

FIRST SCHEDULE

(Article 20.2)

REGULATIONS

**THE MUHIMBILI UNIVESITY OF HEALTH AND
ALLIED SCIENCES**

CHARTER OF INCORPORATION

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FIRST SCHEDULE
CHARTER OF INCORPORATION
MUHIMBILI UNIVERSITY OF HEALTH AND ALLIED SCIENCES
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DRAFT CHARTER

**THE UNIVERSITY OF MUHIMBILI
CHARTER
(NOVEMBER 2005)**

PART I

PRELIMINARY PROVISIONS

1. Short title and Commencement:

These regulations may be cited as Charter of incorporation of Muhimbili University of Health and Allied Sciences Regulations 2006 and shall come into operation in such date as the President shall sign the charter.

2. Interpretation:

(1) In these Regulations, unless the context otherwise requires

“Act” means the Universities Act No 7 of 2005.

“academic committee” means a committee of a college of the University established under regulation 18.

“Academic staff shall have the meaning assigned to that term by regulation 19.

“Administrative and other support staff” shall have the meaning assigned to that term by Regulation 20.

“Allied Sciences” includes natural sciences, social sciences and physical sciences;

“annual estimates” means the estimates required under Regulation..... to be prepared in respect of any financial year;

“an associate college” means a college established independently under its specific enabling legal instrument that is declared to be an associate College of the University in accordance with the provisions of Regulation 24.

“campus college” means a non-autonomous institution, set up either within the premises of, or in close proximity to, or within the overarching reach of the University in accordance with the provision of Regulation 21

“centre or directorate” means a centre or directorate established in accordance with provisions of Regulation 12.

“Chancellor” means the Chancellor of the University referred to in accordance with Regulation 6.

“connected college” means an autonomous institution which depends on the University for the approval and validation of its academic programmes, courses and awards, including student entry qualifications, course syllabi and examination rules, established pursuant to an order made under Regulation 23.

“constituent college” means a College of the University specified in the Fourth Schedule or declared to be or established as such under Regulation 22.

“continuing education” includes such short courses, seminars, colloquia, workshops, refresher courses, etc. as are designed and/or carried on for members of respective professions, work disciplines, vocations, etc. desirous of improving, updating, expanding or deepening their knowledge and/or skills through such ways or means;

“the Convocation” means the Convocation of the University established under Regulation 30.

“the corporate Counsel” means the Council of the University appointed under Regulation 9

“Dean” means a Dean of a school or a faculty appointed in accordance with Regulations 12

“Dean of Students” means the Dean of Students appointed under Regulation 31.

“Deputy Principal” means the Deputy Principal of a College appointed under Regulation 11.

“Deputy Vice-Chancellor” means the Deputy Vice Chancellor of the University appointed under Regulation 8.

“Director” means the Director of an institute, the University Library, a centre or directorate appointed in accordance with regulation 12.

“faculty” means a faculty of the University established in accordance with the provisions of Regulations 12.

“financial year” means the financial year of the University determined under Regulation 36.

The Gazette” means the official Gazette of the Government of the United Republic of Tanzania.

“a Governing Board” means a Governing Board of a college established under Regulation (18)

“a graduate” means a person upon whom a degree has been conferred by the University;

“institute” means an institute of the University established in accordance with the provisions of Regulations 25.

“key administrative positions” include the position of the Chancellor, Vice-Chancellor, Deputy Vice-Chancellor, Registrar, Principal, Dean of Students, Deans and Directors;

“legal unit” means the legal unit of the University established under Regulation 9.

“membership of the University” means membership as provided for under Regulation 5.

“memorandum of understanding” means a memorandum of understanding Provided for under Regulation 41.

“the Minister” means the Minister for the time being responsible for higher education;

“officer” means any person in the employment of the University on permanent terms but does not include the Vice-Chancellor, Deputy Vice Chancellor, Registrar, Dean of Students or any other officer whose tenure under the Charter or Regulations is for a specified number of years or period;

“organ of governance” includes the Council, the senate, board or boards, a committee or committees or a meeting or meetings under the provisions of this Charter on the Regulations.

“other employees of the University” means employees of the University other than those in the employment of the University on permanent terms;

“other students’ organizations” includes students’ organizations other than the Students’ Organization, associations, societies and clubs other than the students organization provided for in Regulation,

“prescribed” includes prescribed by the regulations subsidiary legislation , By-laws, resolutions, directives instructions or decisions by the council, the senate or other authority to whom or to which the Council or the senate has delegated its powers and functions;

“the President” means the President of the United Republic of Tanzania;

“Principal” means the principal of a college appointed under regulation 10.

“Professor Emeritus” means a person who, with the express approval of the Council, holds an honorary, as opposed to a substantive, title of professor or research professor corresponding to that held last by that person during the person’s active service in the University or any other recognized university;

“public institutions” means any education or training institution established by or under any written law or owned by the Government or parastatal organization within the United Republic

“Registrar” means the Registrar of the University appointed under Regulation and includes Deputy Registrars;

“Regulations” includes Regulations and subsidiary registration of the University made by the Council under Regulation 48.

“school” means a school of the University established in accordance with the provisions of Regulations 15(2)(i)

“senior management level” includes the level of head of department or division, dean or associate dean of a faculty or school or a director of institute, centre, the library or directorate of the university.

“the Senate” means the Senate of the University established under Regulation 16.

“staff association” means an association of staff of the University whose establishment has been approved in accordance with the provisions of Regulation 32.

“student” means a person registered by the University for the purpose of obtaining a qualification of the University or any other person who is recognized by the

Senate to be a student and includes part time and an occasional or short term student;

“the Students’ Organization” means an organization of students approved by the Council as being an organization representative of the students of the University established under Regulation 7(i)

“a unit” means a subdivision established as such within the general structure of the University, a college, school, faculty, institute, the University Library, a centre or directorate in accordance with Regulations;

“the United Republic” means the United Republic of Tanzania;

“the University” means the Muhimbili University of Health and Allied Sciences established under the Charter granted by the President under the Act;

“the University Library” means the library of the University established in accordance with the provisions of Regulation.....;

“the Vice-Chancellor” means the Vice-Chancellor of the University appointed under Regulation.....;

- (2) References in the legislation, order or other instrument by which a college as established or govern, and designation there under of, offices or authorities of the college shall be constructed subject to the provisions of the Charter and of the Regulations and subsidiary legislation made under the Charter;
- (3) Wherever appropriate, references in the Act to the masculine gender shall be construed to include the feminine, the singular to include the plural and *vice versa*.

PART II

ESTABLISHMENT, OBJECTS AND FUNCTIONS OF THE UNIVERSITY

3. Establishment, vesting of rights, assets and liabilities

- (1) The is University established by Article 1 of the Charter shall be known as Muhimbili University of Health and Allied Sciences.

- (2) The University shall be a body corporate with perpetual succession and a common seal, and shall in its corporate name be capable of -
 - (a) suing and being sued;
 - (b) taking, purchasing or otherwise acquiring, holding, charging, leasing, licensing the use of, hiring and hiring out and disposing of any movable or immovable property;
 - (c) from time to time borrowing such sums as it may require for its purposes;
 - (d) investing in land, debenture stocks, preferential shares, and other securities but not to invest in the equity of any company other than a company wholly owned by the University and established for the execution of any of the functions of the University without specific approval of the Council;
 - (e) doing or performing all such other things or acts as are necessary for the proper performance of its functions under, and for the furtherance of the provisions of, this Act and which may lawfully be done or performed by a body corporate.

- (3) Common seal
 - The common seal of the University:
 - (a) shall be kept in such custody as the Council directs and shall not be used except upon the order of the Council;

- (b) shall be authenticated by the signature of the Vice- Chancellor, or of one other member of the Council duly authorized by the Council in that behalf and of the Deputy Vice Chancellor responsible for administration;
 - (c) when affixed to any document and duly authenticated under this section, shall be judicially noticed, and, unless the contrary is proved, any necessary order or authorization of the Council under this section shall be presumed to have been duly given.
- (4) The University is a successor to the Muhimbili University College of Health Sciences (MUCHS) established by the then Muhimbili University College of Health Sciences Act No 9 of 1991 now repealed and, subject to the Charter and these Regulations, all rights, duties obligations, assets and liabilities of the University of Muhimbili subsisting at the commencement of the Charter to the University and any reference to University of Muhimbili in any contract or document shall for all purposes be deemed to a reference to the University established under Article 1 of the Charter;

4. Aim, Objects and Functions of the University

(i) Aim

To provide quality higher education through training, research and public service or attainment of equitable socio-economic development.

