for a period of three years and shall be eligible for re-election.

Procedure of
of the
Convocation.

40.(1) The Registrar shall be the Secretary of the Convocation.

(2) All matters relating to the procedures of the meetings of the Convocation shall be prescribed by the Convocation with the approval of the Council.

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

Registrar to
report on
business of
Convocation .

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

(2) The Registrar shall send a copy of the minutes of every meeting of the Convocation to the Chancellor.

Academic Staff
Association.

42.(1) There shall be an Academic Staff Association which shall be composed of all staff engaged in teaching, research and related activities as defined under section 23.

(2) The objects and functions of the Association shall be:

- (a) to stimulate and promote discussions on matters of academic interest;
- (b) to promote the academic functions of the University;
- (c) to discuss any matters relating to the general welfare of the academic members of staff of the University; and



- (d) to cooperate with other organs of the University on matters of general interest to the University community.

(3) The Constitution of the Academic Staff Association shall be determined by the academic members of staff of the University and approved by the Council.

PART VIII **FINANCIAL PROVISIONS**

Management of property of the University.

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

Fund of the University.

44. The funds and resources of the University shall consist of:-

- (a) such sums as may be approved for the purpose of the University by the House of Representatives, either by way of grants or loans;
- (b) such sums as the Council may, with the approval of the Minister from time to time, borrow for the purpose of the University;
- (c) such sums as may in any manner become payable to or vested in the University either under the provisions of this Act or incidental to the carrying out of its functions.

Investments of University Funds.

45. The Council shall have power to invest the funds of the University in such investments, and subject to such conditions as are prescribed by a relevant Act.

Financial Year.

46. Notwithstanding the financial year, the Council may determine any other period of twelve consecutive months which shall constitute the financial year of the University. Provided that in the event of any change in the financial year and for the purpose of the transition from one financial year to



another, the transitional period, whether longer or shorter than twelve months, shall be regarded as if it were a financial year.

Annual Estimates.

47. (1) At least six months before the commencement of any financial year the Bursar shall prepare or cause to be prepared for the approval of the Council, annual estimates of revenue and expenditure of the University for the ensuing financial year.

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

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

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



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

(5) A copy of the annual estimates and of every supplementary estimates, if any, shall immediately after approval be forwarded to the Chancellor and the Minister.

Accounts of
the University.

48.(1) The Council shall cause to be kept proper accounts and shall, as soon as is practicable after the end of each financial year, cause such accounts together with:

- (a) a statement of income and expenditure during such financial year;
- (b) a statement of the assets and liabilities of the University on the last day of such financial year to be submitted to and audited by auditors approved by the Council and subject to standard accounting procedures approved by the Government.

(2) Copies of the statements referred to in subsection (1) and a copy of the auditor's report, shall be forwarded to the Minister and the Chancellor.

Annual Report
of the
Vice-Chancellor .

49. The Vice-Chancellor shall at the end of each financial year prepare a report on the activities of the University during that financial year and submit such report to the Council, the Minister and the Chancellor.

Reports to be
tabled in the
House of
Representatives.

50. The Minister shall annually cause to be laid before the House of Representatives:

- (a) copies of the statements referred to in section 48(1);
- (b) a copy of the auditor's report; and
- (c) a copy of the Vice-Chancellor's report.



Fees and allowances.

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

Indemnity for bona fide acts.

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

Validity of acts of Senate or Board on certain cases.

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

Students' Organization.

54.(1) There shall be established a students' organization of the University which shall be known by such name as may be agreed upon by its members and approved by the Council by notice published in the Gazette.

(2) Every student of the University shall be deemed to have become a member of the organization upon registration, and membership shall terminate upon cessation of registration as a student.

(3) The affairs of the organization shall be conducted in accordance with its constitution, which shall be approved by the Council and the Chancellor.

Functions of Students' Organization.

55. The functions of the students' organization shall include:-

- (a) to stimulate and promote meaningful discussions amongst the students of the University on matters of academic and social interest;
- (b) to sponsor social and other functions for the purpose of enhancing the intellectual and cultural development of the University;



- (c) to cooperate with other organs of the University in matters of general interest to the University community.

PART IX **MISCELLANEOUS PROVISIONS**

Regulations.

56.(1) The Council may make regulations for the better carrying out of the purposes of this Act, and without prejudice to the generality of the foregoing, may make regulations:

- (a) prescribing the degrees, diplomas, certificates and other awards which may be conferred or granted by the University;
- (b) prescribing the conditions which must be satisfied before the granting of any award;
- (c) prescribing the manner in which a degree may be conferred or a diploma, certificate or other award may be granted;
- (d) regulating the administration of any School or Institute established under this Act;
- (e) prescribing the manner in which by-laws made by the Senate under section 19(1) shall be submitted to the Council for its approval;
- (f) regulating the conduct of examinations;
- (g) with the consent of the Minister prescribing fees for admission to the University, School or Institute established under this Act;
- (h) with the consent of the Minister prescribing fees payable by the candidates for the examination held or conducted by the University;
- (i) for the appointment of any officer whose appointment is required to be made by or under regulation;



- (j) providing for any regulating disciplinary proceeding against the officers of the University;
- (k) prescribing anything which may be prescribed under this Act;
- (l) governing any matter in respect of which regulations may be made under this Act;
- (k) providing for any matter or thing which, in the opinion of the Council, is necessary to provide for the furtherance of the functions and object of the University; and
- (n) providing for the delegation of the powers of the Council.

(2) The regulations made under this section shall be published in the Gazette.

Repeal of
Decree No. 4/79
Saving and
transitional.

