



AN ACT TO AMEND THE STATE UNIVERSITY OF ZANZIBAR OF 2016

ARRANGEMENT OF SECTIONS

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ACT NO. 7 OF 2016

I ASSENT

Alhassan

{ DR ALI MOHAMED SHEIN }
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF
THE REVOLUTIONARY COUNCIL

19th October, 2016

**AN ACT TO AMEND THE STATE UNIVERSITY OF ZANZIBAR ACT
NO. 8 OF 1999 AS AMENDED BY ACT NO. 11 OF 2009 AND TO
PROVIDED FOR BETTER PROVISIONS AND OTHER
MATTERS CONNECTED THEREWITH**

ENACTED by the House of Representatives.

**PART ONE
PRELIMINARY PROVISIONS**

- Short title and Commencement. **1.** This Act may be cited as the State University of Zanzibar (Amendment) Act, of 2016 and shall come into operation immediately after being assented to by the President.
- Construction. **2.** This Act shall be read together as one with the State University of Zanzibar Act, No. 8 of 1999 as amended by Act No. 11 of 2009 in this Act referred to as the "Principal Act".

**PART TWO
AMENDMENT PROVISIONS**

- Amendment of section 2. **3.** Section 2 of the Principal Act is hereby amended by adding the following words:
- (a) "Associate Deans and Associate Directors" means assistants to the respective Deans or respective Directors.
 - (b) "Recruitment and Human Resources Board" means a Board established under section 6 of this Act.
 - (c) "Technical staff" means technical staff of the University in accordance with section 19 of this Act.



Amendment
of section
12.

4. Section 12(1)(d) of the Principal Act is hereby amended as follows:

- (i) by deleting the words “not less than eight and not more than eleven” and replace by the words "not more than sixteen”.
- (ii) by adding items xi, xii, xiii and xiv in the list:
 - (xi) One member from the Ministry responsible for Health;
 - (xii) One member from the Ministry responsible for Tourism;
 - (xiii) One member from Zanzibar Association of the Disabled;
 - (xiv) One member who is a Representative of Administrative and technical Staff Association of the University.
- (iii) the word "three" appears under Section 12(1)(d)(iv) of the Principal Act is hereby repealed and replaced by the word "one".

Repealed of
section 14.

5. Section 14 of the Principal Act as amended under section 7 of the Amendment Act No. 11 of 2009 is hereby repealed.

Amendment
of section
16.

6. Section 16 of the Principal Act is hereby repealed and replaced as follows:

Recruitment
and Human
Resource
Board.

16.(1) There shall be Recruitment and Human Resource Board which shall consist of the following members:

- (a) the Vice Chancellor, who shall be the Chairperson;
- (b) the Deputy Vice Chancellor responsible for Academics, Research and Consultancy, who shall be the Vice Chairperson;
- (c) the Deputy Vice Chancellor responsible for Planning, Finance and Administration who shall be Secretary;
- (d) one Dean appointed by the Vice Chancellor;
- (e) one Director appointed by the Vice Chancellor;
- (f) two members appointed by the Council from amongst members of the Council and one of whom shall be a female;
- (g) head of University Human Resource Department; and
- (h) one member from Trade Union at the University.



(2) The Recruitment and Human Resources Board may invite other person or persons who in its opinion will better facilitate the deliberations of the Board.

(3) The Recruitment and Human Resource Board shall have the following functions as may be conferred upon it under this Act or may be delegated to it by the Council:

- (a) to prepare a list of new vacancies for each year for approval by the Council;
- (b) to approve appointment of new staff as may be delegated by the Council;
- (c) to recommend new appointment of staff to the Council for approval;
- (d) to consider and recommend the benefit and remuneration of the staff;
- (e) to consider and recommend promotion of academic and administrative staff or any other cadre; and
- (f) to propose and monitor staff training activities for the University in each financial year.

(4) The provisions of the First Schedule to the Principal Act shall apply all together in relation to the tenure of office and meetings for the members of the Recruitment and Human Resource Board.

Addition
of a new
section
16A.

7. The Principal Act is hereby amended by adding a new section 16A as follows:

Recruitment
and Human
Resource
Committee.

