



**MUHIMBILI UNIVERSITY OF HEALTH
AND ALLIED SCIENCES**

**REVISED MUHAS STUDENTS BY-LAWS
(2013)**

JULY, 2013

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Regulation

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PREAMBLE

Whereas the University was established and exists for the pursuit of learning;

AND

Whereas the University's fundamental purpose can be achieved only if each one of its members i.e. students, academic, administrative and technical staff can work peacefully in conditions which permit freedom of thought, learning and expression within a framework of respect for the rights of other persons;

NOW, THEREFORE:

These By-Laws are promulgated and made to maintain these conditions and protect the University from actions which would damage its academic reputation or the standing of the University and its members.

PART I
PRELIMINARY PROVISIONS

- 1.0 (a) These By-Laws shall be cited as Muhimbili University of Health and Allied Sciences Students By-Laws, (2010) (hereinafter referred to as the “Students By-Laws” as revised in 2013 and shall come into force on such date as the Council may approve.
- (b) These By-Laws are made by the Council in accordance with provisions of Article 26 (2) (p) of the MUHAS Charter and Rule 12 (2) (k) of the MUHAS RULES, 2007 whose object and purpose are, inter alia, to provide for the control, governance and administration of the University.

Citation

- 2.0 In these By-Laws, unless the context otherwise requires:

Definitions

“**The Charter**” means the Muhimbili University of Health and Allied Sciences Charter and Rules of 2007 as may be amended from time to time;

“**Advisory Disciplinary Panel**” means a Panel established under Part IV, Rule 14 of these By-Laws;

“**The Appeals Committee**” means the Appeals Committee established under Rule 31 (1) of the MUHAS Charter and Rules 2007;

“**Competent Authority**” shall have the same meaning as “competent organ”

“**Competent Organ**” includes the Council, Board, Committee, Office or Officer of the University vested with express or implied legal powers to do or to disallow or to order the doing or disallowance of such act or acts as is or are referred to in any of the respective provisions of these By-Laws;

“**The Council**” means the Council of Muhimbili University of Health and Allied Sciences;

“**Dean of Students**”, for the purpose of these By-Laws, means the Dean of Students or any other officer acting for and on behalf of the Dean of Students;

“**Disciplinary Authority**” means a disciplinary authority established under Rule 32 of the MUHAS Charter and Rules 2007;

“**Disciplinary Offence**” includes offences provided under Part II of these By-Laws;

“**Natural Justice**” shall include the right to be heard by an impartial body; the right to be informed of the specific offence

alleged to have been committed and the specified law alleged to have been violated; the right to tender defense and the right to appeal;

“**Student**” means any person admitted to the University as a candidate for a degree, diploma, certificate or other award of the University including short term and occasional students;

“**The Students’ Organization**” has the same meaning as that ascribed to it under Rule 29 of the MUHAS Charter and Rules 2007;

“**Halls of Residence**” shall mean and include halls of residence, hostels and blocks of residence owned and/or supervised by the University;

“**Vehicle**” includes motorcar, motor scooter, motor cycle, tricycle, bicycle and other mechanical means of conveyance on land.

Wherever it appears in these By-Laws, a singular shall include a plural form and vice-versa.

Wherever it appears in these By-Laws, an expression of “he” shall also include “she” and vice-versa.

3.0 These By-Laws will be available online on MUHAS website. Acceptance of a place in the University is conditional upon agreement by the student to abide by the By-Laws. The operation and application of the By-Laws are without prejudice to the University Charter and Rules (2007), Constitution and the general Laws of the United Republic of Tanzania. *Acceptance of By-Laws; Conditions for admission*

4.0 Payment of prescribed fees and possession of recognized health care cover plan shall be a condition for registration to pursue and/or to continue with studies at the University; provided that the manner of payment shall be in accordance with instructions enunciated from time to time by the University. For avoidance of doubt, prescribed fees shall be such fees as are approved by the Council and shall include the Students’ Organization membership subscriptions or “Student Union Fees”. *Payment of fees, health care cover plan Conditions for registration*