(ii) Objects and Functions

The objects of the University are the advancement of knowledge, the diffusion and extension of technology and learning, the provision of higher education and research and, so far as is consistent with those objects, the nurturing of the intellectual, aesthetic, social and moral growth of the students at the University; and for these objects the University shall, subject to the provisions of the Act and in addition to any other powers conferred by the Act, have the following objects: -

- (a) to assume a leading role in the responsibility for University education in the country and to make provision for centers and places of learning,

- education (including continuing education), professional or vocational training and research;
- (b) to endeavour to excel in knowledge and human resource capacity building by ensuring a balance between quantity and quality and avoiding imparting elitist values to the products of the University;
 - (c) to ensure, as a matter of principle, integration of research, teaching and consultancy at the immediate subject area level with a view to building a distinctive characteristic of the products of the University as scientific professionals and the services of the University and of its staff as symbols of scientific professionalism;
 - (d) to provide, promote and maintain centers of excellence and exemplary good management in terms of knowledge creation, skills development, effective entrepreneurship and formation of a responsible attitude for the betterment of the society;
 - (e) to be a producer and supplier of key policy makers, experts and personnel in charge of key positions in all sectors, including industry, public and private, governmental and non-governmental institutions;
 - (f) to advance the frontiers of, enhance, preserve and transmit knowledge;
 - (g) to provide opportunities and prepare students for work as professionals by providing academic and professional and/or vocational courses of instruction and to take such other steps as may appear necessary or desirable with a view as far as possible to ensuring an output of mainly job-creators who possess professional qualifications and/or skills as opposed to job-seekers;
 - (h) to provide learning and employment opportunities for persons from disadvantaged groups such as those with physical disabilities, orphans etc.
 - (i) to stimulate and promote intellectual, cultural, scientific and technological development;
 - (j) to create a sense of public responsibility in the educated and to promote respect for learning and pursuit of truth;

- (k) to promote research into scientific, technological, economic, political, social, cultural and other matters in the interests of Tanzania and mankind in general;
- (l) to ensure and promote gender equity and mainstreaming in student enrolment, staff recruitment and governance .
- (m) to do, in accordance with the general law of the United Republic and the Act, all such acts and things, whether or not incidental to these objects, and whether within or without the United Republic as may be requisite in order to further these objects.
- (h) to prepare students for work as scientists or professionals by providing academic and professional or vocational courses of instruction and to take such other steps as may be necessary or desirable towards ensuring an output of mainly job-creators who possess professional qualifications or skills as opposed to job-seekers;
- (l) to institute professorships and other posts and offices and to make appointments thereto in line with such organizational structure as shall be approved by the Council;
- (m) to institute and award fellowships, scholarships, bursaries, medals, prizes and other distinction awards and forms of assistance or sponsorship for the advancement and dissemination of knowledge;
- (n) to provide opportunities for students to engage in productive, service and entertainment activities in the agricultural, industrial, commercial, medical and cultural spheres in and outside the University;
- (o) to hold examinations, to confer degrees, diplomas, certificates or other awards upon persons who have followed courses of study approved by the Senate and have satisfied such other requirements as may be prescribed by the Senate and to confer honorary degrees;
- (p) to cooperate with the Government of the United Republic of Tanzania and the peoples of Tanzania in the planned and orderly development of education, science and technology in the United Republic;

- (q) to establish mutually negotiated, beneficial and durable links with institutions of learning and research within Tanzania and in other countries;
- (r) to erect, equip and maintain libraries, laboratories, workshops, museums, art galleries, lecture halls, theatres and rooms, halls of residence and other buildings and facilities required for the purposes of the University including providing its community with a good working and living environment in the University campuses;
- (s) to establish and maintain botanical gardens, demonstration zoos, including small animal zoos, aquaria, research parks and ponds, and the like as well as boutiques, hotels, shops, physical education and training grounds and the like, for purposes of facilitating, expanding perspectives of and promoting teaching, learning, training entrepreneurship and research;
- (t) to provide and regulate residence, medical, recreational and entertainment facilities, conveniences and opportunities for officers, staff, employees and students of the University including the disabled;
- (u) to demand and receive such fees as may from time to time be prescribed by the Council;
- (v) to enter into such contracts, to establish such trusts and to appoint such officers, staff, employees, agents and independent contractors as may be required by the University;
- (w) to establish pension, superannuation and provident fund schemes for the benefit of its officers, staff or employees or any section thereof and to enter into arrangements with the Government, an insurance company, trustee company or other organization or any person or persons for the operation of such schemes jointly, severally or otherwise;
- (x) to acquire property, movable and immovable, and to take, accept and hold any property which may become vested in it by way of purchase, exchange, grant, donation, lease, licence, hire, testamentary disposition, trust or otherwise, and to sell, mortgage, lease, licence, hire out, exchange or otherwise dispose of any property held by it;

- (y) to borrow money for any purpose deemed fit by the Council and to invest in land or securities such funds as may be vested in it for the purpose of endowment, whether for general or special purposes, or such other funds as may not be immediately required for current expenditure;
- (z) to admit graduates of other universities to degrees of equal or similar rank in the University;
- (aa) to affiliate other institutions or to admit the members thereof to any of its privileges and to accept attendance at courses of study in such institutions in place of such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such regulations as may from time to time be determined by the University or to recognize any members of the teaching staff of any College or institution whether affiliated to the University or not as teachers of the University;
- (bb) to enter into an agreement with any other institution for the incorporation of that institution into the University and for taking over its property and liabilities and for any purpose not repugnant to the Charter and these Regulations;
- (cc) to do, in accordance with the general law of the United Republic, including the Charter, and these Regulations all such acts and things, whether or not incidental to these objects, powers and functions and whether within or without the United Republic as may be requisite in order to further these objects, powers and functions or any of them.

PART III

MEMBERSHIP, ADMINISTRATION AND STAFF APPOINTMENTS

5. Membership of the University

- (1) Members of the University shall consist of:
 - (a) The Chancellor;
 - (b) The Vice-Chancellor;
 - (c) The Deputy Vice-Chancellor (academic);
 - (d) The Deputy Vice-Chancellor (planning, finance & administration);
 - (e) Principals of Colleges;
 - (f) Deputy Principals of Colleges (academic);
 - (g) Deputy Principals of Colleges (planning, finance & administration);
 - (h) Members of the Council;
 - (i) Members of the Senate;
 - (j) Members of Boards of Colleges, Schools, Faculties, Institutes, the University Library and Centers or Directorates or units;
 - (k) Academic Staff of the University;
 - (l) Administrative and other support staff of the University
 - (m) Students;
 - (n) Members of the Convocation;
 - (o) Such other members of the staff of the University or any other body formally admitted into affiliation or association with the University or with any of its colleges as the Council may from time to time determine.

- (2) The Council shall by Regulations prescribe provisions as to the duration of membership of the University, termination of such membership, the rights, duties and privileges attaching thereto and other related matters.

- (3) Subject to the provisions of the Act, this Charter and Regulations thereunder, no test of religious or political belief, race, ethnic origin, nationality or sex shall be imposed upon or required of any person in order to entitle him to be admitted as a member of the academic or administrative staff, employee or student of the University and its affiliated and associated institutions or to hold any office therein or privilege thereof.
- (4) The university will ensure and promote gender balance equality and equity in its policies, programmes and regulations related to teaching, research and consultancy services in its membership as stated in (1) above.

6. The Chancellor and Principal Officers of the University

(6a) The Chancellor

- (1) There shall be a Chancellor of the University.
- (2) The Chancellor, who shall be a person of outstanding integrity, academic and administrative experience, shall be appointed by the President from among a list of three candidates proposed by the Council on the basis of a recommendation by a search committee appointed by the Council, in accordance with Second Schedule hereto.
- (3) The term of office of the Chancellor shall be five years with eligibility for reappointment for one further term of four years.
- (4) Notwithstanding sub-section (3) above, where the Chancellor is the President of the URT, the term of office as a Chancellor shall cease upon his cessation to hold the office as a President.
- (5) The Chancellor shall:

- (a) be the titular head of the University and, in the name of the University, confer degrees and grant diplomas, certificates and other awards of the University;
 - (b) subject to the provisions of paragraph (c) of this sub-section, have power from time to time to direct an inspection of the University or an inquiry into the teaching, research or any other activity of the University;
 - (c) have power to arrange for visitation into the general administration and organization of the University in such manner as may be provided under Regulations or as may be deemed appropriate or prescribed by the Chancellor on the advice of the Council; and
 - (d) have power to advise the Council from time to time regarding the betterment of the University;
 - (e) use his good offices to promote and enhance harmony and the general development of the University.
 - (f) have such other privileges, powers and functions as are conferred upon him by the Act or as may be provided under Regulations.
- (6) The powers conferred on the Chancellor under sub-section 5 of this section shall be exercised in accordance with Regulations promulgated in that behalf.
- (7) Where the Chancellor is for any reason unable to perform the functions of his office, the President or a person authorized by the President in that behalf may appoint a person to temporarily perform the functions of Chancellor in an acting capacity.
- (8) The privileges and, if any, allowances, accruing to the position of a person who is appointed by the President to be Chancellor shall be proposed by the Council and approved by the President.

(6b) The Vice-Chancellor

- (1) There shall be a Vice-Chancellor of the University who shall be appointed by the Chancellor upon the advise of the Council, from a list of not more than three candidates who have attained the status of Professor or Associate Professor on the basis of a search committee's recommendations or through a procedure of public advertisement for the post and upon such terms and conditions as the Chancellor may prescribe upon the advise of the Council of the University.
- (2) Candidates for the office of Vice-Chancellor shall be persons possessing outstanding academic and administrative experience and capability.
- (3) The Vice-Chancellor shall:
 - (a) hold office for a term of five years and may be reappointed consecutively for one further term of five years;
 - (b) be the Chief Executive Officer of the University and, in that behalf be responsible to the Council for the academic and administrative affairs of the University, including formulation of policy and implementation of the decisions of the Council;
 - (c) be responsible for the general security and welfare of the University
 - (d) have such other functions as are conferred upon him by the Act, the Charter, these regulations, subsidiary legislation or as may be prescribed by the Council or Senate, or by any other written law.
- (4) The Vice Chancellor may, as he/she deems fit, delegate any one or more of the powers and functions conferred on him by the Act, the Charter, these regulations, subsidiary legislation or as may be prescribed by the Council or Senate, or by any other written law, subject to any limitations or conditions as the Vice Chancellor may prescribe provided that such delegation shall normally be in writing.