16A.-(1) There shall be Recruitment and Human Resource Committee in each School or Institute of the University as the Council may find it necessary, which shall be composed of the following members:

- (a) Dean of respective school who shall be Chairperson;
- (b) Officer in-charge of Human Resources Unit in the respective school who shall be the Secretary;
- (c) Associate Dean;
- (d) Heads of Academic Departments; and
- (e) One member from Trade Union at respective School or institution of the University.



(2) The Recruitment and Human Resources Committee may invite any other person or persons who in its opinion will facilitate better deliberations of the committee.

(3) The Recruitment and Human Resource Committee shall have specific functions or any other function as may be conferred to it by the Appointment and Human Resource Board.

Addition
of a new
section
16B.

Finance,
Planning and
Development
Board.

8 The Principal Act is hereby amended by adding a new section 16B as follows:

16B.-(1) There shall be a Finance, Planning and Development Board which shall consist of:

- (a) two members appointed by the Council from amongst members of the Council one of whom shall be a chairperson of the Board; in the course of appointment, the Council shall observe gender balance;
- (b) Vice Chancellor;
- (c) Deputy Vice Chancellor responsible for Planning, Finance and Administration who shall be secretary;
- (d) Deputy Vice Chancellor responsible for Academics, Research and Consultancy;
- (e) Bursar; and
- (f) Head of University Planning Department.

(2) The Finance, Planning and Development Board shall have such functions as may be delegated upon it by the Council as follows:

- (a) to supervise the financial affairs of the University and to advise the Council on any matter relating to the University financial management;
- (b) to keep in such form as may be approved by the government, all proper and usual accounts and records of all income received or expenditure incurred by the University;
- (c) to make quarterly and annual financial reports and submit them to the Council;
- (d) to monitor the adherence of financial regulations and procurement Act;
- (e) to prepare, monitor and consolidate University budget and submit it to the Council;



- (f) to propose investment projects and planning for the Council approval;
- (g) to monitor and prepare a quarterly report for the implementation of the Strategic Plan of the School, Institute and the University;
- (h) to prepare and submit report and recommendations pertaining to financial affairs to the Council;
- (i) to supervise budget and all financial matters in every University school; and
- (j) to prepare report for the implementation of development plan.

(3) The provisions of the First Schedule to the Principal Act shall apply all together in relation to the tenure of office for the members of the Finance, Planning and Development Board.

Addition
of a new
section
16C.

9. The Principal Act is hereby amended by adding a new section 16C as follows:

Finance,
Planning
and
Development
Committee.

16C.-(1) There shall be established a Finance Committee in each school or Institute as the council may find it necessary, which shall be composed of the following members:

- (a) Dean or Director of the respective School or Institute shall be a Chairperson;
- (b) Associate Dean or Director of Institute; and
- (c) an Officer in-charge of Finance Unit.

(2) The finance committee shall have specific functions or any other functions as may be conferred to it by the Finance, Planning and Development Board.

(3) The Council shall make and approve regulations on administration of all University units and Committees.

Addition
of a new
section
16D.

10. The Principal Act is hereby amended by adding a new section 16D as follows:

Students'
Welfare
Board.

16D-(1) There shall be a Students' Welfare Board which shall consists of the following members:

- (a) Chaiperson who shall be appointed by the Council from amongst its members who shall not be ex-officio member;



- (b) Deputy Vice Chancellor responsible for Academics, Research and Consultancy;
- (c) Deputy Vice Chancellor responsible for Planning, Finance and Administration;
- (d) a student representative from the University Council;
- (e) Dean of Students, who shall be also a Secretary;
- (f) a representative from Senate;
- (g) a students' representative of postgraduate studies,
- (h) two students representatives at least one female from Students' Organisation.

(2) The Students' Welfare Board shall have such functions as may be delegated upon it by the Council.

(3) The provisions of the First Schedule to the Principal Act shall apply all together in relation to the tenure of office for the members of the Students' Welfare Board.

Amendment
of section
20.

11. Section 20(2)(b) of the Principal Act is hereby repealed and replaced by the following:

- (b) Institute of Tourism Development; and
- (c) Institute of Maritime Studies.

Amendment
of section
21.