PART II

DISCIPLINARY OFFENCES

For the purpose of these By-Laws, general disciplinary offences shall include the following:

- (i) Conduct which does or is likely to cause damage, defacement or violence to person or property within the University, provided that

General Disciplinary offences

such conduct is that of a student toward self or another student, member or members of the University Community or any other member of the society of the University, patients or their relatives or hospital staff provided further that the conduct in question occurred on any of the University campuses or any other premises where academic activities of the University are taking place;

- (ii) Using force or offering violence against or striking a fellow student or any member of the University community provided that such violence occurs on any of the University campuses or any other premises where academic activities of the University are taking place;
- (iii) Maliciously damaging, defacing or destroying a wall, door, window, gate, fence, post or any other property of the University, whether or not such property has been leased to any public or private company or person;
- (iv) Act or conduct which is likely to obstruct or obstructs or to frustrate or frustrates the holding of any academic or administrative or public service activity or both academic, administrative and public service activities authorized by the University;
- (v) Unauthorized use of, or interference with, any technical, electronic, electrical or other service or installations of the University;
- (vi) Where a student is charged with a criminal offence which is not a misdemeanor under the law;
- (vii) Unauthorized possession of password(s) which allow access to unauthorized University data bases or other information or a key to University property;
- (viii) (a) Refusal or failure to comply with a lawful order or directive given by any officer of the University acting on his behalf or under an order from any competent organ or officer of the University;
- (b) Knowingly giving information known to be false or not believed to be true by the giver thereof or any other person in that behalf;
- (ix) Use of slanderous, abusive, obscene, threatening language and gesture or defamatory statement against any student or students or clients or against any officers or employee of the University;
- (x) Forgery with an intent to mislead for personal gain or unfair advantage or cause loss to any person, University, or any other institution whether in cash or otherwise;

- (xi) Knowingly inviting or entertaining a student or students in the University whose name or names appear on the University notice board or any other media as having been barred or otherwise known to have been barred from the University premises by a competent authority;
- (xii) Refusal or failure to obey any lawful order issued under the University regulations or rules promulgated by a competent organ of the University;
- (xiii) Failure or refusal to attend a meeting called or authorized by the Disciplinary Authority or any other competent organ of the University when summoned to do so by a proper written notice by such Authority or organ;
- (xiv) (a) Willful obstruction of the work of or proceedings conducted by the Disciplinary Authority, Advisory Disciplinary Panel or any other competent organ of the University or interference with witnesses in disciplinary proceedings conducted under these By-Laws;
 (b) If a student, having been called upon to give evidence before the Advisory Disciplinary Panel, turns hostile or refuses without lawful excuse to give evidence or to answer a question or to produce a document or any other thing required by such a panel;
- (xv) Refusal or failure to abide by the ruling, decision and/or penalty made or imposed by the Disciplinary Authority or any other competent authority of the University;
- (xvi) Unlawful assembly or holding of or participating in Students meeting(s) which does or is likely to cause breach of peace or disrupt the academic, administrative, public service and any other functions of the University;
- (xvii) Inviting outsiders as guest speakers and/or social entertainers or journalists without written permission of the relevant organs of the University, namely, the Vice Chancellor, Deputy Vice Chancellor, Respective Dean/Director, or Head of relevant Department, as the case may be, depending on the intended audience and the status of the guest;
- (xviii) Forming and/or establishing and/or participating in unauthorized student groups which are likely to cause disunity and disorder at the University or in the wider Community;
- (xix) Without derogating the right to freedom of expression, willful writing of defamatory literature, murals, drawings and uttering

insults or obscene language by any student or group of students against any other student or group of students or any employee of the University; or against the University, Government or any civil leader; or any other member of the Community at the University or in the wider Community;