(6c) The Deputy Vice-Chancellors

(1) There shall be at least two Deputy Vice-Chancellors of the University. The number of Deputy Vice-Chancellors shall be such as may be prescribed by the Council upon the recommendations of the Vice Chancellor and advice of the Senate

(2) The Deputy Vice-Chancellor (academic) shall:

- (a) be appointed by the Council, after consultation with the Vice-Chancellor, upon such terms and conditions as the Council may prescribe, from a list of three professors or associate professors of outstanding academic, research and administrative experience and capability;
- (b) hold office for a period of four years and may be reappointed consecutively for one further term of four years;
- (c) be responsible to, the chief advisor of, and assistant to the Vice-Chancellor in respect of all academic matters of the University;
- (d) deputise for the Vice-Chancellor during the Vice-Chancellor's absence from office;
- (e) have such powers as the Vice-Chancellor shall delegate to him provided that such delegation shall normally be in writing;
- (f) have such other functions as are conferred upon him by the Act, the Charter, these regulations, subsidiary legislation or as may be prescribed by the Council or Senate, or by any other written law.

(3) The Deputy Vice-Chancellor (planning, finance and administration) shall:

- (a) be appointed by the Council, after consultation with the Vice-Chancellor, upon such terms and conditions as the Council may prescribe, from a list of three candidates of outstanding, planning, finance and administrative experience and capability;
- (b) hold office for a period of four years and may be reappointed consecutively for one further term of four years;

- (c) be responsible to, the chief advisor of, and assistant to the Vice-Chancellor in respect of all planning, finance and administrative matters of the University;
- (d) have such powers as the Vice-Chancellor shall delegate to him provided that such delegation shall normally be in writing;
- (e) have such other functions as are conferred upon him by the Act, Charter, Regulations or as may be prescribed.

7. The Legal Unit and Corporate Counsel

- (1) There shall be established a unit to be known as the Legal Unit of the University which shall be responsible for the proper handling of the legal affairs of the University.
- (2) There shall be a Corporate Counsel of the University.
- (3) The Corporate Counsel, who shall be appointed by the Council on the recommendation of the Vice Chancellor upon such terms and conditions as the Council may prescribe, shall be a person with a minimum academic qualification of a first degree in law (LLB) and outstanding experience and capability as a lawyer on the roll of advocates. (Postgraduate or Masters in Law shall be an added advantage).
- (4) The Corporate Counsel shall:
 - (a) be head of the Legal Unit;
 - (b) be responsible to the Vice-Chancellor in respect of all legal matters of the University;
 - (c) be Secretary to the Senate, the Council and their boards or committees;

- (d) have such other functions as are conferred upon him by the Act, the Charter, these Regulations or any other written law or as may be prescribed.
- (5) It shall be lawful for the University to hire the services of a legal counsel from outside the establishment of the Legal Unit to carry out the functions and duties provided for under this Regulation either in whole or in part and concurrently or in collaboration with the Corporate Legal Counsel. Provided that where the University hires the services of a legal counsel from outside the establishment of the Legal Unit to carry out such functions and duties in whole and does not employ a Corporate Counsel within the establishment of the Legal Unit:
- (a) the provisions of sub-paragraph (1) shall apply to the extent that the Legal Unit shall serve as liaison between the University and the external legal counsel;
 - (b) the provisions relating to the functions of the Corporate Counsel under paragraphs (a), (b) and (c) of sub-Regulation (4) shall not apply;
 - (c) the functions of the Corporate Counsel provided for under paragraphs (a), (b) and (c) of sub-Regulation (4) shall be assigned to such other appropriate officer(s) of the University as the Council, on the advice of the Vice Chancellor, shall deem fit.

8. The College Principals

- (1) There shall be a principal of each college who shall be recommended by the Senate from a list of three professors or associate professors appointed by the Chancellor on the advise of the Council in such manner and upon such terms and conditions as the Council may prescribe.
- (2) A Principal shall:

- (a) hold office for four years with eligibility for reappointment for one further term of four years;
- (b) be the academic and administrative head of a college and shall, have powers and duties as are prescribed for principals of the type and category of that college.
- (c) be responsible to the Vice Chancellor, Governing Board and the Council in respect of all matters concerning the University college.

9. The College Deputy Principals

- (1) There shall be at least two Deputy Principals for each college and an Associate Principal for each campus college who shall hold office for a term of three years with eligibility for re-appointment for one further term of three years.

- (2) The number of Deputy College principals shall be such as may be prescribed by the Council upon the recommendations of the Principal and the advice of the governing Board and the Senate.

- (3) The Deputy Principal (academic) shall:
 - (a) be recommended by the Senate from a list of three professors or associate professors and appointed by the Chancellor, on the advise of the Council after consultation with the Principal, in such manner and upon such terms and conditions as the Council may prescribe.
 - (b) be responsible to, the chief advisor of, and assistant to the Principal in respect of all academic matters of the College;
 - (c) deputize for the Principal during the Principal's absence from office;
 - (d) have such powers as the Principal shall delegate to him, provided that such delegation shall normally be in writing;
 - (e) have such other functions as are conferred upon him by the Act or as may be prescribed.

- (4) The Deputy Principal (planning, finance and administration) shall:
- (a) be recommended by the Senate from a list of three candidates of outstanding planning, finance and administrative experience and capability and appointed by the Chancellor, on the advise of the Council after consultation with the Principal, in such manner and upon such terms and conditions as the Council may prescribe.
 - (b) be responsible to, the chief advisor of, and assistant to the Principal in respect of all planning, finance and administrative matters of the College;
 - (c) have such powers as the Principal shall delegate to him, provided that such delegation shall normally be in writing;
 - (d) have such other functions as are conferred upon him by the Act or Regulations made thereunder this Charter or as may be prescribed.

10. The Deans and Directors and other officers

- (1) The dean or director shall be the chief executive of the University school, faculty, institute, center or directorate.
- (2) The Deans of schools and faculties and Directors of institutes and centres or directorates shall be appointed by the Vice-Chancellor from a list of three academic members of staff of the rank of senior lecturer/senior research fellow or higher upon recommendation of the Senate and the Council on the basis of a search committee recommendations.
- (3) The Deans of schools and faculties and Directors of institutes and centres or directorates shall hold office for a term of three years, renewable for one more consecutive term.

11. The Principal Organs of the University governance (The council and the Senate)

- (1) There shall be two principal organs of governance of the university, namely, The Council and The Senate.
- (2) In university colleges other than campus colleges the two organs shall be governing boards and academic boards.
- (3) The Council of the university and the governing boards of the colleges other than campus colleges shall be the principal overall policy-making organs for the respective institutions.
- (4) The Council of the university shall be the principal policy-making organ of the university including the university constituent and connected college campuses and for general academic policy and related matters only.
- (5) The governing board of a constituent and connected college of the university shall be the principal policy-making organ of the constituent and the connected college and connected college in respect of all administrative matters.
- (6) The Senate of the university and the academic board of a college other than campus colleges shall be the principal overall decision-making organs in respect of all academic matters of the respective institutions
- (7) The Senate of the university shall be the principal decision-making organ in respect of all academic matters of the university and all its colleges, faculties, institutes and schools.

12. Composition of the Principal Organs

- (1) The Council of the university or a governing board of the constituent college shall be composed of not less than 11 and not more than 21 members in number.
- (2) The council of the university or governing board of the constituent college shall be composed of not less than seventy five percent and not more than eighty percent of its members drawn from outside the university and the remaining shall be drawn from among members of the university.

- (3) Composition shall as far as possible consist of members of both sexes so that in any event at least one third of membership shall be women.
- (4) Students will be represented in the council through their student organisation
- (5) The chairman of the Council or the Governing board shall be appointed by the President on the advise of the minister from among three candidates proposed by the Commission.
- (6) The membership of the Council shall include but not limited to:
 - (a) the Chairman,
 - (b) the Vice-Chancellor,
 - (c) the Chief Executive Officer of the main teaching hospital,
 - (d) two members of the National Assembly elected by the National Assembly from amongst its members;
 - (e) one member who shall be appointed by the Minister responsible for higher education,
 - (f) one member who shall be appointed by the Minister responsible for education;
 - (g) one member who shall be appointed by the Minister for the time being responsible for finance;
 - (h) one member who shall be appointed by the Minister for the time being responsible for health;
 - (i) one member who shall be appointed by the Revolutionary Government of Zanzibar
 - (j) one representative of the academic staff assembly
 - (k) one representative of the student union
 - (l) one representative from the gender dimensions committee
 - (m) two appointees of the Senate
 - (n) one appointee of the convocation
 - (o) one nominee of the committee of Vice-Chancellors and Principals
 - (p) one appointee of the Administrative Staff Assembly
 - (q) one nominee of the worker's Union

- (7) The membership of the Governing board of a college shall include but not limited to:
- (a) the Chairman,
 - (b) the College Principal,
 - (c) one member of the National Assembly elected by the National Assembly from amongst its members;
 - (d) one member who shall be appointed by the Minister responsible for higher education,
 - (e) one member who shall be appointed by the Minister for the time being responsible for finance;
 - (f) one member who shall be appointed by the Revolutionary Government of Zanzibar
 - (g) one representative of the academic staff assembly
 - (h) one representative of the student union
 - (i) one representative from the gender dimensions committee
- (8) The proceedings of the Council and the Governing boards and other matters relating to the Council and Governing boards and its members shall be governed as per Third Schedule.
- (9) The tenure of office of the members of the Council and Government boards shall be three years, subject to members' eligibility for reappointment for a further term or terms of three years. Provided that the appointment of that members shall determine upon the happening of any one or more of the following event:
- (a) He becomes or is declared bankrupt; or
 - (b) He adjudged or otherwise declared to be of unsound mind; or
 - (c) Is convicted of a felony or any offence involving fraud or dishonesty;
or
 - (d) He is absent, without the leave of the Council, from three consecutive meetings of the Council.

- (10) The quorum for meetings of the Council and of the boards and committees of the Council shall be as provided for by the Third Schedule.

13. Powers and Functions of the Council and the Governing Boards

- (1) The governance and the control of the university or university college shall be vested in the Council of the university or a Governing Board of the university college.
- (2) In particular, and without prejudice to the generality of sub-section (1), the Council or a governing board shall have power.
- (a) to administer the properties of the institution, both movable and immovable;
 - (b) to administer the funds and other assets of the institution including, the investments of such funds and assets;
 - (c) to signify the acts of the institution by use of the common seal;
 - (d) to approve annual estimates and supplementary estimates of the Council
 - (e) on behalf of the University or a university college to receive gifts, donations, grants or other moneys including loans and advances and to make disbursements thereof to its schools, faculties, institutes, departments and other organs, persons or bodies;
 - (f) subject to the provisions of the Act, to appoint, settle the terms and conditions of service or terminate the appointment of officers and other employees of the institution as it may deem necessary; provided that for the purposes of this provision, “officers” shall include the Vice-Chancellor, the Deputy Vice-Chancellor, the Registrar of the University and the Principals and Deputy Principals of Colleges.
 - (g) Subject to the provisions of the Act and this Charter, to appoint, settle the terms and conditions of service or terminate the

appointment of officers and other employees of the University as it may deem necessary, provided that for the purpose of this provision, “officers” shall include the Vice-Chancellor, the Deputy Vice-Chancellors, principals, Deputy principals of constituent and connected colleges

- (h) to establish and/or appoint boards and committees for the proper and better carrying out of its functions;
- (i) to define the rights, obligations and privileges of the members of the institution and to propose or in any case where it is empowered to do under the legal instrument of the institution to set standards of levels for remuneration packages for academic and senior administrative and support staff.
- (j) subject to the provisions of the Act to establish colleges, schools, faculties, institutes, libraries, centres or directorates, etc., and to disestablish any one or more of these;
- (k) to establish or disestablish schools, faculties, institutes and departments or similar organs of equivalent designations.
- (l) To make bylaws for the administration of students and other subsidiary legislations as may be required.
- (m) To propose such regulations and to give such directives in relation to the governance of the institution or of any of its organs as would ensure or facilitate a system of adequate democratic representative participation of the members of the institution in the said governance and efficient and effective execution of policies, laws, regulations or decisions relating to the staff and the students of the institution.
- (n) to do all such other acts and things as are provided for in the Act or as may be prescribed.

- (3) The Council may, as it deems fit, delegate any one or more of its powers and functions to the Governing Board of a college subject to any limitations or conditions it may prescribe.
- (4) Subject to the provisions of this Charter and for the avoidance of doubt, the governing board of a connected college and an associate higher education institution shall have the powers vested in a governing board under the provisions of sub-sections (1) and (2), the relevant enabling instruments and any other written law.
- (5) A Subsidiary legislation and directives made under this section shall be brought to the notice of the students of the institution in such clear and transparent manner as the Council or, as the case may be, the governing board may determine.
- (6) For the purpose of validation of proceedings of the Council/Governing Boards, no act or proceedings of the Council shall be invalid by reasons only of the required number of the members not being complete or the quorum for the proceedings not being realized at the time of such act or proceedings or of any defect in the appointment of any member of the Council or the fact that any member of the Council was at the time in question disqualified or disentitled to act as such.

14. The Senate

- (1) There shall be a Senate of the University of which not less than seventy five percent and not more than eighty five percent drawn from among the senior academic and administrative staff of the institution.
- (2) The minimum and maximum number of membership of the Senate shall be as may be determined by the Council from time to time who, subject to

the provisions of sub-section (3) of this section, shall be appointed in accordance with relevant Regulations.

- (3) The membership of the Senate shall include but not limited to:
- (a) the Vice-Chancellor, who shall be the Chairperson;
 - (b) the Deputy Vice-Chancellor (Academic), who shall be the Vice-Chairperson.
 - (c) the Deputy Vice-Chancellor (Planning, Finance and Administration)
 - (d) Principals of colleges of the University;
 - (e) Deputy Principals of colleges;
 - (f) Deans of schools;
 - (g) Deans of faculties;
 - (h) the Dean of Students;
 - (i) Directors of institutes and directorates;
 - (j) one person who shall be appointed by the Minister;
 - (k) one person who shall be appointed by the Minister for the time being responsible for education;
 - (l) one person who shall be appointed by the Minister for the time being responsible for health;
 - (j) two representatives of the academic staff assembly
 - (k) two representatives of the student union
 - (l) one representative from the gender dimensions committee
 - (m) one appointee of the Council
 - (n) two members appointed by by the Vice-Chancellor from any Full and Associate professors of the University
- (4) The Senate shall have power to co-opt any number of competent persons, as it may deem necessary or appropriate for the better carrying out of its functions.

15. Powers and functions of the Senate

- (1) The Senate shall be responsible to the Council or the Governing Boards respectively for the control and general regulation of the instruction, education, research and consultancy in the institution and subject to the provisions of this Charter shall be the supreme organ in all academic matters within the institution
- (2) Subject to Sub-section (1) the Senate shall have the following functions:
 - (a) to satisfy itself regarding the content and academic standard of any course of study offered by a college, school, faculty, directorate, institute or department under its control and general regulation in respect of a degree, diploma, certificate or other award of the University and to report its findings thereon to the Council/Governing Boards respectively;
 - (b) to carry out academic audits on a regular basis in respect of each School, faculty, Institute and Directorate
 - (c) subject to the approval of the Council, to make Regulations regarding:
 - (i) the eligibility of persons for admission to courses for a degree, diploma, certificate or other award of the University, and for the obtaining of any degree, diploma, certificate or other award of the University;
 - (ii) the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University;
 - (iii) carrying out of academic audits on a regular basis
 - (d) to regulate the conduct of examinations of the institution including pre-entry or matriculation examination if relevant.
 - (e) to decide whether any candidate for a degree, diploma, certificate or other award of the University has attained the standard of proficiency prescribed under Regulations made under paragraph (b)

and is otherwise fit for the grant of such degree, diploma, certificate or other award of the University;

- (f) to consider recommendations made to it by boards of colleges, institutes, schools, directorates and faculties as the case may be, and to take such action thereon as it may consider appropriate;
- (g) to make proposals to the Council on matters relating to the conduct of the institution;
- (h) to perform such other functions as may be conferred upon it by Regulations made hereunder or by the Council.

(3) The Senate shall have power to establish and/or appoint boards and committees for the proper or better carrying out of its functions, and to disestablish any one or more of such boards or committees.

(4) The establishment and/or appointment of Boards and Committees by the Senate shall be governed by Regulations.

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

(6) Tenure of office

The tenure of office of the members of the Senate shall be three years, subject to a member's eligibility for re-appointment for a further term or further terms of three years each:

Provided that the appointment of a member shall determine on the happening of any one or more of the events mentioned in the proviso to sub-Regulation (9) of Regulation 12 of these regulations.

16. Boards of Colleges, Schools, Faculties and Institutes

- (1) There shall be established in respect of:
 - (a) every constituent or connected college, a Governing Board and an Academic Board
 - (b) every campus college a College Board and campus Academic Committee
 - (c) every school, a School Board;
 - (d) every faculty, a Faculty Board;
 - (e) every institute, a Board of the Institute;
 - (f) the University Library, a Board of the University Library;
 - (g) every centre or directorate, a Board of the Centre or Directorate.

- (2) The establishment, composition, functions, procedure and powers of the respective boards specified under sub-section (1) of this section and the rights, duties and privileges of their respective memberships shall be provided for under Regulations.

- (3) Without prejudice to the generality of sub-section (2) of this section, the respective boards specified under sub-section (1) may, with the approval of the Senate, establish such number of departments and units within the college, school, faculty, institute, the University Library and centre or directorate, as the case may be, as may be deemed necessary.

17. Appointments and Human Resource management Committee

- (1) Without prejudice to the generality of the provisions of paragraph (h) of Su-regulation (2) of Regulation 13 there shall be established an Appointments and Human Resource management Committee for the handling of appointments and related matters concerning both Academic Staff and Administrative Staff of the University.
- (2) The Appointments and Human Resource management Committee shall be composed of:

- (a) the Vice-Chancellor, who shall be the Chairperson;
- (b) the Deputy Vice-Chancellor responsible for academic matters, who shall be the vice- Chairperson;
- (c) the Deputy Vice-Chancellor responsible for finance;
- (d) the Deputy Vice-Chancellor responsible for administration;
- (e) the Corporate Counsel or other appropriate officer, who shall be the Secretary;
- (f) the Director of Human Resource Management;
- (g) one member appointed by the Vice-Chancellor;
- (h) two members appointed by the Senate from amongst its members;
- (i) one member appointed by the Council;
- (j) one member nominated by the Academic staff Assembly; and
- (k) one member nominated by the worker's union of the university

(2) Where the Appointments and Human Resource management Committee meets to make or approve any appointment, in addition to the persons specified in sub-regulation (1), the following persons shall be entitled to sit on the Committee as temporary members:

- (a) the Dean, if any, of a faculty or School to which the appointment is to be made;
- (b) where the appointment is to be made to a Department of a faculty or School, the Head of such Department
- (c) where the appointment is to be made to an Institute, the University library, or a Centre or Directorate or Unit, the Director of the Institute, the University Library, Centre or Directorate or the Head of the Unit; and
- (d) two members appointed by the Vice Chancellor from amongst persons who, in the opinion of the Vice Chancellor, are adequately qualified or have enough experience in academic matters to enable them to assist in making a suitable appointment

(3) The Appointments and Human Resource management Committee aforesaid shall have such functions as are conferred upon it under the Charter and these Regulations, or as may be delegated to it by the Council.

- (4) The members of the Appointments and Human Resource management Committee aforesaid shall hold office for a period of three years
- (5) Except for appointments of the rank of Professor and Associate Professor, which shall be referred to the Council for approval, all other appointments shall be made or approved by the Appointments and Human Resource management Committee aforesaid
- (6) The retirement, the right to terminate appointment, and appointment of a new member to fill any vacancy in relation to members of the Appointments Committee appointed under paragraphs (d), (e), and (f) of sub-Regulation (1), and also in relation to the election of a temporary Chairperson, the *quorum*, proceedings and meetings of the Committee shall *mutas mutandis*, be as provided in the Third Schedule

18. Other Boards and Committees of the Council

(1) The Council may, from time to time, appoint such other boards and Committees as it may consider necessary and, subject to the provisions of the Charter, these Regulations and directions given by the Chancellor in that behalf, delegate to any such board or Committee any of its functions under the Charter and these Regulations upon such limitations or conditions as the Council may prescribe.

(2) Where the Council establishes a board or Committee under this Regulation, the Council shall:

(a) determine the number of members of the board or, as the case may be, Committee as it deems fit and appoint such members;

Provided that:

i) at least one third of the total number of members appointed to any such Board or, as the case may be, Committee shall be appointed from amongst the members of the Senate.

ii) at least one third of the total membership shall consist of women

- (b) fix the *quorum* necessary for the conduct of any business of such Board or Committee;
- (c) elect one of the members of the Council to be the Chairperson of the Board or, as the case may be, the Committee;
- (d) prescribe provisions for the election of a temporary chairperson by the members present where at any meeting of a Board or Committee so established the Chairperson is absent;
- (e) determine whether representation on such board or committee of the academic staff association, administrative staff association, the worker's union or, as the case may be, the students' organization, is necessary, and if necessary, provide for such representation;
- (f) subject to the provisions of the Charter and these Regulations and any subsidiary legislation made hereunder, prescribe provisions for the conduct or regulation of the proceedings of such Board or, as the case may be, of the Committee

19. The Staff of the University

(1) The academic staff of the University shall include:

- (a) Professors/Research Professors/Professors Emeritus;
- (b) Associate Professors/Associate Research Professors;
- (c) Senior Lecturers/Senior Research Fellows/Senior Librarians;
- (d) Lecturers/Research Fellows/Librarians;
- (e) Assistant Lecturers/Assistant Research Fellows/Assistant Librarians;
- (f) Such other members of staff of the University who are engaged wholly or partly in teaching or research in any college, school, faculty, institute, the University Library or centre or directorate, as shall be designated as academic staff by the Council on the advice or recommendation of the Senate.

(2) Administrative and other support staff of the University

The administrative and other support staff of the University shall include:

- (a) the Deputy Vice Chancellor/Deputy Principal (Planning Finance and Administration);
- (b) Dean of Students;
- (c) Directors other than directors of institutes and centres or directorates; and
- (d) all other employees of the University who are not members of the academic staff.

PART IV
ESTABLISHMENT OF COLLEGES, SCHOOLS, FACULTIES, ETC.

20. Establishment of Campus Colleges

- (1) The Chancellor, acting upon a resolution of the Council, after consultation with the Tanzania Commission for Universities, may by order published in the Gazette, establish campus colleges whose functions and powers shall be provided for by that order.
- (2) A campus college shall consist of such schools, faculties, institutes, centres or directorates and units as may be provided rules and Regulations provided where it is deemed necessary, the Council may add to, deduct from, modify or alter such functions and powers.
- (3) A campus college shall be answerable to the Senate and the Council in all its matters including approval and validation of academic programmes, student administration, staff appointments and discipline, their promotions and benefits provided the Senate or Council may, as they deem fit, to delegate any one or more of the powers exercisable under this Regulation to campus Academic Committee and the campus Governing Board.

21. Establishment of Constituent Colleges

- (1) Subject to the Act, the regulations made thereunder and this Charter, the President may of the united Republic of Tanzania may, on the advice of the Minister and the Tanzania Commission for Universities, after consultation with the Council, grant a Charter to establish or declare a public institution of higher learning, education or training to be a constituent college of the university.
- (2) A constituent college may:
 - (a) consist of schools, faculties, institutes, centres or directorates and units as may be provided for or declared by the Charter under which it is established.
 - (b) Affiliate schools, institutes, centres and/or directorates

- (c) Establish associate ship with institutes, schools, centres and/or Directorates
- (3) A constituent college shall be a semi-autonomous institution under the tutelage of the University for nurturance, during a transitional period, towards its establishment as an independent University
- (4) Without prejudice to the generality of sub-Regulation (3), a constituent college shall be established as a body corporate with legal personality, a common seal, perpetual succession and all rights and privileges pertaining to a body corporate, except that a constituent college shall have no right to grant or confer awards other than the awards of and in the name of the university

22. Establishment of Connected Colleges

- (1) The Minister may, on the advice of the Council, after consultation with the Tanzania Commission for Universities by order published in the Gazette, establish or declare a public institution of higher learning education or training to be a connected college of the University.
- (2) A connected college may consist of schools, faculties, institutes, centres and units as may be provided for by the order under which it is established or declared and as may be subsequently prescribed by the Council under Regulations.
- (3) A connected college of the university shall:
- (a) retain its separate legal status in accordance with its enabling legal instrument;
 - (b) depend on the university for approval of its academic programmes, courses and awards, including students' entry qualifications, curricula and examination rules;
 - (c) have no right to grant or confer awards other than the awards of and in the name of the University.

23. Establishment of Associate College status

(1) The Chancellor, on the advice of the Council, after consultation with the Tanzania Commission for Universities, by order published in the *Government Gazette*, may declare a higher institution of learning, education or training or a college, other than a campus college, a constituent college or a connected college, to be an associate college of the University.

(2) The University shall accord to an Associate College of the university professional and academic guidance and supervision over the academic programme(s) of the College in order to ensure that the College operates in accordance with the provisions of its enabling legal instrument to the highest standard:

Provided that:

(a) the University shall not require the College to participate in any of the programmes of nor to attain the level of standards of the University in teaching, research, consultancy services provision, staffing, student admissions criteria, or any other matter of an academic or administrative nature

(b) the College shall not have any right to participate in any of the academic programmes of the University with which it is associated nor make awards bearing the name or emblem of the University; and

24. Establishment of Schools, Faculties, Institutes, Directorates etc..

(1) The Council may, on the advice of the Senate and with the approval of the Minister, establish or disestablish schools, faculties, institutes, the University Library and other libraries, centres or directorates, etc., and may disestablish any one or more of these.

- (2) The establishment, composition, functions, procedure and powers of schools, faculties, institutes, the University Library and other libraries, centres or directorates, etc., and organs of governance thereof shall be provided for by Regulations.
- (3) The course of study to be conducted in any such bodies as specified under sub-section (1) above shall be approved by the Senate.

PART V

DISCIPLINE OF STAFF AND TOP EXECUTIVE OFFICERS

25. Discipline of the Staff of the University

(1) The powers of dismissing or terminating the appointment of any member of the Academic Staff, Senior Administrative Staff or Support/Junior Staff other than the Vice-Chancellor and the Deputy Vice-Chancellor, by way of disciplinary action or of punishing any member of the academic or administrative or support/junior staff otherwise than by dismissal or termination of his appointment, for any disciplinary offence or misconduct shall be vested in the Council.

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

- (a) a Chairperson, who shall be the Deputy Vice-Chancellor responsible for Appointments, Human Resources Management and Administration;
- (b) a legally qualified person with at least five years experience of practice as an attorney, advocate, magistrate or judge and who does not hold any post at the University, who shall be appointed by the Council;
- (c) two members, one from the Academic Staff and the other from the Senior Administrative Staff chosen by the Vice-Chancellor;
- (d) a representative of each of the following:
 - (i) the University's Academic Staff Association
 - (ii) the Administrative Staff Association
 - (iii) the Workers' Union of the University

(3) Three members of the Staff Disciplinary Committee, including the Chairperson, shall form a quorum and the Chairperson shall have a casting in addition to his/her deliberative vote in the event of equal votes.

(4) Charges of disciplinary offence or misconduct against any staff including support staff, other than the Vice Chancellor and the Deputy Vice-Chancellors, shall be handled in accordance with the provisions under section 50 on provision relating to principles of natural Justice. Recommendations of such shall be made to the Vice-Chancellor through the Deputy Vice-Chancellor responsible for administration for imposition of such punishment as the Appointments and Human Resource Management Committee exercising its powers under Regulations of this Charter or any other relevant regulations may deem justified.

26. Discipline of top Executive Officers of the University

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

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

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

(3) If the charge be established against the officer, where the Council is the Appointing Authority, it shall make a decision as it deems fit, or where the Council is not the Appointing Authority, and if it deems it proper, it may refer the findings to the Appointing Authority.

Provided that:

- (a) A two-thirds majority vote at a special meeting of the Council shall be necessary for the Council to decide or, as the case may be, recommend to the Appointing Authority that a Vice-Chancellor or Deputy Vice-Chancellor be removed and replaced;

- (b) Where the Council does not deem it proper to refer the findings to the Appointing Authority for a decision, the Council shall itself decide on what measure, other than a punitive measure is to be taken against the officer and shall forward such a decision to the Appointing Authority for endorsement;
 - (c) If the Appointing Authority does not endorse the decision of the Council, the Appointing Authority may substitute its own decision after consultation with the Council where such consultation is deemed fit.
- (4) If the charge be not established against the officer in question, it shall be dropped and the officer shall be informed in writing of that outcome forthwith.
- (5) All matters concerning discipline of staff, other than members of staff of level of Professor or Associate Professor, of affiliated institutions, namely constituent and Connected Colleges and staff of Associate Colleges, Schools, Institutes, Centres and Directorates shall be dealt with in accordance with their respective enabling legal instruments.

27. Disciplinary Appeals Committee for Staff of the University

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

- (2) The Staff Disciplinary Appeals Committee shall be composed of:
- (a) a Chairperson appointed by the Chancellor from amongst the members of the Council;
 - (b) one representative nominated by the Worker's Union at the University or, as the case may be, the College, appointed by the Vice-Chancellor ;
 - (c) three members elected from amongst the members of the Council;

- (d) two representatives appointed by the Vice-Chancellor, one from the Academic Staff assembly and one from the Administrative Staff Association; and
- (e) a legally qualified person with ten years experience of practice as an Attorney, Advocate, Magistrate or Judge, who shall be appointed annually by the Council from outside the University Community.

(3) The committee shall appoint one of its members as Vice-Chairperson;

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

(5) The *quorum* for meetings of the Staff Disciplinary Appeals Committee shall be a simple majority of the members of the Committee.

(6) The Staff Disciplinary Appeals Committee shall have appellate power over the decisions of a disciplinary nature or dismissals from the terminations of service or employment with the University affecting staff, other than the Vice-Chancellor, a Deputy Vice-Chancellor:

Provided that the provisions of this regulation shall have no prejudice to the provisions of any other applicable written law in respect of disciplinary matters.

28. Disciplinary Appeals Board for top Executive Officers of the University

(1) Subject to the Charter and these Regulations and any other applicable written law, the provisions of Regulation 50 shall apply, *mutatis mutandis*, in respect of the appeals by the Vice-Chancellor or a Deputy Vice-Chancellor, as the case may be.

(2) Any recommendation for disciplinary action including removal and replacement or dismissal from or termination of service, made under Regulation 50 against the Vice-Chancellor or any one of the Deputy Vice-Chancellors, shall be open to contestation by

the affected person before the Council, which shall submit a recommendation to the Appointing Authority who may:

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

(3) The Vice-Chancellor or any Deputy Vice-Chancellor shall have the right to appear before or make written representations to the Council, the *ad-hoc* committee or the appointing Authority when an adverse recommendation made by the Council against any one of them is under consideration before the Council, the *ad-hoc* Committee or the Appointing Authority, as the case may be.

PART VI
STUDENTS ADMINISTRATION, WELFARE AND DISCIPLINE

29. Dean/Director of Student Services and Student Welfare

- (1) There shall be a Dean of Students of the University/College who shall be a person with a minimum academic qualification of a second degree or Masters degree in the social sciences and outstanding experience and capability in student administration and/or counselling.

- (2) The Dean of Students shall be appointed by the Council/Governing Boards on the recommendation of the Appointments and Human Resource management Committee for a period of three years with eligibility for re-appointment for a further term or further terms of three years upon such other terms and conditions as the Council shall prescribe.

- (3) The Dean of Students shall be responsible to the Deputy vice Chancellor/Deputy Principal (Planning Finance and Administration) for the general welfare of the students and the administration of their affairs.

- (4) There shall be a clearly formulated policy on the general administration and welfare of students of the University for making of regulations/bylaws.

- (5) For the purpose of this section, the administration of the affairs of the students of the University shall include establishment of an overseeing machinery for monitoring, coordinating, regulating, controlling and facilitating the general conduct of students on the campus or campuses of the University, its branches and any other place where the affairs in which its students are involved will take place, be conducted or extended to or where the residence of its students is established, provided, organized or overseen by the University.

30. The Students' Organization

- (1) There shall be 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.
- (2) The affairs of the Students' Organization, including membership, shall be governed by its constitution whose objects shall not conflict with the objects of the University, and the provision of any written law.
- (3) The Constitution of the Students' Organization, including amendments thereof, shall be subject to approval by the Council.
- (4) No student organization in the University shall engage in any political parties activities on campus, conduct its affairs or have a constitution which in any way or manner whatsoever offends or conflict with a provisions of this charter or of any other written law.

31. Other Student Organizations

- (1) The Council may, by subsidiary legislation, provide for the approval and conduct of other student' organizations.
- (2) No students' organization shall have objects, which are in conflict with the objects of the University and the provisions of any other written law.

32. Student Subsidiary legislation

(1) The Council shall make subsidiary legislation/by-laws for the administration of students. Contravention of such by-laws shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence.

(2) Subsidiary legislation made under this section shall be published in the *Gazette* or the *University Prospectus* and every such subsidiary legislation shall be brought to the notice of the students in such other manner as the Council may determine.

(3) The Rules made under sub-Regulation (1) may provide that the contravention of any such Rules shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence.

33. Students' Disciplinary Authority

(1) There shall be established a students' disciplinary authority appointed by the Council to be known as the Students Disciplinary Appeals Committee to hear and decide appeals from the Students, Disciplinary Authority and whose composition, powers, functions and procedure or mode of operation shall be provided for under subsidiary legislation made by the Council in that behalf.

(2) The Rules made under sub-Regulation (1) shall include the provision in Regulation 50 of these Regulations.

34. Students Disciplinary Appeals Committee

(1) There shall be established by the Council a Committee to be known as the Students' Disciplinary Authority and whose composition, powers, functions and procedure or mode of operation shall be provided for under subsidiary legislation made by the Council in that behalf.

(2) The composition of Students Disciplinary Appeals Committees shall not include any such person who was or is involved in the investigation, hearing or decision of any matter

connected or otherwise associated with any particular appeal of the committee in which such a matter is directly or indirectly relevant prior to the commencement of the appeal process.

PART VII

CONVOCATION AND STAFF ASSOCIATIONS

35. The Convocation

- (1) There shall be a Convocation of Muhimbili University of Health and Allied Sciences, which shall consist of current staff, students and former graduates of Muhimbili University College of Health Sciences and such other persons as Regulations may prescribe.
- (2) The Convocation shall have the right to meet and discuss any matter relating to the University, to transmit resolutions thereon to the Council and Senate, and may exercise such other functions as the Regulations may prescribe.
- (3) The Council may approve the establishment of an Alumni Association of the University or discipline-based alumni associations whose affairs shall be governed by its/their constitution(s), which shall be subject to approval by the Council including amendment thereof.
- (4) An Alumni Association of the University whose establishment is approved under sub-Regulation (3) shall have the right to transmit its resolutions to the Council and the Senate and may exercise such other functions and enjoy such other privileges as regulations may provide.
- (5) A discipline-based Alumni Association whose establishment is approved under sub-Regulation (3) shall have the right to transmit its resolutions to the Board of the School, faculty, Institute, the Library, Center or, as the case may be, Directorate under which the association's base discipline falls.
- (6) In this regulation the word "discipline" includes School, Faculty, Institute, the Library, Centre or Directorate, as the case may be.

36. Staff Association

- (1) There shall be established an Academic Staff Assembly and Administrative Staff Assembly whose affairs, including membership, shall be governed by its own constitution. The constitution of the staff association, including amendments thereof shall be determined by the members of the association and shall be subject to approval by the Council.
- (2) No staff organizations in the University shall engage in any political parties activities on campus, conduct its affairs or have a constitution which in any way or manner whatsoever offends or conflict with a provisions of this charter or of any other written law.

For this purpose:

- (a) “campus” includes any place where the activities or affairs of the University to which a staff association or a students’ 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) “engaging in political parties activity” includes regular recruitment, training, registering or enrollment of political party members, regular organization of meetings, seminars and conferences for a political part or political parties, operating a branch office or cell or the like of a political party or political parties and matters of a similar nature;
- (c) “staff association” includes its members; and
- (d) “student organization” includes its members.

PART VII

FINANCIAL PROVISIONS AND REPORTS

37. Management of Assets

The Council/Governing Boards, as the case may be, shall manage all the assets and properties, movable and immovable, of the University/colleges, in such manner and for such purposes as in the opinion of the Council/Governing Boards would promote the best interest of the University/colleges.

38. Funds and Resources

The funds and other resources of the University/colleges shall consist of:

- (a) such sums as may be provided for the purposes of the University/colleges by Government or any other source either by way of donations, prizes, grant or loan;
- (b) such sums as the Council/Governing Boards may, from time to time, borrow for the purposes of the University/colleges;
- (c) such sums as may accrue to the University/colleges from or by way of fees;
- (d) such sums as may accrue to the University/colleges from investments, leases, licenses, consultancies, etc. of the University/colleges; and
- (e) such sums as may in any manner become payable to or vested in the University/college either under the provisions of the Act or as incidental to the carrying out of its functions.

39. Investment of funds

The Council/Governing Boards shall have power to invest the funds of the University/colleges in such assets and subject to such conditions, as are prescribed by the Trustee Investments Act, 1967, in relation to investment of funds by a trustee.

40. Financial year

The Council/Governing Boards may determine any period of twelve consecutive months to constitute the financial year of the University/colleges; provided that for the purposes of transition from one financial year to another the transitional period, whether of more or of less than twelve months, shall be regarded as if it were a financial year.

41. Annual estimates

- (1) At least two months before the commencement of any financial year, the Deputy Vice Chancellor/Deputy Principals responsible for finance shall prepare or cause to be prepared, for the approval of the Council/Governing Boards, annual estimates of the revenue and expenditure of the University/colleges for the ensuing financial year.
- (2) The Council/Governing Boards 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 provision for all the estimated expenditure during the ensuing financial year and in particular:
 - (a) for the payment of salaries, allowances, travel and other charges in respect of officers of the University/College, including the Vice-Chancellor, the Deputy Vice-Chancellors, the Principals and Deputy Principals and the Deans and Directors;
 - (b) for the payment of costs of materials, equipment, etc. and other charges in respect of teaching, training, research and consultancy;
 - (c) for the payment of allowances, fees and expenses in respect of the Chancellor, members of the Council, the Senate, the Convocation and of other Boards and Committees;

- (d) 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;\College
 - (e) for the construction, improvement, maintenance and replacement of any building or other immovable property of the University/College;
 - (f) for the proper maintenance and replacement of the furniture and equipment of the University/College;
 - (g) for the creation of such reserve funds to meet future contingent liabilities as the Council/Governing Boards may think fit.
- (4) No expenditure shall be incurred for the purposes of the University\Colleges except in accordance with the provisions of the annual estimates or in accordance with the provisions of any supplementary estimates approved by the Council./Governing Boards
- (5) A copy of the annual estimates and of every supplementary estimates, if any, shall immediately upon the approval of such annual estimates or, as the case may be, the supplementary estimates, by the Council/Governing Boards, be forwarded to the Minister and the Chancellor.

42. Accounts and auditing of accounts

The Council/Governing Boards shall cause to be kept proper accounts and shall, within and not later than six months after the end of each financial year, cause such accounts relating to such financial year together with:

- (a) a statement of income and expenditure during such financial year, and
- (b) a statement of the assets and liabilities of the University/Colleges on the last day of such financial year,

to be submitted to and audited by a competent firm of authorized or approved auditors appointed by the Council/Governing Boards.

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

43. Vice-Chancellor's/Principals report Annual Report

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

44. Tabling of Reports to the National Assembly

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

- (a) copies of the statements referred to in sub-section (1) of section 43;
- (b) a copy of the auditor's report; and
- (c) a copy of the Vice-Chancellor's report.

PART IX
MISCELLANEOUS PROVISIONS

45. Memoranda of Understanding

- (1) In the discharge of its functions under the Act, the University shall abide by the terms and conditions of a memorandum or memoranda of understanding as shall be agreed between the Government of the United Republic and the University.

- (2) Without prejudice to the generality of sub-section (1) of this regulation, the terms and conditions of the memorandum of understanding may include:
 - (a) Development and running of academic programmes, courses, etc.;
 - (b) Developing and conducting research and consultancy programmes, arrangements, projects, etc.; and
 - (c) Providing funds for the general and development expenditure of the University.

46. Delegation of Powers

The powers granted to the President under the Act may, wholly or in part, be delegated by the President to the Minister and in any such event such delegation shall be in writing.

47. University Grants Committee

- (1) There shall be established a committee which shall be known as the University Grants Committee.
- (2) The University Grants Committee shall comprise a Chairman and not more than fifteen, and not less than five, members.
- (3) The Chairperson and the members of the University Grants Committee shall be appointed by the Council.

- (4) The functions of the University Grants Committee shall include:
- (a) on behalf of the Council, to advise the Government or any statutory body established to administer financial affairs of higher education institutions in that behalf, on all financial matters relating to the University;
 - (b) to advise the Council on matters relating to the procurement, and expenditure of funds of the University and investment of such funds;
 - (c) to mobilize resources for and on behalf of the Council for the promotion of the objects and functions of the University;
 - (d) to perform such other functions as may be conferred by the Council.
- (5) The tenure of office of the Chairman and members of the University Grants Committee, their retirement, the right to terminate their appointment, the appointment of a new member to fill any vacancy, and also in relation to the appointment of a temporary chairman, the quorum, procedure and meetings of the University Grants Committee shall be governed by Regulations.

48. Deployment of Forces

- (1) There shall, normally, be no deployment of police, military, para-military forces on the University or College grounds, as the case may be, without prior consultation with or information to the Vice-Chancellor.
- (2) The Vice-Chancellor may request deployment of police, military or para-military forces on the University or College grounds where in his opinion the situation so dictates.

49. Attributes of a system of appointment of holders of specified positions

- (1) The holders of all key administrative positions in the University including colleges of the University shall, normally, be citizens of the United Republic.
- (2) In making appointments to key administrative positions in the University or a college, the Council shall ensure that such appointments are made on merit in accordance with an open system capable of inspiring confidence that fairness and the appointee's competence for the relevant position and his general acceptability in the University or college community have all been taken into account.
- (3) The Council shall, by Regulations, prescribe the attributes of the open system referred to in subsection (2), which attributes shall include the form, way or method of identifying candidates, participation of the community and/or the organs of governance that shall be involved in the process of such system.

50. Provisions Relating to Principles of Natural Justice

Notwithstanding the provision of Regulations 25, 26 and 33 of this Charter, the power to dismiss an officer or member of staff of the University or expel or rusticate a student from the University, as the case may be, by way of disciplinary action shall not be exercised unless:

- (a) a disciplinary charge has been made against such officer or member of staff or student, as the case may be; and
- (b) the officer or member of staff or student, as the case may be, has had opportunity to answer such charge; 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, or any applicable general law of the land, as the case may be; and

- (d) the officer or member of staff or student concerned, as the case may be, has, after such inquiry and defence, been found to be guilty of the charge leveled against him or of a minor charge of the same category established on the basis of the findings made in the course of dealing with the said charge.

51. Protection of members of Council, Senate, Convocation and Boards

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 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.

52. Proceedings of Senate or Boards not to be invalid by reason of irregularity

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

53. Special needs for women and other vulnerable persons

- (1) In the construction or maintenance of any building, appliance, facility, amenity, convenience, road, path or passage way for use by students or staff of the University, due regard shall be had of the special needs of women and of persons with common physical disabilities of sight, hearing and movement
- (2) Without prejudice to the generality of Regulation (1), the University Library, including its branches wherever they may be, shall be so constructed or structured, set up and equipped as to cater, as far as possible, for the needs specified under Regulation

54. Power to make Regulations

- (1) In the performance of its functions under the Act the Council shall, subject to the provisions of the Act, make general Regulations for the governance, control and administration of the University and for the better carrying out of the purposes of the Act and in particular and without prejudice to the generality of the foregoing, may make regulations:
 - (a) prescribing provisions as to the duration of membership of the University, termination of such membership, the rights, duties and privileges attaching thereto and other related matters;
 - (b) prescribing the provisions for the exercise of the privileges, powers and functions conferred on the Chancellor;
 - (c) prescribing the provisions for proposing candidates for appointment by the President of one of them as Chancellor of the University and governing the terms and conditions of the position of Chancellor;
 - (d) prescribing the provisions for the appointment of and terms and conditions for the position of Vice-Chancellor, Deputy Vice-Chancellor and Registrar of the University in furtherance of the relevant provisions of the Act;
 - (e) prescribing the provisions for the appointment of and terms and conditions for the position of Principal of a College, Dean of a school, Dean of a faculty and Director of the University Library, an institute, centre or directorate;
 - (f) for the establishment, composition, functions, procedure and powers of colleges, schools, faculties, institutes, the University Library, centres or directorates, departments, units, etc., of the University and their organs of governance, as well as the members of the organs of governance;

- (g) for the description of the degrees, diplomas, certificates and other awards which may be conferred or granted by the University;
- (h) for the requirements and the manner of conferment or grant of such degrees, diplomas, certificates and other awards;
- (i) for the conduct of examinations;
- (j) prescribing allowances, fees and charges;
- (k) for the settlement of the terms and conditions of service, including the appointment, dismissal, termination, remuneration and retiring benefits of the officers and other employees of the University;
- (l) for the provision of rules of discipline of, and the manner of conducting disciplinary proceedings against, officers, staff and employees of the University.
- (m) for the appointment of members of the Council other than those specified under section 18 of the Act, the tenure of office of members of the Council, termination of their appointment, procedure of meetings of the Council and for the establishment, composition and terms of reference of boards and/or committees of the Council, quorum of meetings of the Council, boards and committees of the Council as well as the rights, duties and privileges of the members of the Council, boards and committees of the Council;
- (n) prescribing the rules or by-laws for the administration of any college, school, faculty, institute, the University Library, centre or directorate or unit established under the Act;
- (o) providing for the general welfare of the students;
- (p) prescribing by-laws for the administration of students which may provide that the contravention of any such by-law shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence;
- (q) prescribing the composition, functions, procedure and powers of the Students Disciplinary Authority and of the Students Appeals

Committee and the rights, duties and privileges of the members thereof;

- (r) prescribing provisions governing the appointment and the duration thereof, the rights, duties and privileges of holders of the position of Professor *Emeritus*;
- (s) providing for or prescribing anything which, under the Act, may be provided for or prescribed by Regulations or which, in the opinion of the Council is necessary to provide for the furtherance of the objects, powers and functions of the University.

(2) Notwithstanding the provisions of sub-section (1), the Council shall not make, amend or revoke any regulation relating to the functions or privileges of the Chancellor, the Vice-Chancellor or the Senate without first ascertaining the opinion of the Senate.

(3) Regulations shall only be made by a resolution passed at a meeting of the Council supported by a majority of not less than two thirds of the members present and voting, being not less than half of the total membership of the Council.

(4) Regulations or by-laws made or approved by the Council under the Act shall be published in the Gazette but section 72 of the Interpretation and General Clauses Act, 1996 shall not apply to the Regulations or to the by-laws, and, in particular, disciplinary offences shall not be deemed to be offences created by or under any written law

55. Repeal, savings and Transitional and Consequential provisions and amendments

(10) The Muhimbili University College of Health Sciences Act No. 9/1991 in this section referred to as the former Act, was repealed by the University Act 2005

(2) Notwithstanding the repeal of the former Act:

- (a) all regulations, rules, by-laws, orders, directions or other subsidiary legislation made, given or issued under the former Act and which are in force before the effective date shall remain in force after the effective date until they are repealed or replaced by subsidiary legislation made under the Charter:
- (b) all appointments, requirements, authorizations, other things, including rights and liabilities made, given, taken, done or incurred under, and all funds, assets and other property acquired by virtue of the former Act shall be deemed to have been made, given, taken, done, incurred or acquired under the Charter subject to such repeal provisions as may be made as provided in paragraph(a) of subsection (2) of this Regulation.

SECOND SCHEDULE
PROVISION RELATING TO THE SEARCH COMMITTEE
(Article 20)

1. There shall be a Search Committee for making recommendations to the Chancellor for appointment of a Vice-Chancellor.
2. The Search Committee shall consist of three members of whom two shall be nominated by the Council and one by the Chancellor, and the person nominated by the Chancellor shall be the convenor of the Committee:
Provided that no person who is an employee of the University or any authority of the University shall be nominated to be a member of the Committee.
3. The Chancellor with advice of the Council, shall appoint a Vice-Chancellor from out of a panel of not more than three persons recommended by the Search Committee constituted under paragraph (2) as above.
Provided that if the Chancellor does not approve of any of the persons so recommended he may call for a fresh recommendation.

THIRD SCHEDULE
(Article 20)

1. The Chairperson of the Council shall hold office for a period of four years from the date of his 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 all such members shall retire on the last day of June of the third year; and on the last day of June of every third year, their places shall be filled by the newly appointed or, as the case may be, elected members who shall come into office immediately upon such retirement:
Provided that:

- (a) nothing in this Schedule shall be construed as preventing any person otherwise eligible to be appointed or elected as a member from being reappointed or, as the case may be, re-elected for another term of office;
 - (b) in the case of a member elected by the National Assembly, he/she shall cease to hold office if at any time prior to the date of his retirement he/she ceases to be a member of the National Assembly;
 - (c) in the case of a member elected by the Students' Organization, he/she shall cease to hold office if at any time prior to the date of his/her retirement under this paragraph, he/she ceases to be a student.
3. Nothing in paragraph 2 shall be construed as preventing any appointing authority from terminating the appointment of any member appointed or elected by it, prior to the date when such member is required to retire from office under paragraph 2.
 4. Where any member absents himself/herself from three consecutive meetings of the council without reasonable excuse, the Council shall advise the appointing authority of the fact and the appointing authority may, if it deems fit so to do, terminate the appointment of the member and appoint or, as the case may be, elect another member in his/her place.
 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 *proviso* to paragraph 2, or is unable to perform his functions as such member by reason of his/her absence from the United Republic or by reason of any infirmity of body or mind, or where the appointing authority terminates his/her appointment under paragraph 3 or paragraph 4, the appointing authority may appoint or, as the case may be, elect another member in his/her place, and the member so appointed or elected shall, subject to the provisions of this Schedule, hold office for the remainder of the term of his predecessor.

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

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

6. The Deputy Vice-Chancellors responsible for Administration shall have the right to be present at every meeting of the Council and to participate in its deliberations but shall have no right to vote.
7. The Council shall elect one of its members to be the Vice-Chairperson and any member elected as Vice-Chairperson shall, subject to his/her continuing to be a member, hold office of Vice-Chairperson for a term of one year from the date of his/her election, and shall be eligible to be re-elected.
8.
 - (1) The Chairperson shall preside at all meetings of the Council.
 - (2) Where at any meeting of the Council, the Chairperson is absent, the Vice-Chairperson shall preside.
 - (3) In the absence of both the Chairperson and the Vice-Chairperson at any meeting of the Council, the members present may, from amongst their number, elect a temporary Chairperson who shall preside at that meeting.
 - (4) In 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 notes, shall have a casting vote in addition to his/her deliberative vote.
9.
 - (1) Subject to this Charter and any general or specific direction by the Chancellor, the Council shall meet not less than four times during every financial year and at such additional times as may be fixed by the Chairperson or, if he/she is absent from the United Republic or unable for any reason to act, the Vice-Chairperson
Provided that the Chairperson or, if he/she is absent from the United Republic or is unable for any reason to act, the Vice-Chairperson shall, at the request of at least ten members, convene a meeting of the Council within thirty days of such requests being made to him in writing.
 - (2) The Secretary of the Council shall give to each member not less than fourteen days' notice of the time and place of any such meeting.
10.
 - (1) At any meeting of the Council not less than one-third 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 of 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.
11. Subject to the provisions relating to a casting vote, all questions at a meeting of the Council shall be decided by a majority of the votes of the members present at the meeting, and if any member fails or refuses to vote on any question, his/her vote shall be counted in the negative.
 12. Notwithstanding the foregoing provisions of this Schedule, decisions may be made by the Council without a meeting, by circulation of the relevant papers among the members and the expression of the views of the majority thereof in writing: Provided that any member shall be entitled to require that any such decision be deferred and the subject matter be considered at a meeting of the Council.
 13. (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 responsible for administration affairs; or
 - (c) such person or persons appointed in writing by the Vice-Chancellor in that behalf, and the person or persons present shall sign over or underneath the sealing witness thereof.
 14. Subject to paragraph 13, all conveyances, transfers, contracts, guarantees, agreements, bonds, authorities, mortgages, charges, bills of exchange, promissory notes, bank drafts, letters of credit, securities and other instruments 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 responsible for administration affairs; or
 - (c) such other officers of the University as the Vice-Chancellor may appoint in that behalf.
 15. Subject to the provisions of this Schedule, the Council may regulate its own meetings.

FOURTH SCHEDULE
FACULTIES, INSTITUTES, CENTRES AND LIBRARIES OF THE
UNIVERSITY
(Regulation 24 (1))

1. At Muhimbili University College of health Sciences:
 - (i) the School of Medicine;
 - (ii) the School of Pharmacy;
 - (iv) the School of Dentistry;
 - (v) the School Nursing; and
 - (vi) the School of Public Health and Social Sciences

2. The following Institutes and centers are declared to be Institutes and centers of the University:
 - (a) at the Muhimbili University College of Health Sciences:
 - (i) the Institute of Allied Health Sciences;
 - (ii) the Institute of Traditional Medicine;

3. The following Libraries are declared to be (main) Libraries of the University:
 - (a) At the Muhimbili University College of Health Sciences:

the college Library;

4. Libraries established by or under faculties, Institutes or Centres of the University shall be deemed to be departmental libraries and shall be conducted and regulated in such manner as the Senate, on the advice of the respective libraries mentioned under paragraph 3, may direct:

Provided that in respect of a college Library, the relevant Academic board of the College may, with the permission of the Senate, play the role of the Senate under this paragraph.