12. Section 21 of the Principal Act is hereby repealed and replaced by a new section as follows:

Academic
Committee.

21.-(1) There shall be Academic Committee in every School or Institute which shall be composed of the following members:

- (a) Dean or Director of respective School or Institute who shall be Chaiperson;
- (b) Associate Dean or Director;
- (c) Heads of Academic Departments;
- (d) one member appointed by the Senate from out-side the University with respective academic qualification;
- (e) two members elected by the students' organization from the respective school, at least one of whom shall be a female.



(2) An Academic Committee shall, subject to the general or specific directives of the Senate from time to time have the following functions:

- (a) to supervise education, instruction and research within the school;
- (b) to make recommendations to the Senate on any academic matter pertaining to the school; and
- (c) do any other acts or things it may be empowered to do by the Senate or under any provision of this Act.

(3) The Academic Committee may invite any other person or persons who in its opinion will better facilitate the deliberations of the committee.

(4) The provisions of the First Schedule to the Principal Act shall apply all together in relation to the tenure of office and meetings for the members of the Academic Committee.

Addition of a
new section
24A.

13. The Principal Act is hereby amended by adding new section 24A as follows:

The Associate
Deans and
Associate
Directors.

24A.-(1) There shall be:

- (a) Associate Deans for every School; and
- (b) Associate Director for every University Institute as the Council may decide upon the advice of the Senate.

(2) Associate Dean or Associate Director shall be the assistant to the Dean or to the Director, as the case may be, and shall deputize for the Dean or Director during his or her absence or during a vacancy in the office of the Dean or Director.

(3) The Associate Dean or Associate Director shall be the Principal Assistant and responsible to respective Dean or respective Director in all matters pertaining to the activities and life of the School, Institute and the University at large.

(4) The Associate Dean or Associate Director shall have such other functions as are conferred upon him by the Principal Act as Amended by Act No. 11 of 2009 and this Act or as may be prescribed by the Council.

Addition of a
new section

14. The Principal Act is hereby amended by adding new section 24B as follows:

24B. Qualifications
of Dean or
Director 24B.

24B. A person shall be eligible to be appointed as a Dean or Director if he:

- (a) is a Ph.D holder or Senior Lecturer; and



- (b) has at least three years working experience from any tertiary institution recognized by Revolutionary Government of Zanzibar.

Addition of
a new
section
24C.

Appointment
of Associate
Dean or
Associate
Director.

15. The Principal Act is hereby amended by adding new section 24C as follows:

24C.-(1) The Associate Dean or Associate Director shall be appointed by the Council in accordance with Regulations laid down by the Council.

(2) A person shall be eligible to be appointed as an Associate Dean or Associate Director if he:

(a) is at least a Masters holder; and

(b) has at least three years working experience in administration from any recognized tertiary institution.

(3) Associate Dean or Associate Director shall hold office for a period of three years from the date of his appointment and may be re-appointed for another one term of three years only.

Addition
of a new
section
24D.

Academic
and Adminis-
trative
Departments
and Centres.

16. The Principal Act is hereby amended by adding new section 24D as follows:

24D.-(1) There shall be Academic and Administrative Departments and Centres of the University as established by the Council.

(2) The Vice Chancellor shall make appointment of heads for Academic Departments and Centres after consultation with Deputy Vice Chancellors, and Dean or Director of the respective School or Institute.

(3) The Vice Chancellor shall make appointment of heads for Administrative Departments and Centres after consultation with Deputy Vice Chancellors.

(4) The heads of Academic and Administrative Departments shall be appointed from amongst senior members of the University through prescribed Council procedures.

(5) The heads of Academic and Administrative Departments shall hold office for a term of three years and may be re-appointed for one more term of three years.

(6) The Vice Chancellor may, after consultation with Deputy Vice Chancellors, appoint Assistants Heads of Departments to assist Heads of Departments as he may consider necessary through prescribed Council Procedures.

(7) The council shall make Regulations to provide for guidelines on the appointment of Heads of Academic and Administrative Departments.



Addition
of a new
section

24E. Duties and
Responsibilities.