- (xx) Tarnishing the image and/or reputation of the University;
- (xxi) Sexual harassment of whatever kind; Sexual harassment shall consist of, any or all, but not limited to, the following:
 - (a) Sexual jokes, innuendoes, noises, lewd suggestions, language, obscene gestures;
 - (b) Belittling comments on a person's anatomy, persistent demands for dates;
 - (c) Pressuring for sexual activity or favours;
 - (d) Asking about personal sex life; explicit sexual suggestions in return for reward;
 - (e) Telling lies or spreading rumors about a person's sex life with the purpose of assassinating the character of the victim;
 - (f) Unwanted physical contact of any sort which is sexual in nature, including touching of sensitive body parts, brushing against another's body, hair or clothes, kissing, pinching, patting, grabbing, or cornering;
 - (g) Displaying of pornographic and sexually suggestive pictures and/or sexual objects;
 - (h) Transmitting offensive written, telephone or electronic communications of sexual nature;
 - (i) Indecent exposure which includes but not limited to exposing the genital areas or other private parts of the body.
 - (j) The use of one's authority or power, either explicitly or implicitly, to coerce another into unwanted sexual relations, or to punish another for his refusal;
 - (k) The creation by a member, or a group of people, of an intimidating, hostile or offensive working or educational environment through verbal or physical conduct of a sexual nature;
- (xxii) Criminal offences that are to be directly reported for handling by the Republic such as rape, murder, indecent assault, etc.
- (xxiii) Possessing, using, administering, distributing or otherwise offering to any person or dealing in any prohibited drugs, narcotics or any other illicit intoxicating substances;

- (xxiv) Public and/or group sex;
For avoidance of doubt:
 “Public sex” refers to sexual acts that take place in public or semi-public places, and does not necessarily imply that the sexual activity takes place outdoors.
 “Group sex” means sexual behavior involving more than two participants.
- (xxv) Engaging in illegal sexual behaviours including homosexuality and/or prostitution.
- (xxvi) Mismanagement and/or embezzlement of a student organization’s funds and/or of any other recognized student society established under the auspices of the student organization in accordance with the relevant provisions of the student organization’s constitution for the time being in force;
- (xxvii) Collecting or charging money from any student or student groups or other member of the University without prior written permission of the University organs, namely; the Dean of Students, the Students’ Organization, or, in special cases, the Dean/Director of the relevant School or Department, as the case may be;
- (xxviii) Possession of lethal weapons including possession of fire arms and explosive materials within the campus which is likely to jeopardize peace;
- (xxix) Illegal entry into another student’s room;
- (xxx) a) Instigating or inciting students to boycott classes;
For avoidance of doubt:
 “instigating or inciting” shall mean and include persuasion, pressure, threats or encouragement with the intention that the student or students persuaded, pressured, threatened or encouraged commit (s) the offence in question;
 b) Participating in boycotting of classes;
- (xxxi) a) Planning an unlawful demonstration which shall include planning the route for the demonstration and providing banners or posters for the demonstration;
 b) Participating in an unlawful demonstration
- (xxxii) Engaging in political party activities. No student or Students Organization or students academic association or students club shall engage in any political party’s activity on campus, conduct its

affairs or have a constitution which, in one way or another, offends or conflicts with the provisions of the University Act (2005) or Charter or of any other written law;

For avoidance of doubt:

“Engaging in a political party’s activity” includes recruitment of party members, training, registering or enrolment of party members, organization of meetings, seminars and conferences for a political party or political parties, operating a branch office or cell or the like of a political party or political parties and matters of similar nature.

- (a) “Campus” includes any place where the activities or affairs of the institution to which the student organization belongs may, under lease or license take place, be conducted or where the residence of students is established, provided, organized or overseen, whether regularly or intermittently or on a particular occasion or occasions;
- (b) “Students’ Organization” means Students Organization as per Regulation 4(1) of the University (Students Organizations) Regulations, 2009, GN, No.178.

**PART III
GENERAL REGULATIONS**

Students may be offered accommodation in the University Halls of Residence or any hostel or residence rented to the University.

Allocation of rooms into the Halls of Residence shall be done according to the criteria set under the Accommodation Policy as approved by the University Council;

The following are Accommodation Tenancy Regulations, a breach of any of which shall constitute an offence:

- (i) The rooms are furnished with fittings or fixtures. Occupants are not allowed to remove fittings or fixtures in the rooms and are responsible for the proper care of all property and any damage or loss must be reported immediately to the Warden;
- (ii) The occupants shall be required to sign for all property found in their rooms at the beginning of each semester and sign off at the end of each semester or at the end of the occupancy;
- (iii) Payment of the rent fees shall be made at the beginning of each semester.

Notwithstanding the generality of this paragraph, reasons for

not paying rent fees on time shall be channeled through the

Provisions and offences relating to residence

office of the Dean of Students and approved by the DVC-PFA;

- (iv) Occupants shall be required to sign an accommodation contract at the beginning of each semester, vacation, programme, and return the copy of the contract to the Warden;
- (v) Occupants shall be enjoined to take good care of the rooms they occupy and shall themselves be responsible for the general cleanliness and tidiness of the rooms;
- (vi) Cooking is not allowed in the Halls of Residence except in designated premises.

For avoidance of any doubt, disallowed cooking which amounts to disciplinary offence includes: frying, roasting, baking and boiling (except boiling water using electric kettle);

- (vii) Students shall not interfere with or transfer permanent furniture or fittings of any kind from any part of a University building without prior written permission from the office of the SSB Manager as the case may be.

Notwithstanding the generality of this paragraph, any student wishing to install an additional furnishing in his room may do so subject to prior knowledge and written permission from the office of the SSB Manager;

- (viii) No air condition or electrical devices other than reading lamp, table fan, electric iron, electric hair dryer, electric kettle, radio, record player, TV, VCR, cell phone charger or computer shall be used in student rooms or in any other unauthorized place or space;
- (ix) Students shall not use electric appliances which exceed the maximum current of 13 amps at wall power points;
- (x) Musical appliances and instruments, such as record player, radio, TV, VCR, computer and other noise making instruments may be used provided that the music shall not be played at noise levels that are a nuisance and annoyance to other residents of the hall;
- (xi) For specific official student functions, permission to extend music performance in specified places within the University may be granted by the Dean of Students until, but not beyond, 12.00 midnight;
- (xii) A resident shall obey rules and instructions made in respect of Halls of Residence and shall refrain from conduct which may bring discredit upon his Hall of Residence or is prejudicial to

the welfare of other residents of the Hall, such as drunken and disorderly conduct, blasting music, etc;

- (xiii) No student shall be allowed to entertain visitors of either sex in his room beyond 6.00 pm for outside visitors and 12.00 midnight for MUHAS students;
- (xiv) Students shall not be allowed to live with any unauthorized person or persons in their rooms, including their children or other relatives;
- (xv) Students shall be expected to live peacefully with one another in their allocated rooms. If at all one student is found to be misbehaving towards his roommate, the misbehaving student shall be evicted from the room.

For avoidance of any doubt:

“Misbehavior” includes, but not limited to, being drunk, cigarette smoking inside the room, bringing unauthorized guests into the room, immoral act in the presence of roommates and/or within the hall/hostel premises;

- (xvi) Regulations for University residence within the campus shall apply, *mutatis mutandis*, also to students living in and off-campus residences supervised by the University;
- (xvii) Subletting any unauthorized person in the Halls of Residence/ Hostels is strictly forbidden;

For avoidance of any doubt:

“Unauthorized person” includes student or students and/or any other person not allocated in the particular room/Halls of Residence/hostels;

- (i) All students shall be required to vacate the Halls of Residence at the end of each semester when the University closes for vacation;
- (ii) Students may, under special circumstances not specified above, the application to live in Halls of Residence /hostels during vacation should be channeled through Dean of respective schools and the permission be granted by the Dean of Students at prescribed rates at that particular time;
- (iii) Students who have particular assignments or an exceptional reason to stay in the Halls of Residence, either free of charge or at reduced rates, as may be stipulated with the terms of such permission and who secure the recommendation of the Dean of Students may be permitted to stay in the Halls of Residence by the DVC-PFA;

(iv) Loss of keys by a student must be immediately reported to the Warden or Janitor on duty. The key will be replaced on payment of the cost of a new lock by the student responsible for its loss or for its safe custody (hereinafter referred to as “ Key holder”);

(v) Keys must be returned on leaving the Halls of Residence/Hostels at the end of each semester. Failure to do so shall entail paying of full residential charges from the beginning of the vacation to the time the key is returned;

Each key holder must ensure that he has signed in the key book when the key is returned to the Warden or Janitor.

- 7.0
- (i) No student shall travel during semester teaching time without permission;
 - (ii) Permission for travel for a weekend or Public Holiday shall be granted by the Dean of Students;
 - (iii) Permission for travel a week or less shall be granted by the relevant Dean of the School and notified to the Dean of Students;
 - (iv) Permission for travel out of campus for more than a week shall be granted by the DVC-ARC through the relevant Dean of the School and notified to the Dean of Students.

Permission to leave Campus

Students utilizing the University catering system are required to observe cafeteria regulations. Failure to observe any of the following rules shall constitute a disciplinary offence:

- (i) Kitchens shall be out of bounds to all students except for student leaders appointed to oversee cafeteria matters;
- (ii) No student may take any equipment such as crockery, glasses, cutlery, etc, from the cafeteria;

Provisions relating to cafeteria and kitchen

Any criticism of, or complaint about, cafeteria services shall be made through a suggestion box or through the Students’ Organization leaders and/or the Dean of Students.

- 9.0
- Students may undertake paid employment during semester time subject to prior permission from respective Deans of Schools. Assurance shall be provided that the academic work of such students shall not suffer through such employment.

On part-time employment

- 10.0
- Students may communicate with outside institutions and the news media in their private capacity. All official correspondence by students or by officials of the Students’ Organization or by officials of recognized student societies to Government ministries, parastatals, non-governmental organizations, etc, shall be routed through the Dean of Students or Deans of Schools, as the case may be; correspondence to the Chancellor, State House,

On official correspondence

representatives of foreign governments and international non-governmental organizations or any other such body, shall be routed through the Vice Chancellor.

- 11.0 Application for permission to make general collections of money other than the Students' Organization subscriptions or entrance fees from film shows and other functions shall be made to the Dean of Students through the Students' Organization. Collectors shall ensure that the money collected is deposited in the student organization account through the Dean of Students and show how the money has been or is to be expended. Collectors shall ensure that this procedure is strictly adhered to.

On collection of money in the University

- (i) Any student who wishes to bring a vehicle to the University shall comply with the general law of the land governing the driving and parking of vehicles as well as the relevant rules which are in force on the University campus and shall register the vehicle with the Dean of Students.

On keeping vehicles on campus

Provided that the registration shall be conditional upon production for inspection of:

- a) Student Identity card
- b) The motor vehicle registration card
- c) The current certificate of insurance
- d) When demanded, a certificate of roadworthiness;
- e) A current driving license in the applicant's name.
- f) A valid road license of the vehicle

Provided further that such registration shall be renewed each academic year. Any student who fails to meet the above conditions shall not have his vehicle registered.

- (ii) Any student who brings to the University any vehicle which is not registered shall be guilty of a disciplinary offence.

- 13.0 Students shall have the right to assemble, demonstrate and express their opinion; provided that they do not cause breach of peace or disrupt the academic, administrative or public service and any other functions of the University. For avoidance of doubt, emergency assembly may be held only after the Deputy Vice Chancellor- Academic, Research and Consultancy (DVC-ARC) has approved, provided that the same has no effect of obstructing or frustrating academic, administrative or public service and any other functions given or authorized by the University, provided further that in any other cases, a three day notice shall be given to the DVC-PFA prior to the holding of such assembly. Any assembly contrary to this shall be unlawful as per Disciplinary Offences 5.0 (xvi) of Student By-Laws.

Provisions for Assembly

PART IV
EXERCISE OF DISCIPLINARY POWERS

- (i) In the exercise of his statutory functions, the DVC-PFA, as the Disciplinary Authority, shall normally be assisted by an Advisory Disciplinary Panel or Panels, consisting of:
- Advisory
Disciplinary
Panel*
- (a) One senior academic member of staff who shall serve as Chairperson;
 - (b) One Senior Administrative Staff in the University
 - (c) A Legal Counsel as the case may be, who shall be the Secretary;
 - (d) Two students appointed by the Students' Organization, provided that the DVC-PFA is satisfied that the appointed students are not directly related to the case. In the event that the Students organization is not operational, the two students shall be appointed by the Dean of Students from among Class Representatives of the relevant school;
 - (e) Dean or Associate Dean or Director or Associate Director or their Appointee of the School or Directorate to which the charged student belongs; and
 - (f) One person appointed by the Academic Staff Assembly from amongst its members.
- (ii) The DVC-PFA shall appoint or designate such officers of the University, as he deems fit, to assist the Disciplinary Authority in the prosecution or conduct of disciplinary proceedings before the Advisory Disciplinary Panel or the Appeals Committee, as the case may be.
- (iii) At any stage of the proceedings, any person may challenge the impartiality of any member constituting the Advisory Disciplinary Panel provided that he shows reasonable cause. However, any member of the Advisory Disciplinary Panel who is of the opinion that his presence may affect the impartiality of the Panel and/or the ultimate outcome of the proceedings may withdraw from the Panel by showing reasonable cause.
- (iv) The quorum for Advisory Disciplinary Panel shall be five members.
- 15.0 (i) When a complaint is made to, and information is received by the Disciplinary Authority that a student has committed a disciplinary offence, the Disciplinary Authority shall make a preliminary investigation of the case;
- Preliminary
Procedure*

- (ii) Where a complaint is made by any person or body, charging a student with a disciplinary offence, such offence shall be formulated in writing and addressed to the Disciplinary Authority;
- (iii) For avoidance of doubt the Disciplinary Authority may summon the student or any other student or person who is conversant or supposed to be conversant with the information or facts of the complaint to appear before the Disciplinary Authority or an investigation officer or interrogation;
- (iv) Upon receiving such information, the Disciplinary Authority may require the student against whom such complaint is made or in respect of whom such information is received, as the case may be, to tender an explanation and may cause further investigations to be made and such further evidence be obtained and may obtain such advice and assistance as is thought appropriate.

Provided that the Disciplinary Authority may in any case in which a complaint is made or information received and shall in any case where he asks a student for such explanation as aforesaid, supply the student with copies of the complaint or a summary of the information, as the case may be, and such particulars thereof as will enable the student to make answers thereto;

- (v) If the Disciplinary Authority is of the opinion that no *prima facie* case has been made out against the student, he shall inform both the student and the complainant of his decision not to hold any disciplinary proceedings, in which case, no further proceedings shall lie in respect of the complaint or information;
- (vi) Where the Disciplinary Authority is of the opinion that a *prima facie* case for a disciplinary action is disclosed, disciplinary proceedings shall be held so as to determine the case in dispute;
- (vii) The Disciplinary Authority shall serve upon the student and the complainant a proper notice. Such notice shall specify the charge or charges in respect of which the disciplinary proceedings are to be held and shall inform the charged student (hereinafter referred to as "the student") and the complainant of the time and place for holding the disciplinary proceedings;

In this paragraph, "proper notice", in terms of time, means notice given within a reasonable time provided that such time shall not be less than seven days from the date of service of the notice on the student to the date of holding the disciplinary proceedings;

- (viii) Where the Disciplinary Authority is of the opinion that a *prima facie* case for disciplinary action is disclosed, disciplinary proceedings shall be held so as to determine the case in dispute.

Either party shall, for the purpose of his defense or reply, as the case may be, and upon request in writing for that purpose to the Disciplinary Authority, be entitled to be supplied with a copy of an explanation, answers or other documents given or sent to the Disciplinary Authority by or on behalf of the other party;

*Adducing
evidence*

- (x) Either the complainant or the student may, at any time prior to the date of holding the disciplinary proceedings serve upon the other, notice in writing, asking him to admit, in writing, any facts or produce any documents which are specified in such notice, material to the complaint or information or defense, as the case may be;
- (xi) The Disciplinary Authority may summon any witness to attend the disciplinary proceedings at the prescribed time on the appointed day;
- (xii) Evidence may be taken by the Disciplinary Authority by oral or written statement;
- (xiii) The Disciplinary Authority shall investigate and determine any dispute referred to him with due regard to the law of evidence and, subject to these By-Laws, shall be entitled to determine his own procedure for any proceeding before him.

- 16.0
- (i) At the opening of the disciplinary proceedings the Chairperson shall satisfy himself that proper notice of the disciplinary proceedings was duly served to the student as prescribed in regulation 15(vii);
 - (ii) The Chairperson shall debrief the Advisory Disciplinary Panel before the student is called in and remind them of their duties and the need to observe the law of evidence and to be impartial;
 - (iii) The Chairperson shall then welcome the complainant and the charged student, followed by introduction of the prosecutor and the panel to the student and allow the charged student to introduce himself. The charged student, the complainant and the panelists will be informed that no one shall speak or ask questions without permission from the Chairperson;
 - (iv) The Chairperson shall ask the complainant to open the case by giving a brief description of what happened and produce his evidence in support thereof;
 - (v) The Chairperson shall invite the Prosecutor to read the charges to the charged student stating and providing evidence for each charge;
 - (vi) The Chairperson shall then give the charged student an opportunity to give his defense against the charges and produce evidence in support of each;
 - (vii) Where a witness is called by a party, he shall be first examined by the

*Procedures
during
proceedings*

party which called him and then cross-examined by the other party and then, if necessary, again by the party which called him;

- (viii) At the conclusion of the case by the student, the complainant shall not, without special leave of the Chairperson, make an address in reply;
- (ix) The Chairperson may allow panel members to seek clarification on the explanation given by the charged student, for the purpose of getting the truth and fair treatment;
- (x) The Chairperson shall ask the complainant, the prosecutor and the charged student to take leave and allow the Advisory Disciplinary Panel to deliberate and determine the case against the charged student and reach a consensus for each count. Where there is no consensus on any count, voting shall be used.

The secretary shall clearly document the verdict reached for each

- (xi) charge.

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|------|---|---|
| 17.0 | After determination of the case the Disciplinary Advisory Panel shall advise the Disciplinary Authority, who shall record the decisions under his own hand. | <i>Decision of the Disciplinary Authority</i> |
| 18.0 | The Disciplinary Authority shall announce the decision in any manner he may deem fit. | <i>Announcing the decision</i> |

**PART V
PENALTIES**

Upon breach of any of the disciplinary offences specified in these By-Laws, the Disciplinary Authority may impose penalties including warning, reprimand, fine, compensation, exclusion from Halls of Residence, suspension, rustication or expulsion as herein provided;

Offences are categorized in the following manner: minor, medium, serious and very serious

- (i) Minor offences: Regulation 6.1 (i) (ii); (iii); (iv); (v); (vi); (vii); (viii); (ix); (x); (xi); (xii); (xiii); (xiv); (xv); (xvii); 6.2 (i) (ii); (iii); (iv); (v); 7.0 (i), (ii), (iii), (iv); 8.0 (i), (ii); 9.0; 10.0; 11.0; and 12.0 (i), (ii);
- (ii) Medium offences: Regulation 5.0 (i); (v); (viii-a); (viii-b); (xii); (xiii); (xvii); (xxix); (xxx-b) and (xxxi-b);
- (iii) Serious offences: Regulation 5.0 (ii); (iii); (iv); (vi); (vii); (ix); (xi); (xiv-a); (xiv-b); (xvi); (xviii); (xix); (xxi a-k); (xxxiv), (xxvi); (xxvii); and (xxviii);
- (iv) Very serious offences: Regulation 5.0 (x); (xv); (xx); (xxii); (xxv);

Penalties

(xxx-a); and (xxxi-a).

Penalties for the offences shall be as follows:

- (i) Minor offences: ordinary or stern warning for first time offenders and/or payment of compensation and/or fine. Fines shall range from Tshs 50,000 to 300,000. Repeated offence(s) shall be treated as medium offence;

For avoidance of doubt:

Compensation may be charged in full or in part for loss suffered as shall be determined by the Disciplinary Authority on the advice of the Advisory Disciplinary Panel;

- (ii) Medium offences: reprimand for first time offenders or rustication for one academic year for repeated offence;
- (iii) Serious offences: rustication for two academic years for first time offenders and expulsion for repeat offenders;
- (iv) Very serious offences: Expulsion

A student charged with offences specified under Regulation 5.0 (vi) and (xxii) shall be suspended from studies until such time his case is determined by Court of Law and where he is convicted shall be treated as offenders for serious or very serious offences.

Students charged for criminal offences committed outside the university campus(es) may be suspended until such a time the case is determined by Court of Law. If suspended, re-admission will be at the discretion of the University Authority.

- 20.0 The Vice Chancellor may, on advice of the Disciplinary Authority and subject to approval by Council, suspend a student from studies while proceedings of his case are on-going.

Suspending a student from studies

PART VI

APPEALS

- 21.0 (i) Appeal by an aggrieved party against a decision of the Disciplinary Authority shall lie with the Appeals Committee as provided under Rule 32 (1)(b) of the MUHAS Charter and Rules 2007, whose composition shall be decided by the Council;

Appeals as per article 32 (1) of the first schedule to the Charter

Save that any member of the Panel who took part in the decision which is the subject of the appeal before the Appeals Committee, shall not take part in the hearing of such appeal;

Any aggrieved party, shall give notice to the Disciplinary Authority within seven days after the decision is communicated to him showing his intention to appeal. The appeal shall be submitted to the Council through the Vice Chancellor as Secretary to the Council

within 30 days from the date the decision was communicated and such an appeal shall be in writing, setting out the grounds of appeal;

- (ii) The Appeals' Committee shall meet within 14 days following the receipt of an appeal;
- (iii) When an appeal has been lodged with the Appeals' Committee, execution of any penalty imposed by the Disciplinary Authority shall be stayed pending the determination of such appeal;
- (iv) At the hearing of an appeal by the Appeals' Committee, the parties concerned shall be entitled to be heard. No other person in defense of or representative capacity for both parties shall be allowed to appear before the Appeals Committee;

In determining an appeal the Appeals Committee shall have powers to confirm, vary or set aside any decision reached or, within the prescribed limits, enhance, reduce or set aside any penalty imposed by the Disciplinary Authority;

- (v) The Disciplinary Authority shall institute all proceedings and may lodge or defend any appeal before the Appeals Committee.

PART VII

MISCELLANEOUS PROVISIONS

- 22.0 Where there is an emergency need for overt operations of security officials or the police amidst students in the student compounds, the Students' Organization shall be informed as soon as possible;
- 23.0 These By-Laws are not exhaustive of rules and regulations governing students' conduct at the University and do not exclude the application of special regulations applicable in specific organs of the University such as the University Library, etc;
- 24.0 By virtue of Article 18 (1)(d) the MUHAS Charter, the Council shall be the supreme organ to determine all matters of disciplinary nature. In determining any student disciplinary matter it may vary, reverse, set aside or uphold the decision made by subordinate disciplinary organs of the University;
- 25.0 All students shall be required to open a Bank Account with any Bank in Tanzania and adhere to the Directives of the Higher Education Students' Loans Board;
- 26.0 A student who fails to return the graduation gown and / or other University properties shall have his certificates and transcript withheld until payment for the same is effected in full at the prevailing market price. This includes penalties instituted for failure of such;
- 27.0 Students must be clean, tidy and decently dressed in the class rooms,

laboratories, hospital environment or other premises associated with functions of the University;

- 28.0 Students shall show identity cards in all places at all times when required to do so by an authorized person;
- 29.0 Smoking is not allowed within any building of the University.
- 30.0 These students By-Laws may be revised from time to time as the need may arise.