57.(1) The Institute of Kiswahili and Foreign Languages Decree No. 4 of 1979 is hereby repealed.

(2) Notwithstanding the repeal made under subsection (1) of this section all order, appointments, regulations or any other acts made or done under the repealed Decree shall be deemed to have been done under the provisions of this Act and shall, until revoked by order, appointment or regulations, as the case may be, made under this Act, remain inforce as far as they are consistent with the provisions of this Act.

FIRST SCHEDULE **(Section 12 (3))**

PROVISIONS RELATING TO PROCEDURES OF THE COUNCIL

1. The Chairperson of the Council shall hold office for a period of four years from the date of appointment.
2. Subject to the provisions of this Schedule, the term of office of all members of the Council other than the Chairperson and the



ex-officio members shall be three years and all such members shall retire on the last day of June of the third year, and of the last day of June every third year thereafter, their places shall be filled by the newly appointed members who shall come into office immediately upon such retirement.

Provided that:-

- (a) nothing in this Schedule shall be construed as preventing any person otherwise eligible to be appointed as a member from being re-appointed for another term of office;
- (b) in case of a member appointed from the House of Representatives the member shall cease to hold office if at any time prior to the date of retirement the person ceases to be a member of the House of Representatives.
- (c) in the case of a member appointed from the Students' Organization the member shall cease to hold office if at any time prior to the date of retirement the person ceases to be a student.

3. Nothing in paragraph 2 shall be construed as preventing the Minister from terminating the appointment of any member appointed prior to the date when such member is required to retire from office under paragraph 2.

4. Where any member absents himself from three consecutive meetings of the Council without reasonable excuse, the Council shall advise the Minister of the fact and the Minister may, after consultation with appropriate authorities, terminate the appointment of the member.

5.(1) Where any member of the Council ceases to be such a member by resignation or death, or by virtue of the operation of the provision to paragraph 2, or is unable to perform the functions of a member by reason of absence from the United Republic of Tanzania or by reasons of any infirmity of body or mind, or where the Minister terminates the appointment under paragraph 3 or paragraph 4, the Minister may appoint another member in replacement, and the member so appointed shall, subject to the provisions of this Schedule hold office for the remainder of the term of the predecessor.



(2) Where in the opinion of the Minister, the absence or infirmity of any member is of temporary nature only, he may appoint a temporary member who shall have all the powers and functions of a member of the Council;

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

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

7.(1) The Chairperson shall preside at all meetings of the Council.

(2) Where at any meeting of the Council, the Chairperson is absent the Vice-Chairperson shall preside.

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

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

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

Provided that the Chairperson of the Council, or, if absent from the United Republic of Tanzania or is unable for any reason to act, the Vice-Chairperson, shall at the request of at least ten members summon a meeting of the Council within thirty days of such request.

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



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

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

10. Subject to the provisions relating to a casting vote, all questions at a meeting of the Council shall be decided by a simple majority of the votes of the members present; any member failing or refusing to vote on any question shall be counted as opposing the motion.

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

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

- (a) The Vice-Chancellor or
- (b) The Deputy Vice-Chancellor, or
- (c) The Registrar, or
- (d) Such person or persons appointed in writing by the Council in that behalf, and the person or persons present shall sign over or underneath the seal in witness thereof.

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

- (a) The Vice-Chancellor
- (b) The Deputy Vice-Chancellor
- (c) The Registrar, or
- (d) Such other officer of the University as the Vice-Chancellor may appoint in that behalf.



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

SECOND SCHEDULE **(Section 30)**

PROVISIONS RELATING TO APPOINTMENT OF ADMINISTRATIVE STAFF

1.(1) Where a vacancy occurs in the post of the Bursar or any Senior Administrative Officer, the Registrar shall cause the vacancy to be advertised in such manner as the Registrar may consider fit and shall submit to the Appointments Committee the names of all persons who have applied for the post and shall, after consultation with the Deputy Vice-Chancellor make recommendations to the Appointments Committee as to:-

- (a) whether a vacancy should be filled by promotion from amongst the officers of the University, or
- (b) whether the vacancy should be filled by making an appointment from amongst the applications.

(2) Where the Registrar recommends that the vacancy should be filled by promotion, the Registrar shall, after consultation with the Deputy Vice-Chancellor, submit to the Appointments Committee the name or names of the officer or officers who is or are suitable for promotion.

(3) Where the Registrar recommends that the vacancy be filled by an appointment other than on promotion the Registrar shall, after consultation with the Deputy Vice-Chancellor, submit to the Appointments Committee the names of the candidates who are most suitable for appointment to the post.

(4) The Appointments Committee shall, after considering the applications and the recommendations of the Registrar, make an appointment;

Provided that an appointment to the post of Bursar shall be subject to the approval of the Council.

(5) For the purpose of this Schedule "Senior Administrative Officer" means a member of the administrative staff holding a post at



or above a grade of the approved Scheme of Service of the University specified by the Council.

2.(1) The Vice-Chancellor after consultation with the Deputy Vice Chancellor and the Registrar and subject to the approval of the Appointments Committee may make an appointment to any post on the administrative staff within a range specified from time to time by the Council.

(2) The Vice-Chancellor after consultation with the Deputy Vice Chancellor and the Registrar may make an appointment to any post on the administrative staff within a range specified from time to time by the Council.

(3) The Registrar may make an appointment to any post on the administrative staff within a range specified from time to time by the Council.

Passed in the House of Representatives on the 8th day of October, 1999.

A handwritten signature in blue ink, reading 'Khamis Juma Chande', is positioned above the printed name.

KHAMIS JUMA CHANDE
CLERK OF THE HOUSE OF REPRESENTATIVES.