17. The Principal Act is hereby amended by adding a new section 24E as follows:

24E. In addition to other duties and responsibilities, the heads of Academic and Administrative Departments shall:

- (a) serve as Chairperson of Departmental meetings;
- (b) represent their departments at University's Committees and other bodies as required;
- (c) ensure that proper and acceptable standards of research and consultancy, teaching, learning, and public service are maintained;
- (d) provide professional leadership and be responsible for administration of the Department;
- (e) keep up-to-date records of their Departments; and
- (f) supervise staff in their respective Departments.

Amendment
of section 26.
following:

School
Administrative
units

18.-(1) Section 26 of the Principal Act is hereby repealed and replaced by the following:

26.(1) There shall be Administratives Units for each School or Institute of the University as the Council may deem necessary.

(2) Any Administrative Unit shall be led by the Officer-in-Charge who shall be appointed by the Dean or Director of school or Institute after recommendations of the respective Recruitment and Human Resource Committee of School or Institute.

(3) The Council shall make Regulations on the Administration of Units at the University.

(4) The administrative staff shall be include of the following:

- (a) the Dean of Students;
- (b) the Bursar;
- (c) staff members of the University who hold positions related to administration work as the Council may from time to time determine; and



- (d) such other members of the staff of the University not engaged in teaching or research and consultancy or innovation as the Council may, from time to time determine, upon the advice or recommendation of the Recruitment and Human Resources Board.

Addition
of a new
section

26A. Technical
Staff of the
University.

19. The Principal Act is hereby amended by adding a new section 26A as follows:

26A.-(1) The Technical Staff of the University shall comprise of the following:

- (a) Medical and Allied Health Personnels;
- (b) Engineers, Architects, Quantity Surveyors, and related professionals;
- (c) Laboratory Scientists;
- (d) Information Technology Specialists and System Administrators;
- (e) Technicians; and
- (f) any other Technical Staff as the Council may deem necessary to add.

(2) The powers of making appointments of technical staff are hereby vested in the Council.

(3) A Technical staff cadres shall be appointed by the Council upon the recommendations of the Recruitment and Human Resource Board in accordance with guidelines prescribed from time to time.

Addition
of a new
section

26B. Administrative
and Technical
Staff
Association.

20. The Principal Act is hereby amended by adding a new section 26B as follows:

26B.-(1) There shall be an Administrative and Technical Staff Association which shall be composed of all staff who are not academic members and one member from Trade Union at the University.

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

(3) The affairs and functions of the Associations shall be conducted in accordance with their constitution, which shall be approved by the Council including amendment thereof.



Addition
of a new
section
28A.

Secretary to
the Council.

21. The Principal Act is hereby amended by adding new section 28A as follows:

28A.-(1) There shall be a Secretary to the Council of the University who shall be appointed by the Council from among the Senior Legal Officers of the University after recommendation of the Recruitment and Human Resource Board and upon such terms and conditions as the Council may prescribe.

(2) The Secretary to the Council, shall be accountable to the Council, and shall specifically be responsible to ensure that:

- (a) proper notification of the meetings of the Council given to the members;
- (b) the correct and sufficient records of the Council meeting are properly taken and kept;
- (c) orders and Directives of the Council are properly implemented;
- (d) he provides the correct advise to the Council when so needed; and
- (e) he supervises and implement such other functions as may be confered upon him by the Council.

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

(4) The Secretary to the Council shall have a right to presence at every meeting of the Council but shall have no right to vote.

(5) The Secretary to the Council shall be head of the Council Secretariat and Head of the Directorate of legal services of the University.

Addition
of a new
section
29A.

Staff
Disciplinary
Committee.

22. The Principal Act is hereby amended by adding a new section 29A as follows:

29A.-(1) There shall be a Staff Disciplinary Committee which shall consist of the following members:

- (a) two members appointed by the Council from amongst of its members, one of whom shall be a Chaiperson of the Committee;
- (b) Deputy Vice-Chancellor responsible for Planning, Finance and Administration;



(c) A representative from :

- (i) University's Academic Staff Association appointed by the Vice-Chancellor after consultation with Academic Staff Association;
- (ii) Administrative and Technical Staff Association.
- (iii) Trade Union at the University.
- (d) Head of Human Resource Department;
- (e) Head of Directorate of Internal Audit of the University; and
- (f) Senior Legal Officer from the University, and who shall be a Secretary.

(2) The quorum of the Staff Disciplinary Committee shall be of at least five members.

(3) Charges of disciplinary offences or misconduct or breach of code of ethics against staff shall be handled in accordance with the provisions of section 31 of the Principal Act and a recommendation shall be submitted to the Council through Vice-Chancellor.

(4) Matters concerning discipline of staff, other than Vice Chancellor and Deputy Vice-Chancellors shall be dealt in accordance to this Act or any other applicable laws in Zanzibar.

(5) The Staff Disciplinary Committee shall be governed by this Act, Public Services Act or any other enforceable laws in Zanzibar.

(6) The Council may make regulations to ensure discipline amongst the staff of the University.

Addition
of a new
section
29B.

Staff
Disciplinary
Appeals
Committee.

23. The Principal Act is hereby amended by adding a new section 29B as follows:

29B.-(1) There is established a Committee, to be known as the Staff Disciplinary Appeals Committee, which shall deal with appeals of members of the Academic, Administrative and Technical Staff.

(2) The Staff Disciplinary Appeals Committee shall be composed of the following members:

- (a) one member from the Public Service Commission appointed by the Council in consultation with the Chairperson of the Public Service Commission and who shall be a Chairperson;



(b) one member from among the Universities operating in Zanzibar appointed by the Council in consultation with the respective Vice-Chancellor of that University;

(c) Senior State Attorney from Attorney General Chambers appointed by the Vice-Chancellor after consultation with Attorney General;

(d) one member appointed by the Vice-Chancellor from amongst Senior Administrative Officers who shall be a Secretary.

(3) Members of the Staff Disciplinary Appeals Committee shall be appointed on the case-to-case basis.

(4) The quorum for the meeting of the Disciplinary Appeals Committee shall be simple majority of the members of the Committee.

(5) The Staff Disciplinary Appeals Committee shall have appellate power over any decisions of a disciplinary nature, dismissals from and terminations of service or employment in the University.

(6) The Staff Disciplinary Appeals Committee shall be governed by this Act, Public Services Act and, or any other related law enforceable in Zanzibar.

(7) Decision of the Staff Disciplinary Appeals Committee under this section shall be final and conclusive at the level of University.

Addition
of a new
section
36A.

24. The Principal Act is hereby amended by adding new section 36A as follows:

Separate and
Independent
University.

36A. The Chancellor may, upon the advice of the Council, and by order published in the Gazette declare any Constituent College, School or Institute of the University to be separate and independent University.

Amendment
of section
56.

25. Section 56 of the Principal Act is hereby amended by adding new paragraph 56(1)(o) as follows:

56.-(1)(o) explaining of the distribution, monitoring, controlling and expenditures of fund of the Vice-Chancellor, Deputy Vice-Chancellors, Dean of School, Directors of Institutions and such other officers of the University.

Amendment
of section
57.

26-(1) The Principal Act is ammended by repealing section 57 and replacing it with new section 57 as follows:

Repeal
and Saving.

57.(1) The following Acts are hereby repealed:



- (a) the Insitute of kiswahili and Foreign Language Decree No. 4 of 1979;
- (b) the College of Health Sciences of Zanzibar Act No. 10 of 1998.
- (c) the Zanzibar Institute of Financial Administration Act No. 1 of 2002; and
- (d) the Zanzibar Institute of Tourism and Development Act No. 7 of 2008.

(2) Notwithstanding the repeal made under subsection (1) of this section, all orders, appointments, regulations or any other acts made or done under the repealed Acts shall be deemed to have been done under the provisions of the Principal Act as amended by the Act No. 11 of 2009 and this Act.

(3) Notwithstanding the admission Regulations of the State University of Zanzibar, all students admitted under the Acts repealed under subsection (1) of this section, shall graduate and conferred with certificates bearing names of such institutions which admitted the students, according to the laws and Regulations of such Institutions repealed under this section.

Passed by the House of Representatives of Zanzibar on 28th September, 2016.

{ RAYA ISSA MSELLEM }
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR