The United Republic of Tanzania

# The Zanzibar University Charter

2010

CHARTER and RULES

The State House

Dar es Salaam

Tanzania

# THE ZANZIBAR UNIVERSITY CHARTER, 2010

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THE UNIVERSITIES ACT,
(CAP.346)

**CHARTER**

THE ZANZIBAR UNIVERSITY CHARTER, 2010

**WHEREAS,** the Daral-Iman Charitable Association, a Non-Governmental Organization , registered in Zanzibar , in the United Republic of Tanzania (hereinafter called "the Founder") has solemnly and firmly resolved to form a private University in Zanzibar, the United Republic of Tanzania, for the advancement of knowledge to the people of the United Republic of Tanzania in particular and the whole world in general, observing the basic principles of equality, without any distinction as to race, sex, language or religion ;

**AND WHEREAS ,** the establishment of the University will be in furtherance of the principal mission, objects and functions of higher education in the United Republic of Tanzania and shall be characterized by integrating academic and professional education , with a concern for its African heritage, to meet the challenges for a changing scientific and technologically minded society;

**AND WHEREAS** this Charter is enacted for and on behalf of the Founder for the purpose of establishing a University that, among other things, would adhere to the above stated principles ;

**AND WHEREAS** the Tanzania Commission for Universities has visited and inspected the said University and is satisfied that the objects of the University are consistent with the advancement of University education in Tanzania;

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**AND WHEREAS** the Tanzania Commission for Universities is also satisfied that the Zanzibar University has also complied with the provisions of the Universities Act, 2005 and the Universities (Chartering Registration and Accreditation Procedures) Regulations, 2006;

**AND WHEREAS** the Tanzania Commission for Universities after being satisfied with the Universities draft Charter submitted it to the Minister responsible for Higher Education with the recommendation that Zanzibar University be granted a Charter;

AND WHEREAS the Minister has submitted the Charter to me with positive recommendations thereon:

AND WHEREAS I am satisfied that the granting of the Charter will be of benefit to the advancement of University education in Tanzania.

NOW THEREFORE, in the exercise of the powers conferred upon me by section 25(2) of the Universities Act, **I, JAKAYA MRISHO KIKWETE,** President of the Unitef Republic of Tanzania hereby grant and order with effect of this 24th day of April 2010 as follows:

## PART I
## PRELIMINARY PROVISIONS

Short title and commencement

1. This Charter may be cited as the Zanzibar University Charter, 2010 and shall come into operation on the date of publication.

Interpretation

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

"Academic Committee" means a committee of the University Senate established in accordance with Article 50;

"Academic Staff' means members of the University as described in Article 16;

"Academic and Senior Administrative Staff Association" means the Academic and Senior Administrative Staff Association e tablished under Article 19;

"Accounts" means accounts as prescribed under Article 69;

"Administrative and other Support Staff' means members of the University as described in Article 18;

"Admission" means the process of accepting applications by potential students into the University on the basis of criteria set for the respective awards, courses or programmes of the University.

"Affiliated college" means an autonomous higher education institution accredited to offer degree programmes and confer degrees on behalf of the University;

"Annual estimates" means the estimates other than supplementary estimates prepared under Article 69 in respect of any financial year;

"Appointments Committee" means a Committee set up and vested with the responsibilities of electing or appointing members or officers ofthe University;

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

"Associate College" means a college established independently under its specific enabling legal instrument that seeks and obtains the University's participation in its academic programmes in terms of professional and academic guidance and supervision to ensure that the college is operated at a level appropriate to its own statutory objects or purposes and functions with a view to raising and upholding the standards of the college and enhancing its status and prestige, but does not seek to participate in any programme of the University nor to attain the level of standards of the University;

"Board" means the Board of Trustees of the University, the highest policy making organ of the University established by Article 40 and elected according to the Constitution of Daral-Iman;

"Board of a School, Faculty, Institute or University Library, Centre, or Directorate" means a Board established for a School, Faculty, Institute, Library, Centre or Directorate in accordance with the provisions of this Charter;

"By-Laws" means and include Regulations as made in conformity with this Charter;

"Campus" means any place or premises in which operations of the University are carried on regularly;

"Centre of excellence" means a department or section *o(* the University designated as such and which has excelled in a particular field;

"Campus College/Institute" means an institution of higher learning within the institutional or structural framework of the University governed by the provision of the Charter, and authorized to grant and confer awards in the name of the University but without the rights and privileges of a distinct legal personality;

.." Certificate" means an award of a professional qualification and competence, bearing that name or title offered by the University;

"Chairperson" means the Chairperson of the Council as provided for under Article 43;

"Chancellor" means the Chancellor of the University as specified under Article 42;

"Charter" means the Zanzibar University Charter, 2010;

"Cognate College" means an autonomous institution cognate to the University empowered to offer and award University level education and which depends on the University for the approval and validation of its academic programmes, courses and awards, including students entry qualifications, course syllabi, and examination syllabi;

"Competent Authority" means any person or body authorized to carry out certain function or functions of the University by virtue of his or its position as described under this Charter or as may be prescribed;

"Connected college" means an institution of higher learning with jts separate legal status and an enabling legal instrument but the college depends on the University for the approval of its academic programmes, courses and awards, including student entry qualifications, course syllabi and examination rules and has no right to grant or confer awards other than the awards of the University;

"Constituent College" means a semi-autonomous institution established in accordance with Article 10 and empowered to offer University level education placed under the tutelage of the University for nurturing with a view to its establishment as an independent University;

"Continuing education" includes all short courses, seminars, workshops, or. other similar academic activitie designed and carried out for members of any professional body or bodies, discipline, vocation or elite fields to improve and enhance their knowledge or skills in any means or ways;

"Convocation" means the General Assembly or Convocation of the University established by Article 53;

"Corporate Counsel" means a principal legal officer of the University appointed as the Corporate Counsel of the University;

"Council" means the Council of the University established by Article 43;

"Course" includes a planned series of instruction periods based on an approved syllabus and forming part of a curriculum or a programme designed for an award;

"Course of study" means the structure for degrees or other academic awards or professional qualifications and the subject of study in such structure;

"Course regulations" means regulations in respect of a course of study in the University or its associated institutions;

"Daral-Iman" means Daral-Iman Charitable Association registered in Zanzibar as a Non-Governmental Organization

"Dean" means a Principal Academic Officer of a Faculty or School appointed to be head ofthe Faculty or School;

"Dean of Students" means the Principal Administrative Officer of the University appointed to be responsible for the administration and general welfare ofthe students of the University;

"Degree" means an award of a full academic and, or professional qualification and competence, bearing that name or title offered by the University;

"Deputy Vice Chancellor for Academic Affairs" means the Principal Officer of the University appointed in accordance with Article 56;

"Deputy Vice Chancellor for Administration" means the Principal Officer of the University appointed in accordance with Article

57;

"Diploma" means an award of an intermediate professi onal qualification and competence , bearing that name or title, offered by the University;

"Diplomate" means a person to whom a Diploma has been granted by the University ;

"Director of Centre or Directorate" means a Principal Academic Officer of the University in-charge of a Centre or Directorate of the University ;

"Director of Finance " means the Chief Administrative Officer of the University, being an expert in accountancy and finance, in-charge ofthe accounts and finance of the University;

"Director of an Institute" means a Principal Academic Officer of the University in-charge of an Institute of the University;

"Director of Library Services" means a Principal Officer of the University being an expert in Library Science in-charge of the Library of the University;

"Faculty" means a Faculty established in the University in accordance with Article 12;

"Faculty/School Board" means a Board established for any Faculty/School and shall be the highest decision making organ of the Faculty/School;

"Financial Year" means subject to the provision of Article 68 the period of twelve months beginning on the first day of October in any year and ending on thirtieth September of the following year;

"Full Council" means a meeting of the Council attended by not less than two thirds of the total membership;

"Gazette" means official GaZette of the Government of the United Republic of Tanzania;

"Graduate" means any person upon whom a degree of the University or other accredited universities has been conferred;

"Institute" means an institute of the University established m accordance with Article 12;

"Key Administrative position" means and includes the office of Chancellor , Vice Chancellor, Deputy Vice Chancellor for Academic Affairs, Deputy Vice Chancellor for Administration , Principal of a college, Deputy Principal of a college, Dean of Students, Deans of Faculties and Schools and Directors of Institutes, Centres or Directorates;

"Library" means the Library of the University;

"Membership ofthe University" means membership of the University as given under Article 37;

"Memorandum of Understanding" means any formal arrangement or arrangements entered into between the University and a government or any agent of a government or any other university, institution or organization under which the

government or its agent or any other university, institution or organization undertakes to make financial or other provisions to the University and in return the University undertakes to perform any such functions and do any such things as shall or may be stipulated in any such arrangement or arrangements;

"Minister" means the Minister for the time being responsible for Higher Education in the United Republic of Tanzania;

"Officer" means any person in the employment of the University but does not include the Vice Chancellor, the Deputy Vice Chancellor for Academic Affairs or the Deputy Vice Chancellor for Administration;

"Organs of Governance" means and includes the Board, the Council, the Senate, Boards of institutes, faculties or colleges, a Committee or Committees of the aforementioned, or a Meeting or Meetings of the aforementioned;

"Owner" means the members and guarantors of the members and guarantors of the Daral-Iman Charitable Association;

"Other Students Organizations" means Students' Organizations other than those approved by the Council;

"Prescribed" means provided under Regulations or prescribed by a Competent Authority;

"Principal of a College" means Principal of a University College of the University appointed for that purpose;

"Principal Officer" means an officer of the University as described under Article 54;

"Regulations" means such standing orders and /or rules enacted by the various organs of governance of the University under a specific name such as Statutes, Regulations, Scheme of Service, Condition of Service and Staff Regulations, Financial Regulations, Students by-laws Code of Ethics, *ejusdsem gener-is* in accordance with Article 79 or any other relevant provision of the Charter;

"Regional Centre" means a Centre established or maintained by the University in any region of Tanzania or elsewhere;

"Research Centre" means any focal point established for the purpose of conducting research by the University;

"School" means an organ of governance of the University bearing that designation, created to offer a particular subject and impart specialized professional knowledge or skills involving practical training as a core aspect of the subject and established as provided for under Article 12;

"Senate" means the Senate of the University provided for under Article 48; or above a certain level in the Salary Scale of the University to "Senior Officer" means any officer of the University whose salary is at be determined from time to time by the Council;

"Staff Association" means an associatiOn of academic and/or administrative members of the University established in accordance with Article 20;

"Statutes" means regulations approved by the Board to govern the University as a whole with respect to such matters as may be specified under such regulations;

"Student" means a person registered in the University for the purpose of obtaining a qualification of the University and includes a part-time, an occasional or short time student, or any other person who is recognized by the Senate to be a student;

"Students by-laws" means regulations made for the administration and general welfare of the students;

"Students Centre" means a centre for students' activities established, maintained or recognized by the University;

"Students Organization" means an organization of students approved by the Council as being an organization representative of the students of the University established by Article 31;

"Supportive Staff' means any member of the administrative staff designated as such by regulation;

"Titular Head of the University" means the head of the University without executive functions in the administration of the University;

"Trustees" includes persons enlisted as members of the Board of Trustees of Daral-Iman and the University and their successors in title;

"Trust Assets" means the assets for the time being and from time to time held by or at the order of the Trustees;

"Vice Chancellor" means the principal academic and administrative officer of the University appointed under Article 55;

"University" means the Zanzibar University established under Article 3.

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

## PART II
## ESTABLISHMENT, MISSION, OBJECTIVES AND FUNCTIONS OF ZANZIBAR UNIVERSITY

Establishment and Ownership

3.- (1) There is hereby established a University which shall be known as the Zanzibar University, founded, owned and governed by Daral-Iman Charitable Association hereinafter referred to as the Daral-Iman.

2. The University is established on the basis of:

(a) The Constitution of Daral-Iman registered under the Society's Act No. 6, 1995 given at Zanzibar on 2"d August 1996;

(b) a Letter of Interim Authority issued by the Higher Education Accreditation Council bearing Ref. No. HEAC/SU 1 of 1st May, 1998;

(c) the Certificate ofProvisional Registration No. 007 of 22nd December, 1999;

(d) the Certificate of Full Registration No.003 of 4th May, 2000;and

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(e) the provisions ofthe Universities Act, 2005.

Vesting of Rights

4. The University established herewith shall be a body corporate and shall:

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

(b) in its corporate name be capable of :

(i) suing and being sued;

(ii) owning; taking; purchase or otherwise acquiring, holding, leasing, licensing the use of, hiring and hiring out and disposing of or alienating a movable or immovable property including intellectual property;

(iii) from time to time borrowing from and lending to any person as it may require for its purposes;

(iv) investing in any asset or assets;

(v) doing or performing all such other things or acts as are necessary or appropriate and reasonable for the proper or better carrying out of its mission and objects and or perfonnance of its functions under the Charter and which may lawfully be done or performed by a body corporate.

Common Seal

5. There shall be a common seal of the University which:

(a) shall be kept in such custody as the Council directs and shall not be used except in accordance with an order or directive ofthe Council;

(b) shall be authenticated by the signature of the Vice Chancellor, the Deputy Vice Chancellor for Academic Affairs, the Deputy Vice Chancellor for Administration or a member of the Council authorized in that behalf by the Council;

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

Emblem of the University

6. The University shall have an emblem of such design, form attributes, characters or contents as the Board of Trustees, on the advice

of the Senate and the Council shall prescribe, provided that such Emblem shall bear the words "Zanzibar University".

Mission of the University

7. The mission of the University is to educate broadly and liberally men and women without discrimination of race, religion or physical disability, so as to reduce the severe inadequacy of qualified professionals and practitioners, improve the quality of education with the ultimate aim of up lifting the quality of life of Tanzanians in particular, and that of other people at large.

Objectives and Functions of the University

8.-(l)The objectives and functions of the University are establishment of an academic centre of excellence for the advancement of knowledge, the diffusion and extension of physical, natural and social sciences, technology and learning, the provision of higher education, consultancy and conduct research and, so far as is consistent with these objects, the nurturing of a balanced intellectual, cultural and moral growth of the students of the University.

(2) Without prejudice to the provisions of sub-article (1) the University shall, subject to the provisions of the Charter and in addition to any other po ers conferred by the Charter, have the following objects, powers and functions:

(a) to develop the human resource of the highest caliber through such teaching (academic and applied), research and apprcmticeship, professional or vocational training and shall ensure a balance between quantity and quality and avoid imparting elitist values to the products or the University;

(b) to provide academic and Consultancy services of the highest quality inter alia through establishment of centres and places of excellence for purpose of discharging, professional or vocational training and conducting research;

(c) to contribute significantly to the improvement of the quality of life in Tanzania in particular and the world at large through the provision of teaching and conducting research and consultancy services of the highest caliber;

(d) to produce highly qualified and ethically minded scientists and professionals with integrity, devotion and commitment in all relevant disciplines of study for the service of human kind in general and Tanzanians in particular;

(e) to be a producer and supplier of highly educated and trained experts and personnel with entrepreneurial, scientific and professional skills capable of holding key posttlons in the public and private institutions, governmental and non-governmental organizations;

(f) to expand the frontiers of, advance, preserve and transmit knowledge and skills to stimulate and promote intellectual,

cultural, scientific and technological development;

(g) to promote research in scientific, technological, economic, political, social, cultural and other areas of knowledge with reference to the interests of Tanzania in particular and mankind in general;

(h) to institute, establish or create professorships and other posts and offices and to make appointments thereto in line with such governmental structure as shall be approved from time to time by the Board with consultation of the Council;

(i) to endeavour to seek and or institute and award fellowships, scholarships, bursaries, medals and other distinction awards and forms of assistance or sponsorship for the advancement of and dissemination of knowledge;

(j) to endeavour to create opportunitie§ and or provide facilities for students to engage in productive services and entertainment activities in the industrial, commercial, legal, agricultural and cultural spheres in and outside the University;

(k) to promote sports and sportsmanship as well as a healthy, physical and mental life style of its students;

(1) to hold authentic examinations and to confer degrees, diplomas, certificates, and other awards upon persons who deserve them by having courses of study approved by Council upon the advice of the Senate and having satisfied such other requirements as may be prescribed by the Senate;

(m) to cooperate with the Revolutionary Government of Zanzibar and the Government of the United Republic of Tanzania and other interested institutions of the people of Tanzania in the planned and orderly development of quality education, science and technology in the United Republic of Tanzania;

(n) to establish mutually negotiated and reciprocally beneficial links on a durable or ad-hoc, formal or informal basis with institutions of learning and research within Tanzania and other countries;

(o) to endevour to erect, equip, operate, and maintain physical and other facilities required for the purpose of the University;

(p) to endeavour in establishing a genuine enabling, working, learning, and living environment on the University campus or campuses by providing and regulating residence, medical, recreational and entertainment facilities, conveniences and opportunities for officers, staff or employees and students ofthe University;

(q) to demand and receive such fees as may from time to time

be prescribed by the Council and approved by the Board of Trustees;

(r) to enter into such contracts, to appoint such officers, staff or employees, agents and independent contractors, and to establish such Trusts as may be required for the furtherance of objects of the University;

(s) to establish pension, superannuation group endowment and or any other retirement benefits or cessation of employment benefits scheme or schemes, arrangements, for the benefits of its officers, staff or employees or any section thereof and to enter into arrangements with an insurance company, trustee company or other organization or any person or persons for the operation of such a scheme or schemes jointly, severally or otherwise;

(t) to acquire movable and immovable property and to take, accept, hold and maintain any property which may become vested in the University by way of purchase, exchange, grant, donation, lease, license, hire-purchase, testamentary disposition, trust or otherwise, and to mortgage, lease, license, hire out, exchange, lend or loaA out or otherwise dispose of any property held by it;

(u) to borrow money for any purpose deemed appropriate by the Board of Trustees, to invest in land and or securities such funds as may be invested in it for the purpose of endowment, whether for general or special purposes, or such other funds as may not be immediately required for expenditure;

(v) to open and maintain bank accounts of any description and with any such bank or banks, local and foreign, as shall be approved by the Board in accordance with relevant Regulations and any other written law;

(w) to do, in accordance with the general law of the United Republic of Tanzania and the Charter all such acts and things, whether or not incidental to these objects, powers and functions and whether within or outside the United Republic of Tanzania, as may be required, desirable or expedient in order to further these objects powers and functions or any of them.

Registered Office

9. The Head Quarters of the Zanzibar University shall be situated in Zanzibar, in the United Republic of Tanzania.

Establishment of Associate Colleges

10.- (1) The Board of Trustees on the advice of the Senate and the Council, may establish:

(a) constituent colleges,

(b) connected colleges.

(c) campus colleges.
(d) campus institute
(e) affiliated colleges

(2) The Council may, with the approval of the Board of Trustees, confer an associate college status upon any institution on such terms and conditions as it may deem appropriate.

Compliance with written law

11. In exercising the powers conferred under this Article, the Board of Trustees and the Council shall comply with the provisions of any written law ofthe United Republic of Tanzania for the time being in force governing the establishment of private universities and other higher educational institutions.

Establishment of Schools, Faculties, Institutes, Libraries, Departments

12-(1) The Board of Trustees may, on the advice of the Senete and the establish within and outside the United Republic of Tanzania such Schools, Faculties, Institutes, the University Library and other Libraries, Departments and Centres or Directorates, and may disestablish any of them.

(2) The establishment, composition, function, procedure and powers of Schools, Faculties, Institutions, University Library and other Libraries, Centres or Directorates, Departments, Units and respective organs of governance thereof shall be provided for under regulations.

(3) The Headship of a School, Faculty, Institute, the University Library, and any other Library, Centres or Directorate, shall be conferred on such appropriate person by the Council as prescribed by t Regulations.

Course or programmes of study determined by Senate

13.-(1) The course or programmes of study to be conducted in or carried out by any School, Faculty, Institute, Library, Centre, Directorate or other Unit shall be determined by the Senate, subject to approval by the Council.

Gstablishment of Facultlc8 and Institutes

14. Without prejudice to the generality of Article 12, there shall be established:

(a) the Faculty of Law and Shariah;
(b) the Faculty of Business Administration;
(c) the Faculty of Arts and Social Sciences.
(d) the Institute of Continuing Education;
(e) the Institute of Postgraduate Studies and Research

## PART III
## STAFF ADMINISTRTION AND WELFARE OF STUDENTS OF THE UNIVERSITY

Academic Staff

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

(a) the Vice Chancellor;

(b) the Deputy Vice-Chancellor for Academic Affairs;
(c) Professors/Research Professors/Professors Emeritus;
(d) Associate Professors/ Associate Research Professors;
(e) Senior Lecturers/Senior Research Fellows;
(f) Lecturers/Research Fellows;
(g) Assistant Lecturers/ Assistant Research Fellows;
(h) Tutorial Assistants;
(i) The Director of Library Services; and
G) such other members of the staff of the University who are engaged wholly or partly in teaching or research in any College, School, Faculty, Institute, the Library, Centre or Directorate as shall be designated as academic staff by the Council on the advice or recommendation of the Senate.

(2) The terms and conditions of service, including the appointment, promotion, dismissal, termination, remuneration and retirement benefits, of the academic staff of the University shall be as provided for under
+ Regulations.

Vacancy of Academic Posts

16.-(1) Where a vacancy occurs in the post of a Principal of a College, Dean of a Faculty or School, Director of an Institute, Centre or Directorate, or Head of a Department or where the holder of such post is on leave or is absent from the United Republic of Tanzania or is temporarily unable to perform the functions of his office, the Vice Chancellor may, if it is necessary or desirable so to o, appoint an officer to act in such post until such time as the vacancy is filled in accordance with the provision of the Charter or until the substantive holder of the post resumes duty.

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

(3) Notwithstanding the provisions of sub-articles (1) or (2) of this Article, no person shall be allowed to continue in the acting position for a period exceeding 12 months.

Administrative and Supporting Staff

17.-(1) The Administrative and other support staffofthe University shall include:

(a) the Vice Chancellor;
(b) the Deputy Vice Chancellor for Administration;
(c) the Director of Finance;
(d) Directors (other than Directors of Institutes, Centres or academic Directorates;
(e) the Dean of Students;
(f) the Corporate Counsel; and
(g) all other officers and employees of the University who are not members of the academic staff.

(2) The terms and conditions of service, dismissal, termination,

remuneration and retirement benefits of the administrative and other support staff of the University shall be as provided for under Regulations.

Vacancy of Senior Administrative Staff

18.-(1). Where a vacancy occurs in the post of the Deputy Vice Chancellor for Administration, the Dean of Students, the Corporate Counsel, the Head of an Administrative Directorate, Department or Section, or where the holder of such post is on leave or is absent from the United Republic of Tanzania or is temporarily unable to perform the functions of his office, the Vice Chance lor may, if it is necessary or desirable so to do, appoint an officer to act in such post until such time as the vacancy is filled in accordance with the provisions of the Charter or until the substantive holder of the post resumes duty.

(2) While on an acting appointment made under sub-article (1) of this Article, the officer so appointed may be paid an acting allowance in accordance with laid down Regulations

(3) Notwithstanding the provisions of sub:.articles (1) or (2) of this Article, no person shall be allowed to continue in an acting position for a period exceeding 12 months.

Academic and Senior Administrative Staff Association staff usembly

19.-(1) There shall be an Academic and Senior Administrative Staff Association which shall be composed of all staff engaged in teaching, research and related activities as defined under this Charter.

(2) The functions of the Association shall be:

(a) to encourage and promote discussion on matters of academic interest;

(b) to promote the academic functions of the University;

(c) to sponsor social functions for the purpose of enriching the intellectual and cultural development of the University;

(d) to discuss any mattes relating to the general welfare of the members of staff of the University community;

(e) to cooperate with other organs of the University on matters of general interest to the University.

(3) The Constitution of the Academic and Senior Administrative Staff Association shall be determined by the members of the Association and approved by the Council.

" Academic Staff Appointments and Promotions Committee

20.-(1) There shall be an Academic Staff Appointments and Promotion Committee for the purpose of dealing with all matters relating to the appointments of members of academic staff and determining the grades and points of entry on appropriate salary scales, which shall be composed of:

(a) the Vice Chancellor who shall be the Chairperson;

(b) the Deputy Vice Chancellor for Academic Affairs who shall be the Vice Chairperson;

(c) the Deputy Vice Chancellor for Administration;

(d) one member who shall be the Dean of the relevant Faculty or

School, or the Director of the relevant Institute, Library or Directorate

(e) Head of the Department to which the proposed appointment is to be made;

(f) one member appointed by the Council from amongst its members provided that he is not a member of the staff of the University;

(g) a Professor appointed by the Vice Chancellor from the Department to which the appointment is proposed to be made;

(h) not more than two members appointed by the Vice Chancellor from amongst persons who, in the opinion of the Vice Chancellor, have adequate experience in academic matters to enable them to assist the Committee in to make suitable appointments; and

(i) the Corporate Counsel who shall also be the Secretary of the Committee.

(2) The Academic Staff Appointments and Promotions Committee shall have such functions as are conferred upon it by the Charter or as may be delegated to it by the Council.

(3) The term of office for the members, their retirement, the right to terminate their appointments, procedure of appointment of a new member to fill any va ancy, and to elect a temporary Chairperson, as well as the quorum, proceedings and meeting of the committee shall be as provided for under Regulations.

Administrative Staff Appointments and Promotions Committee

21.-(1) There shall be an Administrative Staff Appointments and Promotions Committee for the purpose of appointing, promoting, removing from service and discipline of members of administrative staff and determining all matters relating to the grades and appointments on appropriate salary scales and shall consist of:

(a) the Vice Chancellor, who shall be the Chairperson;

(b) the Deputy Vice Chancellor for Administration who shall be the Vice Chairperson;

(c) the Deputy Vice Chancellor for Academic Affairs;

(d) where appropriate a representative of the Workers' Organization

(e) one member of the Council who is not a member of the staff of the University; and,

(f) the Corporate Counsel who shall also be the Secretary of the Committee.

(2) Subject to the provisions of this Article, the Committee shall have functions as are prescribed in the Regulations or as may be delegated to it by the Council.

(3) The tenure of office of the members of the Administrative Staff Appointments and Promotion Committee, the power to appoint a new member to fill any vacancy and to elect a temporary Chairperson as well as

the quorum, proceedings and meetings of the Committee shall be as provided for under Regulations.

## PART IV
## DISCIPLINE OF STAFF OF THE UNIVERSITY

Power to dismiss or terminate services

22. The power to dismiss or terminate the appointment of any officer or support staff by way of disciplinary action or of punishing any officer otherwise than by dismissal or termination of his appointment for disciplinary offence or misconduct are vested in the Council.

Staff displinary committee

23.-(1) There shall be a Staff Disciplinary Committee which shall consist ofthe following members:

(a) the Chairperson who shall be the Deppty Vice Chancellor for Administration or in his absence, or for a charge of disciplinary offence or misconduct against a member of support staff, a Senior Officer appointed on that behalf by the Vice Chancellor, or for a charge of disciplinary offence or misconduct a against a Principal or Senior officer of the University, the Council may appoint either the Deputy Vice Chancellor for Academic Affairs or a member of the Council to be the Chairperson.

(b) a legally qualified person with not less than ten years experience of practice as an Attorney, Advocate, Magistrate or Judge and who does not hold any post at the University, who may be appointed annually by the Council to that effect.

(c) two members of the academic or administrative staff chosen by the Vice Chancellor from the University Management Board; and

(d) a representative of the Academic Staff Assembly or as the case may be, Administrative or Technical Staff.

(2) Three members of the Staff Disciplinary Committee, including the Chairperson and the legally qualified person shall form a quorum and the Chairperson shall have a deciding vote in the event of a deadlock .

Charges to be investgate

24. Charges of disciplinary offence or misconduct against a member of taff other than the Deputy Vice Chancellor for Academic affairs or . the Deputy Vice Chancellor for Administration shall be investgated in accordance with this Charter and in consonance with rules of naural justice and recommendations shall be made to the Vice Chancellor or the council through the Vice Chancellor, for award of such punishment as may be deemed fit in accordance with the University Regulations .

Disdpline of Top Executive Officers of the University

25.•( 1) A charac of disciplinary offence or misconduct against the Vice Chancellor, the Deputy Vice Chancellor for Academic Affairs or the Deputy Vice Chancellor for Administration shall be investigated by a special committee of the Council whose composition and terms of reference

shall be determined by the Council.

(2) If the charge is established against the Top Executive Officer in question, the Council shall, if it deems it appropriate, refer the findings to the Board of Trustees for a decision.

Provided that:

(a) a two thirds majority at a special meeting of the Council shall be necessary for the Council to recommend to the Board of Trustees that the Vice- Chancellor . or a Deputy Vice Chancellor, as the case may be, be removed;

(b) where the Council does not deem it proper to refer the findings to the Board of Trustees for a decision, the Council shall itself decide on what measure, other than punitive measure, is to be taken against the Top Executive Officer, and shall forward such decision to the Board of trustees for endorsement; and

(c) if the Board of Trustees does not endorse the decision of the Council, the Board may substitute its own decision after consultation with the Council.

(3) Where the charge is not established against the Top Executive Officer in questionnit sQalt,d.!opped and !he officer shall be informed in writing of that outcom.(ortliwith.

Disciplinary Appeals Board for Vice Chancellor and his Deputies

26.-(1) There shall be e b.U e}i by the Board of Trustees a Disciplinary Appeals Board for the Vice. Chancellor and his Deputies, which may be an ad·hoc ,commi e, _who _ composition, functions, powers, procedures, or mode of ope tion •h.ll be detennined by the Board of Trustees from time to time:

Provided that the composition of the Appeals Board shall not include any such person as shall have been involved in the investigation, hearing and/or decision of any matter conne ted or otherwise associated with any particular appeal to the Appeals Board in which such a matter is directly or indirectly relevant, prior to the commencement of the appeal process.

And provided further that the membership of such committee shall include an advocate with at least ten years of field experience.

(2) Any disciplinary action or dismissal made under Article 26 against the Vice Chancellor or any one of the Deputy Vice Chancellors shall be open to contest by the person affected before the Appeals Board which shall submit a recommendation to the Founder who may, on receipt of the ad-hoc committee findings as to the guilt or innocence of such accused person, and after consultation with the Board of Trustees, accept or reject the recommendations submitted by the Council.

Disciplinary appeals committee for Staff

27.-(l)There is hereby established a committee to be known as the Staff Disciplinary Appeals Committee which shall deal with appeals from members of the Academic and Administrative staff.

(2) The Staff Disciplinary Appeals Committee shall be composed

of:

(a) a Chairperson chosen from among the members of the Council who is not a member of the University;

(b) three members elected from among the members of the Council of the University who are not members of the University. ·

(c) two representatives chosen by University Staff Association, who are not in any way directly or indirectly involved with the appeal;

(d) a legally qualified person with not less than ten years experience of practice as an Attorney, Advocate, Magistrate or a Judge who shall be appointed by the Council from outside the University Community;

(3) The secretary of the Committee shall be..one of the members of the Staff Disciplinary Appeals Committee as shall be selected by the Chairman and shall take record of the proceedings-.

(4) The quorum for meetings of the Staff Disciplinary Appeals Committee shall be the simple majority of the members provided the member described under sub-article (2) d shall be present.

Appellate power

28. The Staff Disciplinary Appeals Committee shall have appellate powers over decisions of a disciplinary nature or dismissal affecting officers ofthe University.

## PARTV
## ADMINISTRATION AND WELFARE OF STUDENTS

Dean of Students

29.-(1) There shall be a Dean of Students who, subject to the provision of the Charter shall be responsible to the Deputy Vice Chancellor Administration for the proper and efficient administration of the affairs of the students of the University in accordance with Regulations and by-laws prescribed in that behalf.

(2) Without prejudice to the generality of the provisions of sub-article (1) the administration of the affairs of the students of the University shall include establishment of and overseeing the machinery for monitoring , coordinating , regulating and facilitating the general conduct of students on the campus of the University , colleges of the University and any other place or places where the affairs of the University in which students are involved takes place.

(3) Without prejudice to the generality of the provision of sub- article (2), the general welfare ofthe students ofthe University shall include

(a) arrangements for their residence accommodation, general counseling and advice, recreation, physical fitness, medical and related matters, dispute mediation and/or resolution , leisure trips, non-academic meetings on campus during semester time, as may be provided for under by-laws or otherwise lawfully

prescribed in writing by competent authority, and;

(b) overseeing the smooth, proper, effective and efficient implementation of the provisions of the Charter as they affect the welfare of the students of the University.

Students Organizations in the University

30.-(l)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 and related by the Council and by general notice published in the University Prospectus or its Supplement.

(2) Subject to the provisions of the Charter, the affairs of the Students Organization shall be governed by its Constitution.

(3) The Constitution of the Students Organization , including amendments thereto, shall be subject to approval by the Council.

Other Students organizations University

31. The Council may, by Regulations, provide for the approval and conduct of other students organizations in the University.

Prohibition against political activities on campus

32.-(1) No Students organization shall engage in any political activity on University campus, conduct its affairs or .have a Constitution which in any way offends or conflicts with the provisions of the Charter or of any written law.

(2) In this Article, "Univeraity campus" includes the campus or campuses of the University and any other place or places where the affairs of the University may take place, be conducted or extended or where the residence of students is established, provided, organized or overseen.

Students By-laws

33.-(1) Subject to the provisions of the Charter, the Council may make by-laws for the administration and general welfare of the students.

(2) By-laws made under sub-article (1) may provide that the contravention of any such by-laws shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence.

(3) By-laws made under this Article shall be published in the University prospectus or its Supplement and every such by-law shall be brought to the notice of the students in such manner as the Council may determine.

Students Disciplinary Authority

34. Subject to the provision of the Charter, there shall be a Students Disciplinary Authority appointed by the Council whose functions, procedures or mode of operation and powers shall be as provided for in the by-laws made by the Council.

Provided that the Dean of Students shall not be appointed as a member of such Students Disciplinary Authority.

Students displinary appeals committee

35. Subject to the provision of the Charter, there shall be established by the Council a committee to be known as the Students Disciplinary Appeals Committee to hear and decide appeals from the students and whose composition, functions, powers, procedures, or mode of operation and powers shall be as provided for under Regulations made by the Council.

Provided that the composition of the Students Disciplinary Appeals Committee shall not include any such person as shall have been involved in the investigation, hearing and/or decision of any matter connected or otherwise associated with any particular appeal to the Students Disciplinary Appeals Committee in which such a matter is directly or indirectly relevant prior to the commencement of the appeal process.

## PART VI
## ADMINISTRATION OF THE UNIVERSITY

Membership of the Universily

36.-(1) Membership ofthe University shall be composed of:

(a) the members of the Board of Trustees;
(b) the Chancellor;
(c) the Chairperson of the Council and the other members of the Council, including the members of committees of the Council;
(d) the members of the Senate, including the members of the Committees and sub-Committees of the Senate;
(e) the members of the Board of each Associated College, School, Faculty, Institute, the University Library, Centre and Directorate;
(f) the Professors and other academic members of staff of the University;
(g) the Administrative and other support staff of the University;
(h) Students;
(i) the members of the Fund-raising, Promotion and Advisory Committee ofthe University;
G) the members of the Convocation; and
(k) such other persons as the Board of Trustees on the advice of the Council, may from time to time declare to be members of the University

(2) subject to the approval of the Board, the Council shall, by regulations, prescribe provisions as to the duration of membership of university, termination of such membership as well as, if any, the rights, duties or obligations and the privileges attached thereto and any other related matter or matters;

(3) Subject to the provisions of the Charter, 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 that person to be inducted as a

member of academic or administrative staff, or student of the University or to hold any office or post therein or to enjoy any privilege thereof.

Status of organization and Governance of The university

37. The University shall be an autonomous self-governing and independent institution offering courses leading to the award of certificates, diplomas and degrees of the University at both undergraduate and postgraduate levels as well as other programmes, including seminars, workshops consultancies and other various services.

(2) In the long run the University shall be a self-financing institution with its financial and administrative controls vested in the Board assisted and/or advised by the Council and the Senate.

Administrative structure

38. The administration of the University shall comprise the Board of Trustees, the Chancellor, the Council and its Committees, the Senate and its Committees and sub-committees, the principal officers of the University, Boards of Colleges, Academic Committees of Colleges, Boards of Schools, Faculties, Institutes, the Library, Centres or Directorates , Departments and meetings of units.

Board of Trustees

39.-(1) There shall be a Board of Trustees of .the University constituted by the members of the Daral-Iman and their respective successors in title.

(2) The Chairperson of the Daral-Iman shall be the Chairperson of the Board of Trustees of the University.

Role and Functions of the Board of

40.-(1) The Board of Trustees are the principal promoters and founders of the University and subject to the provisions of the Charter, the Board of Trustees shall have the following functions and obligations:

(a) to ensure that the University is sustainable academically and financially;
(b) to ensure availability of adequate funding of the University.
(c) to ensure smooth succession and continuity of the University, including the various offices and functions of the University;
(d) to promulgate, approve and uphold regulations of the University;
(e) by using corporate name of the University, as Trustees, to sue or be sued for and on behalf of the University in any legal disputes or other legal matters;
(f) to observe principles of natural justice so as to ensure fairness and justice in the exercise of its powers and functions and to act without fear, favour or prejudice in handling disputes, discipline and other matters of the University;
(g) to ensure that the University community recognizes that the University is a component, though autonomous, self-governing and independent, part of the greater project within the context of the Daral-Iman and that the Daral-Iman and the

University are obliged to complement each other and to participate in relevant activities in cooperation and partnership.

(2) Subject to the provision of the Charter and of any written law, the Board of Trustees shall be vested with the powers and privileges with regard to the general governance, regulation and control of the University and shall be the ultimate authority in all matters of making policy , investment of surplus funds and other decisions of the University.

(3) Without prejudice to the generality of sub-article (2) of this Article, the Board of Trustees shall have the power:

(a) to administer the properties of the University both movable and immovable;

(b) to administer the funds, investment and other assets of the University;

(c) · to signify the acts of the University by use of the common seal;

(d) on behalf and for the benefit of the University to receive gifts, donations, grants, loans and /or advances or other funds and to make disbursements therefrom to Colleges, Schools, Faculties, Departments, Centres, Directorates, Units or to other persons or bodies;

(e) subject to the provisions of the Charter , to make appointments, settle the terms and conditions of service or terminate the appointment of officers and other staff or employees of the University as it may deem necessary and appropriate;

(f) to establish and/or appoint committees for the proper and better carrying out of its functions;

(g) to define the rights, obligations and privileges of the members of the University;

(h) to establish colleges, schools, faculties, institutes , libraries, centres and directorates and, with the advice of the Council, to disestablish any of them;

(i) to approve the establishment of departments and units and, with the advice of the Council to disestablish any of them;

(j) to do all such other acts and things as are provided for in the Charter and/or as may be prescribed by Regulations.

(4) the Board of Trustees may, as it considers appropriate, deligate in writing any one or more of the powers, privileges or discretion and functions granted to it under the Charter or any written law to the Council and/or the Board of a College, subject to any limitations or conditions which the Board of Trustees may prescribe.

Provlded that:

(a) Such deligation shall in no way or ways exempt the Board and the trustees jointly and generally from their legal and equitable responsibility and liability under the Charter or

under any written law and that;

(b) the Board of Trustees shall not delegate its power to borrow for the benefit of the University.

The Chancellor Of the University

41.-(1) There shall be a Chancellor of the University.

(2) The Chancellor shall be a person of outstanding integrity, academic and/or administrative experience.

The Chancellor shall be appointed by the Board of Trustees from among a list of not more than three candidates proposed by the Council on the basis of a recommendation of a search committee appointed by the Council in accordance with Regulations.

(4) The term of office of the Chancellor shall be five years with eligibility for re-appointment for further terms of five years.

(5) In execution of his duties 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) have power from time to time to direct an external or internal inspection and for a visitation of the University or an inquiry into the teaching, research, general administration and organization or any other activity or matter of the University;

(c) have power to advise the Council from time to time regarding the betterment of the University or any of its functions;

(d) use his position to promote and enhance good and harmonious governance and the overall development of the University;

(e) enjoy such other privileges, powers and functions as are conferred upon him by the Charter, or as may be provided for under Regulations or any written law.

(6) The powers conferred on the Chancellor under sub-article (5) of this Article shall be exercised in accordance with the provisions of the Charter and Regulations promulgated thereunder in that behalf by the Board of Trustee upon the advice of the Council.

(7) Where the Chancellor is for any reason unable to perform the functions of the office of Chancellor, the Board of Trustees may appoint another person to perform or execute temporarily the functions or powers of Chancellor in an acting capacity.

The Council of the University

42.-(1) There shall be a Council of the University which subject to the provisions of Clause (3) of this Article, shall be composed of not less than eleven and not more than fifteen members.

(2) The composition of membership of the Council shall be such that not less than sixty percent and not more than seventy five percent of its members shall be drawn from outside the officers and other staff of the University and that the remaining members shall be drawn from among the officers and other staff of the University in accordance with Regulations.

(3) The Council shall be composed of:

(a) the Chairperson who shall be appointed by the Board of Trustees;

(b) the Vice Chancellor who shall be an ex-officio member;

(c) the Deputy Vice Chancellor for Academic affairs who shall be an ex-officio member;

(d) the Deputy Vice Chancellor for Administration who shall be an ex-officio member;

(e) not less than seven and not more than eleven members appointed by the Board of Trustees after consultations with appropriate Authorities or Bodies, who shall include:

(i) Representatives of the Board of Trustees whose number shall be determined by the Board;

(ii) One member representing the Ministry responsible for education in Zanzibar.

(iii) One member representing the Senate of the University;

(iv) One member from the business community in Zanzibar;

(v) One lady academician in Zanzibar;

(vi) The President of the Zanzibar University Students Organization (ZANUSO).

(vii) Any other person or persons who has or have outstanding experience in matters of higher education.

(f) the Deputy Vice Chancellor for Administration shall be the Secretary to the Council.

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

(5) The proceedings of the Council and other matters relating the tenure of office, rights and privileges of the Chairperson and other members of the Council shall be as provided for in the First Schedule
To this charter or as prescribed by other Regulations.

Responsibility of the Council

43. (1) The Council shall be responsible to the Board of Trustees for:

The general harmonious governance, including regulations, control and administration, of the University, as well as matters of discipline of staff and students, subject to their right to appeal to the Board or the Students Disciplinary Appeals committees As the case may be; the formulation of general policies, strategies, plans, statutes,

regulations of the University in furtherance of the objects and functions of the University for approval by the Board;

(c) overseeing and supervision of -the implementation of such general policies, strategies, plans, of the University as shall have been approved by the Board or as the case may be;

(d) formulation and/or recommendation of regulations and by-laws for approval by the Board;

(e) preparation of the budget(s), accounts and other financial statements and arrangements for approval or noting by the Board;

(f) doing any other thing or things and performing any other function or functions as prescribed under the Charter and as the Board may from time to time direct for the orderly development of the University.

(2) The Chairperson shall have such powers, functions and duties as are provided for by the Charter and as may be prescribed by Regulations.

(3) The Council shall meet at least twice each academic year at the seat of the University.

(4) The quorum for meetings of the Council and the Committees of the Council shall be as pr vided the First Schedule to this Charter or under Regulations.

Power and functions of the Council

44.-(1) The powers and functions of the Council shall include:

(a) subject to the provisions of this Charter, to institute academic and non-academic offices as it deems fit;

(b) subject to the provision of this Charter, to appoint such officers of the University as it may deem necessary;

(c) to prescribe the fees structure for the various programmes and/or courses and services offered or provided by the University;

(d) to receive reports and recommendations from lower organs of governance either through the Senate or directly if appropriate and act upon them in accordance with the provisions of the Charter;

(e) to consider and/or approve proposals and recommendations for granting of affiliation of the University to or with such college or colleges, institution or institutions within and/or outside the United Republic of Tanzania as the Council may deem appropriate or may be directed by the Board of Trustees to consider and/or approve;

(f) to consider recommendations by the Senate regarding conferment of degrees, including honorary *(honoris causa)* degrees, and granting of diplomas, certificates, and other awards and distinctions ofthe University;

(g) subject to the provisions of the Charter, to approve the

establishment of departments and units;

(h) to administer the property of the University both movable and immovable, other than the property of a constituent college, for the promotion of the best interest of the University, subject to Clause (2) ofthis Article;

(i) to administer the funds of the University;

(j) to signify the acts of the University by the use of the common seal;

(k) to receive on behalf of the University or a constituent college gifts, donations, grants or other moneys and to make disbursements from them to the faculties, school, institutes, constituent colleges or to other person or bodies of persons;

(l) to provide for the welfare of the students and staff of the University;

(m) to consider on any matter falling within the provisions of the Charter that the Council may deem fit, either at its own instance or upon the instance of the Board of Trustees including committees of the Board of Trustees or the Senate or, via the Senate, or any other organ of governance of the University;

(n) to advise the Board of Trustees on all matters arising from the deliberations of the Council that require the attention or decisions of the Board, including: the appointments of staff, disciplinary actions taken against staff or students, or as prescribed in the Charter; and

(o) to do all such other acts or things as are provided for by the Charter or as may be prescribed.

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

Executive Committee of the Council

45.-(1) There shall be a committee of the Council to be known as the Executive Committee of the Council.

(2) The Executive Committee of the Council shall be composed of five members including:

(a) the Chairperson ofthe Council who shall be the Chairperson;

(b) The Vice Chancellor, and

(c) three other members nominated by the Council from amongst the members of the Council.

(3) The Executive Committee shall perform such functions, exercise such powers, and enjoy such privileges of the Council under the Charter as the Council may deem appropriate to delegate to the Committee.

Provided that such functions, powers and privileges shall be

delegated by the Full Council at any of the Council's meetings, subject to any terms, conditions or limitations in writing as the Council may deem appropriate or necessary.

(4) All actions and/or discussions taken by the Executive Committee shall be reported to the Council.

(5) The tenure of members, rights, privileges and the quorum of meetings ofthe Executive Committee of the Council shall be as prescribed.

Other Committees of the Council

46.-( 1) There shall be the following other committees of the Council:

(a) The Academic Staff Appointments and Promotion Committee of the University;

(b) The Administrative Staff Appointments and Promotion Committee;

(c) The Academic and Administrative Staff Disciplinary Committee of the University;

(d) Finance and Development Planning Committee;

(e) Construction and Maintenance Committee;

(f) Students Welfare Committee;

(g) Students Disciplinary Committee, and

(h) Students Disciplinary Appeals Committee.

(2) The composition, membership fllld tenure, thereof, procedure, quorum, powers, functions, rights and privileges, of the committees under sub-article (1) shall be as provided for under Regulations.

(3) Subject to the provision of the Charter, the Council shall have powers to create such other committees as it deems appropriate for the proper and/or better carrying out of the objects and functions of the University and subject to the provisions of the Charter, delegate to any such committee any of its functions under this Charter.

(4) A committee appointed under this Article shall be composed of such number of members as the Council may determine provided that at least one third of the total membership shall be appointed from amongst the members of the Council and that the Council shall appoint one of its members to be the Chairperson of the Committee.

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

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

Senate of the University

47.-(1) There shall be a Senate of the University, which shall be the highest academic authority of the University.

(2) The Senate shall be composed of not more than thirty five

members of whom not less than eighty percent and no more than eighty five percent shall be drawn from within the academic members of the University and the rest of the members shall be drawn from elsewhere as prescribed.

(3) The members of the Senate shall include:

(a) the Vice Chancellor, who shall be the Chairperson;

(b) the Deputy Vice Chancellor for Academic Affairs, who shall be the Vice Chairperson,

(c) the Deputy Vice Chancellor for Administration;

(d) the Principals of Constituent Colleges;

(e) the Principals of Connected Colleges;

(f) the Deans of Schools or Faculties;

(g) the Directors of Institutes;

(h) the Directors of academic Centres or Directorates;

(i) the Director of Post Graduate studies;

G) the Director of Library Services;

(k) the Heads of academic Departments;

(1) a Professor or an Associate Professor from each School/Faculty/Institute;

(m) Professors emeriti, not exceeding two from the whole University;

(n) one member appointed by the Ministry responsible for the time being university education in Zanzibar;

(o) a Representative of the Zanzibar University Students Organization (ZANUSO); and

(p) the Deputy Vice Chancellor for Administration shall be the Secretary to the Senate.

Provided that with reference to sub-article (3), where the representative of ZANUSO in the Council is a male student, the Representative in the Senate shall be a female student, and vice versa.

(4) Where the membership exceeds the number specified in sub-article (2) of this Article, the Council shall establish Regulations which will limit the number of members appointed under sub-article 3(h), (k), (1) and (m) or such other limitations so as to comply with the total membership requirement of sub-article (2).

(5) The Senate shall determine its quorum and make its internal regulations for the conduct of its proceedings.

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

Powers , Functions and Duties of the Senate

48.-( 1) The Senate shall be responsible to the Board of Trustees through the Council for the control and general regulations of the instruction, education, research and consultancy programmes of the University.

(2) Without prejudice to the generality of the provision of sub-article ( 1) of this Article, the Senate shall have the following powers, functions and duties:

(a) to satisfy itself regarding the contents and academic standard of any course of study offered by any College, School, Faculty or Institute, the Library, Centre or Directorate ofthe University in respect of degree, diploma, certificate or other award of the University and to report its findings thereon to the Council;

(b) to carry out academic audits on a regular basis, provided that there shall be at least one Academic Audit in respect of each School, Faculty, Institute, the Library, Centre or Directorate in every five years;

(c) subject to the approval of the Council, to make Regulations :

(i) regarding the eligibility of persons for admission to, as well as their retention and promotion in courses for a degree, diploma, certificate or other award of the University, and for the conferment of any degree, and granting of any diploma, certificate or other award of the University;

(ii) regarding the conduct of examinations, including appointment of examiners and approval of examination results;

(iii) with regard to the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University;

(iv) regarding the carrying out of academic audits on a regular basis;

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

(e) to consider recommendations made to it by an academic committee of a college, or a Board of a School, Faculty , an Institute, the Library, a Centre or Directorate as the case may be, and to take such action thereon as it may consider appropriate;

(f) to make proposals to the Council on matters relating to the conduct of the University generally;

(g) to recommend to the Council the establishment of Colleges , Schools, Institutes, Faculties, Departments, Centres, Directorates, Units, which the Senate may consider necessary for the development of the University or any of its academic programmes;

(h) to recommend to the Council the fees structure and rates for the various programmes and/or courses and services offered or

provided by the University

(i) to perform such other functions as are provided for under the Charter or any written law or as may be assigned to it by Regulations made hereunder or otherwise prescribed by the Council or the Board of Trustees.

(3) Subject to the provision of the Charter, the Senate shall have power to establish and/or appoint committees/sub-committees for the proper and/or better carrying out of its functions, and to disestablish any one or more of such Committees/sub-Committees .

(4) The establishment and/or appointment of committees/sub-committee by the Senate shall be governed by Regulations.

(5) The Senate may, as it deems fit, delegate any one or more of the powers and functions conferred on it under the Charter or any written law to the Academic Committee of a College, a Board of a School, Faculty, Institute, the Library, Centres or Directorate, subject to any limitations or conditions the Senate may prescribe.

(6) 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 paragraph (a) and (c) of sub-article (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.

Academic Committee of the Senate

t- 49.-(1) There shall be a committee of the Senate to be known as The Academic Committee of the Senate, whose membership shall be composed of the following:

(a) The Vice Chancellor, who shall be the Chairperson;

(b) The Deputy Vice Chancellor for Academic Affairs, who shall be the Vice Chairperson;

(c) The Deputy Vice Chancellor for Administration or his representative.

(d) Two Deans of Schools/Faculties nominated or elected by the Senate; and

(e) Two other members of the Senate nominated or elected by the Senate.

(2) Subject to approval by the Council the powers and functions of the Academic Committee of the Senate shall be such as the Senate may deem fit to delegate in the exercise of its power of delegation provided for under the Charter.

Provided that such delegation shall be in writing.

Other committees of the Senate

50.-(1) There shall be the following other committees of the Senate:

ν (a) The Committee of Deans;

/(b) The Admission Committee;

"#- (c) College Academic Committees ;

(d) The Senate Examination Committee;

(e) The Undergraduate Studies Committee;

(f) The Postgraduate Studies Committee; and

(g) The Research and Publications Committee

(2) The composition or membership, tenure of members, powers, functions, procedure and quorum of the respective Committees established under sub-article (1) of this Article shall be provided for under Regulations.

(3) Subject to the approval of the Council, the Senate may establish such other Committees as it may deem necessary and subject to the provision of this Charter delegate to any such Committee any of its functions.

Boards of Colleges, Schools, Faculties and Institutes, of the University

51.-(1) Subject to the provisions of the Charter, there shall be established in respect of:

(a) every College, a College Board and an Academic Committee;

(b) every School, a School Board;

(c) every Faculty, a Faculty Board;

(d) every Institute, a Board of the Institute;

(e) the University Library, the Board of the Library;

(f) 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-article (1) of this Article and the rights, duties and privileaes of their respective memberships shall be as provided for under Resulations.

(3) Without prejudice to the generality of sub-article (2) of this Article, the respective Boards specified under sub-article (1) may, with the approval of the Council establish such number of departments and units within the College, School, Faculty, Institute, Library, Centre or Directorate, as may be deemed necessary.

The Convocation of the University

52.-(1) There shall be a Convocation of the University which shall consist of graduates, diplomates and such other persons as regulations may prescribe.

(2) The Convocation shall have a chairperson, a treasurer and such other office bearers, if any, as may be prescribed by regulations which shall, in addition., provide for the manner of their election by and from amongst the members of the Convocation.

(3) The Deputy Vice Chancellor for Administration shall be the Secretary to the Convocation and the Convener of the meetings of the Convocation.

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

(5) The Convocation shall have the right to meet and discuss any matter within the sphere of competence of the University and to transmit

any resolution arising from such discussion to the Board of Trustees , Chancellor, the Council or the Senate, as the Convocation may consider appropriate.

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

proceeding of the Convocation shall be invalid by only of any defect in the appointment of any member of the Convocation or

by reason only of the fact that a person who is entitled to be a member the Convocation has not been registered in the Convocation Roll.

(7) The Deputy Vice Chancellor for Administration shall report to the Council the activities of the Convocation and shall transmit to Board, the Chancellor, the Council or the Senate, as the case may resolutions passed by the Convocation.

(8) The Deputy Vice Chancellor for Administration shall send . copy of the minutes of every meeting of the onvocation to the Chancell

and the Board of Trustees.

## PARTVII
## PRINCIPAL OFFICERS AND STAFF OF THE UNIVERSITY

Gene ral defini tion

53. Subject to the provisions of the Charter, the Principal Officers of the University shall include the Vice Chancellor, the Deputy Vice Chancellor for Academic Affairs, the Deputy Vice Chancellor for Administration, Principals, the Deputy Principals of Colleges, Deans of Schools, and Faculties, the Director of Postgraduate Studies and Research Institutes, the Director of Finance, the Director of Library Services, Directors of Institutes, Centers or Directorates, He(\ds of Departments, the Dean of Students, and the Corporate Counsel.

The Vice· Chan cellor

54.-(1) There shall be a Vice Chancellor of the University who shall be appointed by the Board of Trustees upon the recommendation of the Council in such manner and subject to sub-article (3) of this Article upon such terms and Conditions, as the Board may prescribe.

(2) Candidates for the office of the Vice Chancellor shall be persons of integrity and outstanding academic and administrative experience and

(3) The Vice Chancellor shall:

(a) hold office for a term of five years and may be re-appointed for further terms of five years;

(b) be the Chief Executive Officer of the University and in that position be responsible to the Council and the Board of

Trustees for the academic and administrative matters and affairs of the University, including formulation of policy and the implementation of the decisions of the Board, the Council

and the Senate;

(c) be responsible for the general security and welfare of the University;

(d) have such other functions as are conferred upon him by the Charter or as may be prescribed by the Board of Trustees, the Council or the Senate, as the case may be, or by or under any written law.

(e) The Vice Chancellor may, as he deems fit, delegate any one or more of the powers or functions stipulated for him under the Charter or any written law to a Deputy Vice Chancellor and/or a Principal of a College, subject to such limitations or conditions as the Vice Chancellor may prescribe:

Provided that any such delegation shall normally be in writing and notified to the Senate and the Council.

The Deputy Vice (:tumcellor Acudemi c Afl'uirs

55.-( 1) There shall be a principal officer responsible for the academic matters of the University, to be known as the Deputy Vice Chancellor for Academic Affairs of the University, who shall be appointed by the Board of Trustees upon recommendation of the Council and after consultation with the Vice Chancellor.

(2) The Deputy. Vice Chancellor for Academic Affairs shall:

(a) be appointed from a list of not more than three Professors/Associate Professors of the University, who are known for their intearity and outstanding academic experience and capability;

(b) hold office for a period of four years and may be re-appointed for a further term of four years;

(c) be responsible to, the Chief Advisor of, and close assistant to, the Vice Chancellor in relation to all academic affairs and/or matters of the University;

(d) deputize for the Vice Chancellor during the Vice Chancellor's absence from office,

(e) have such powers as the Vice Chancellor may delegate to him;

(f) have such other powers and functions and enjoy such rights and privileges as are conferred upon him by the Charter or as may be prescribed.

Deputy Vice Chancellor Administrati on

56.-(1) There shall be a principal officer responsible for the administrat ive matters of the University to be known as the Deputy Vice Chancellor for Administration who shall be appointed by the Board of Trustees upon the advice of the Council.

(2) Subject to sub-article (1) the Deputy Vice Chancellor for Administration of the University shall:

(a) be appointed from a list of not more than three persons of integrity and outstanding academic and administrative experience and capability;

(b) hold office for a period of four years and may be re-appointed

for further terms of four years;

(c) be responsible to the Vice Chancellor in respect of all administrative affairs, including the administration of funds and other assets of the University;

(d) have such other functions as are conferred upon him by the Charter or as may be prescribed;

(e) in the absence of both the Vice Chancellor and the Deputy Vice Chancellor for Academic Affairs, the Deputy Vice Chancellor for Administration act as the Chief Executive of the University unless the Vice Chancellor decides otherwise by nominating someone else in the rank of Professor/Associate Professor to act, as such.

Principals of Colleges

57.-(1) There shall be a Principal of each College who shall be nominated by the Senate from a list of not more than three Professors/Associate Professor of integrity and administrative experience and capability, and appointed by the Board of Trustees upon recommendation by the Council after consultation with the Vice Chancellor, in such manner, subject to sub-article (2) of this Article, upon such terms and conditions as the Board may prescribe in accordance with Regulations.

(2) A Principal shall:

(a) hold office for five years with eligibility for re-appointment for a further term of five years;

(b) be the academic and administrative head of the College and shall, under the general authority of the Vice Chancellor, have such powers and duties as may be provided for under Regulations.

Deputy Principals

58.-(1) There shall be a Deputy Principal or Deputy Principals for each College who in each case, shall be nominated by the Senate from a list of not more than three Professors/Associated Professors, or other persons or appropriate qualifications, of integrity academic and administrati vc experience and capability and appointed by the Board of Trustees upon recommendation by the Council, after consultation with the Principal, in such manner and upon such terms and conditions as the Board may prescribe.

(2) The number of Deputy College Principals shall be as may bc prescribed by the Board upon the recommendation of the Principal and thc advice of the Senate and the Council.

(3) Each Deputy College Principal shall:

(a) hold office for four years with eligibility for reappointment for one further term of four years;

(b) be responsible to, the chief advisor of, and assistant to thc Principal in respect of all academic and/or administrative matters of the College;

(c) have such powers as the Principal shall delegate to him;
(d) have such other functions as are conferred upon him by the Charter or as may be prescribed.

(4) The Deputy Principal responsible for academic matters shall normally deputize for the Principal during his absence from office, unless the Vice Chancellor decides otherwise or deems fit, on some occasions, of nominating someone else.

The Director of Postgraduat e Studies and Research In stitute

59.-(1) There shall be a Director of Postgraduate Studies and Research Institute of the University, who shall be appointed by the Council after consultation with the Vice Chancellor, from amongst the senior academic staff of the University with the rank of Senior Lecturer and above.

(2) The Director of Postgraduate Studies and Research Institute shall:

(a) be responsible to the Deputy Vice Chancellor for Academic Affairs for the coordination of postgraduate programm es which shall include specialist education and or training in all major disciplines of study and research by staff and postgraduate students of the University and;
(b) have such other functions and responsibilities as are conferred upon him by the Charter or as may be prescribed .

Deans of Schools Faculties and Directors of Institutes, Centres and Directorates

60.-(1) There shall be a Dean for each School or Faculty and a Director for each Institute, Centres or Directorates.

(2) Subject to the provisions of sub-articles (3) of this Article and of Article 62, the procedure for the appointment, rights, duties and privileges of Deans of Schools and Faculties and Directors of Institutes, Centres or Directorates shall be provided for under Regulations.

(3) The Dean of a School or a Faculty and a Director of an Institute, Centre or Directorate shall be appointed by the Council for a term of three years with eligibility for re-appointment for one further term of three years.

Functions for Deans

61. The Dean of a School or a Faculty shall:

(a) be responsible to the Deputy Vice Chancellor for Academic Affairs for the coordination of his School or Faculty;
(b) the Chairperson of the Board of his School or Faculty;
(c) have such other functions, powers and privileges as are conferred upon him by the Charter or Regulation s.

Function s for Directors

62. The provisions of Article 62 of this Charter shall apply *mutatis* mutandis in respect of the Director of an Institute a Centre or Directorate.

The Director of Library Services

"" 63.-(1) There shall be a Head of Library of the University to be known as the Director of Library Services, who shall be appointed by the Council.

(2) The provisions of sub-articles (3) of Article 61 of Article 62 shall apply *mutatis mutandis* in respect of the Director of Library Services.

Chairpersons of Departments

64.-(1) There shall be a Chairperson for each Department of a School or Faculty, who shall be the Head of the department and who shall be appointed by the Vice Chancellor after consultation with the Dean of the relevant School or Faculty for a term of three years with eligibility for re-appointment for one further term of three years.

(2) Subject to the provisions of sub-article (1) of this Article, the procedure of appointment, terms and conditions of service, concerning the Chairpersons of Departments of a School or a Faculty shall be provided for under Regulations.

## PART VIII
## CONFERMENT AND AWARDS OF CERTIFICAT'ES, DIPLOMAS , AND DEGREES

Awards of Degrees

65.-(1) Subject to the provisions of this Charter, the University may confer Bachelor , Masters, Doctorate and such others degrees as may be prescribed by the Senate.

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

(a) Persons in respect of courses of study provided by the University and approved by the Senate;

(b) Persons who in the opinion of the Senate are entitled to receive such diplomas, certificates or other awards;

(3) The University may confer honourary degree *(Honoris causa)* after determination of the same by Senate and approval by the Council, to any person who in the opinion of the Senate has rendered distinguished service in the advancement of any branch of learning or has otherwise rendered himself worthy of such a degree.

## PART IX
## FINANCIAL PROVISIONS OF THE UNIVERSITY

Management and Assets of the University

66.-(1) The Council shall manage all the assets and properties, movable and immovable, of the University in such manner and for such purposes as in the opinion of the Council would promote the best interests of the University.

(2) The funds and resources of the University shall consist of:

(a) grants to the University by the Owners of the University;

(b) funds which the Board may, with the approval of the Owners, from time to time, borrow for the purpose of the University;

(c) funds and resources which may in any manner become payable to or vested in the University either under the provisions of this Charter or incidental to the carrying out of its functions.

(3) The Council, with the approval of the Board, shall have powers to invest the Funds of the University in such investment, and subject to such conditions as are prescribed by the Board or any relevant written law.

Financial Year

67. Not withstanding the Financial Year described under Article 2(1) but subject to the approval by the Board of Trustees, the Council may determine any other period of twelve consecutive months to constitute the Financial Year ofthe University.

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.

Annual Estimates

68.-(1) At least two months before the commencem ent of any Financial Year, the Deputy Vice Chancellor for Administration shall prepare or cause to be prepared for the approval of the Board of Trustees on the recommendation of the Council, Annual Estimates of the revenue, recurrent and capital expenditure of the University for ensuing Financial Year.

(2) The Board of Trustees shall, before the commencement of a Financial Year, approve, subject to suoh modifications and amendments as it may consider appropriate, the estimates prepared in ·accordance with sub-article (1) of this Article.

(3) The Annual Estimates shall contain provision for all the estimated expenditure during the ensuina Financial Year and in particular:

(a) for the payment of salaries, honoraria and/or fees, allowances, travel and other charges in respect of officers of the University, including the Trustees, the Vice Chancellor, the Deputy Vice Chancellor for Academic Affairs and the Deputy Vice Chancellor for Administration;
(b) for the payment of costs of materials, equipment, and other charges in respect of teaching, training, research and consultancy;
(c) for the payment of, where appropriate, allowances, fees and/or expenses in respect of the Board of Trustees, the Chancellor, members of the Council, the Senate, the Convocation and other organs of governance;
(d) for the payment of all pensions, gratuities and other charges in respect of retirement and similar benefits which are payable out ofthe funds of the University;
(e) for the construction, improvement, maintenance and replacement of any building or other immovable property of the University;
(f) for the proper maintenance and replacement of the furniture and equipment of the University; and
(g) for the creation of such reserve funds to meet future contingent liabilities as the Board of Trustees on the advice of the Council

may think fit.

(4) No expenditure shall be incurred for the purposes of the University except in accordance with the provisions of the Annual Estimates or in accordance with the provisions of any supplementary estimates approved by the Board of Trustees.

(5) A copy of the Annual Estimates and of every supplementary estimates, if any shall immediately upon the approval of such Annual Estimate or, as the case may be, the supplementary estimates, by the Board, be sent to the Chancellor.

Accounts and Audit

69.-(1) The Council 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;

(b) a statement of the assets and liabilities of the University on the last day of such Financial Year, and;

(c) any other such statements as may be required by any written law to be submitted to and audited by a competent firm of authorized auditors appointed by the Council.

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

(a) proper books of account have been kept by the Council; and;

(b) whether the Financial Statement of the University:

was prepared on the basis consistent with that of the preceding year and is in agreement with the books of account; and

in the case of the income and expenditure, gives a true and fair view of the income and expenditure ofthe University, for the Financial Year.

(3) The fee for an auditor or a firm of auditors shall be approved by the Council.

(4) Copies of the statements referred to in sub-article (1) of this Article and a copy of the Auditor's report shall be forwarded by the Council to the Board of trustees, the Chancellor and any other authority empowered to.receive such statements by or under any written law.

Vice Chancellor' a Annual Rcpon

70.-(1) The Vice Chancellor shall at the end of each Financial Year prepare a report on the activities of the University during that Financial Year and submit such report to the Council, the Chancellor, the Board of Trustees and to such other authorities as it may be considered appropriate.

(2) The format, contents and other aspects of the report required by sub-article (1) of this Article shall be as prescribed

Execution of instruments

71. Subject to the provisions of this Charter, all conveyances, transfers, auarantees, agreements, bonds, mortgages, charges, bills of exchange, promissory notes, bank drafts, letters of credit, securities, and other instruments whatsoever to which the University is a party shall be

executed on behalf of the University by:

(a) the Vice Chancellor;
(b) the Deputy Vice Chancellor for Academic Affairs;
(c) the Deputy Vice Chancellor for Administrative Affairs;
(d) such other officer of the University as the Vice Chancellor may appoint.

## PART X
## MISCELLANEOUS PROVISIONS

Memorandum of Understanding

72.-(1) In the discharge of its functions under, and subject to the provisions of this Charter, the University may enter into a Memorandum of Understanding with the Revolutionary Government of Zanzibar or any other government or embassy or agent of a government or a recognized national or international institution regarding anything that the University is empowered to do under the Charter.

(2) Where the University has entered into a Memorandum of Understanding provided for under sub-article (1), the University shall abide by the terms and conditions of any such Memorandum of Understanding as may be agreed upon between the Revolutionary Government of Zanzibar, or any other second party aforementioned in sub-article (1) of this Article, and the University.

Fund Raising Committee

73. (1) There shall be established a Committee which shall be known as the University Fund Raising Promotion Advisory Committee.

(2) The University Fund Raising Promotion Advisory Committee shall comprise a Chairperson and not more than ten and not less than four other members.

(3) The Chairperson and the other members of the University Fund Raising Promotion Advisory Committee shall be appointed by the Board of Trustees upon the advice of or after consultation with the Council.

(4) The functions of the University Fund Raising Promotion Advisory Committee shall be:

(a) to advise the Council and the Board on matters relating to the procurement and expenditure of funds of the University and investment of such funds as well as promotion of appropriate income generating and fund raising activities;
(b) to mobilize resources for and on behalf of the Board for the promotion ofthe objects and functions ofthe University;
(c) to perform such other functions as may, from time to time, be conferred upon it in writing by the Board or as may be prescribed under Regulations.

(5) The appointment and tenure of office of the Chairperson and the other members of the University Fund Raising Promotion Advisory 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 Chairperson, the quorum, procedures meetings of the University Fund Raising Promotion Advisory Committee shall be governed by Regulations.

Legal Unit

74.-(1) There shall be a Legal Unit of the University which shall be responsible to the Vice Chancellor for the legal affairs of the University.

(2) The Corporate Counsel shall be the head of the Legal Unit.

(3) The Legal Unit shall have such number of legal officers and other staff as the Council shall determine.

(4) The terms and conditions of service of the legal officers and other staff of the Legal Unit shall be provided for under Regulations

Appointments of Holders of Specified Positions

75.-(1) In making appointments to key administrative positions the University or in a College, the Board of Trustees shall ensure that such appointments are made on merit in accordance with a fair 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.

(2) The Board of Trustees shall, by regulations, and in compliance with any written law in the United Republic of Tanzania governing universities, prescribe the attributes of the fair system referred to in sub. article (1) of this Article, which attributes shall include the form, way of method of identifying candidates and participation of the organs of governance that may be involved in the process of such system.

(3) Where appropriate, the provisions of the Second Schedule of this Charter shall be adhered to.

Immunity of Council, Senate, Convocation and Committees

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

Protection of proceedings of the Board, council, senate

77. No act or proceeding of the Board of Trustees, the Council, the Senate, a Board or a Committee shall be invalid only by reason of any vacancy of membership 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.

Power to make Regulatlonl of the Universiy'

78.-(1) In the performance of its functions under the Charter, the Board of Trustees shall, subject to the provisions of the Charter, and/or upon the advice of the Council, make general regulations for the gorvernance, control and administration of the University and for the better carring out of the purposes of the Charter 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 attached 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 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 for Academic Affairs and Deputy Vice Chancellor for Administration of the University in furtherance of the relevant provisions of the Charter;

(e) prescribing the provisions for the appointment of and terms and conditions for the position of Principal of a College, Dean of a School, or Faculty, and a Director of Library Services, an Institute, a Centre or a Directorate;

(f) for the establishment, composition, functions, procedure and powers of Colleges, Schools, Faculties, Institutes, the Library, Centres, Directorates, Departments, Units of the University and their organs of governance, as well as the appointment of the members of the oraans of aovemance;

(g) for the description of the dc rees, 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 degrees, diplomas, certificates and other awards;

(i) for the conduct of examinations;

(j) prescribing allowances, fees and charges;

(k) for the settlement of the tenns and conditions of service, including the appointment, dismissal, termination, remuneration and retirement benefits of the officers and other employees of the University;

(l) for the provision of rules of and the manner of conducting disciplinary proceedings against officers, staff and employees of the University;

(m) for 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 or functions of committees of the Council, quorum of meetings of the Council, and committees of the Council as well as the rights, duties and privileges of the members of the Council and committees of the Council;

(n) for the tenure of office of members of the Senate, prescribing the statutes or by-laws for the administration of any College, School, Faculty, Institute, the Library, Centre or Directorate, Department or Unit established under the Charter;

(o) providing for the general welfare of the students;

(p) describing by-laws for the administration of the affairs 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) describing the composition, functions procedure and powers of the Students Disciplinary Authority and of the Students Disciplinary Appeals Committee and the rights, duties and privileges ofthe members thereof;

(r) describing provisions governing the appointment and the duration of professors emeriti, their rights duties and privileges;

(s) providing for or prescribing anything which. under the Charter may be provided for or prescribed by regulations or which, in the opinion of the Board of Trustees, is· necessary to provide for the furtherance of the:object, powers and functions of the University.

(2) Notwithstanding the provisions of Clause (1) of this Article, the Board of Trustees 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 oplnlon of the Council and the Senate.

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

(4) Regulations made or approved by the Board under the Charter shall be published in the University Prospectus or its Supplement.

(5) Regulations concerning disciplinary offences shall not be deemed to be offences created by or under any written law.

Rules Relating to Students Adm issions

79.-(1) The University shall offer a range of courses leading to the award of degrees, diplomas or certificates to applicants who meet the requirements for admission.

(2) Entry qualifications for admission of students shall be in

accordance with by-laws approved by the Council

(3) Subject to the provisions of any applicable written law relating to immigration, students from countries other than the United Republic of Tanzania may be admitted to the University and shall comply with and abide by the laws of the United Republic of Tanzania.

Administrat ion of the University to be in zompliance with the the Charter

80. Subject to the laws governing the establishment and administration of private universities in the United Republic of Tanzania, the University shall be administered in accordance with provisions of the Charter and Regulations made thereunder.

## PART XI
## TRANSITIONAL, CONSEQUENTIAL AND SAVINGS PROVISIONS

Existing Staff

81.-( 1) All academic, administrative and other support staff of the University as were appointed prior to the coming into force of the Charter, shall be deemed to have been properly appointed under the provisions of the Charter and nothing done in good faith in accordance with such regulations and procedures as were in force prior to the coming into force of the Charter shall be invalidated on the ground only that it was not done in accordance with any provision or provisions of the Charter or the Regulations.

(2) The Trust Deed and Trust Rules made prior to the granting of this Charter, and granted by the Higher Education Accreditation Council to the University , and all the regulations, statues, orders or by-laws made therefrom and any other directives, orders or regulations applicable to or in the University prior to the granting of this Charter, shall remain in force after the effective date until they are repealed or replaced by Regulations made under this Charter:

Provided that where such regulations, statutes, orders, By-laws or directives conflict with the provisions of the Charter, the p'tovisions of the Charter shall prevail.

Procedures of amendment of the Charter

82.-(1) Subject to the provisions of the Charter and the general law of the United Republic of Tanzania governing Universities and other institutions of higher education, the Council may propose and the Board of Trustees may approve amendments to any of the provisions of the Charter, Regulation or Regulations supplemental to the Charter.

(2) Provided that:

(a) no amendments shall be made which has inherent potential to adversely affect the basic purpose, legality or perpetual status ofthe Charter.

(b) the Board of Trustees may on its own motion initiate the process of any amendment to the Charter or the Regulations.

•Procedure for dissolution of the University

83.-(1) If the circumstances ever so require, the University can be dissolved by a unanimous resolution passed by the Board of Trustees:

Provided that no such resolution by the Board can be passed unless it is preceded by recommendations made through separate resolutions of the Senate and the Council passed by at least two- thirds majority votes of the total membership of each organ voting separately.

Provided further that any such resolution shall comply with the requirements of any Memorandum of Understanding between the Revolutionary Government of Zanzibar and Darul Iman Charitable Association on the failure of the later to run the University.

(2) In the event of such a final decision by the Board of Trustees of the University, or of any other cause of failure of the Charter, any assets remaining after satisfaction of the debts and liabilities of the University

shall not be paid to or distributed among the Trustees but shall be distributed among other Trusts of the Daral-Iman with similar objects to those of the University or given to such other Educational or Charitable Institution or Institutions that has or have objects similar to those of the University as the Board of Trustees in its absolute discretion shall decide.

## FIRST SCHEDULE

(Article 43 (5))

### PROVISIONS RELATING PROCEDURES OF THE COUNCIL

Terms of office

1.-(1) The Chairperson of the Council shall hold office for a period of four years from the date of appointment but shall be eligible for reappointment for further periods of four years.

(2) Subject to the provisions of this Schedule, the t rm of office of all members of the Council other than the Chairperson and the ex-officio members, shall be three years and all such members shall retire on the last day of September of the third year and of the last day of September every third year thereafter, their places shall be filled by the newly appointed members who shall come into office immediately upon such retirement.

Provided that:

(a) Nothing in this Schedule shall be construed as preventing any person otherwise eligible to be appointed as a member from being re-appointed for another term of office;

(b) In case of member appointed from the Students Organization, the member shall cease to hold office if at any time prior to the date of retirement the person ceases to be a student

Terminations of membership

2.-(1) Nothing in paragraph 1(2) shall be construed as preventing the Board of Trustees from terminating the appointment of any member appointed prior to the date when such member is required to retire from office under paragraph I (2).

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

Cessation of membership

3.-(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 provisions of paragraph 2, or is unable to perform the functions of a member by reason of any infirmity of body or mind, or where the Board terminates the appointment under paragraph 2, the Board may appoint another member in replacement, and the member so appointed shall, subject to the provisions of this Schedule hold office for the remainder of the term of the predecessor;

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

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

Vice Chancellor

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

Meetings of the Council

5.-(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, the members present may elect, from amongst themselves, a temporary Chairperson who shall preside at the meeting;

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

(5) Subject to any general or specific direction by the Chancellor, the Council shall meet not less than two times during every Financial Year and at such additional times as may be fixed by the Chairperson or, if he is unable to act for any reason, then by the Vice Chairperson.

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

Quorum

7.-(1) At any meeting of the Council presence of one half of the members in office for the time being shall constitute a quorum.

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

Procedures at the meeting

8. -(I) Subject to the provisions relating to a casting vote, all questions at a meeting of the Council ahall be decided by a simple majority of the votes of the members present.

(2) Subject to the provisions of this Schedule, the Council may regulate its own meetings.

## SECOND SCHEDULE

(Article 76)

## PROVISIONS RELATING TO APPOINTMENT OF ADMINISTRATIVE STAFF

Procedures for appointment

1.-(1) Where a vacancy occurs in the post of any senior administrative officer, the Deputy Vice Chancellor for Administrative Affairs may recommend after consultation with the Vice Chancellor that the post be filled by promotion from amongst the officers of the University.

(2) Where the Deputy Vice Chancellor recommends that the post be filled by promotion, the Deputy Vice Ch'ancellor shall, after consultation with the Vice Chancellor, submit to the Appointments Committee the name or names of the officer or officers who is or are suitable for promotion, for consideration.

(3) The Appointments Committee may after considering the details of the candidates and the results of any due process of examination either approves the promotion or recommends to the Council for promotion, if the appointment to that post is under the jurisdiction of the Council.

(4) Where the vacancy must be filled by making an appointment, the Deputy Vice Chancellor for Administration shall cause the vacancy to be advertised in such manner as would create confidence of fair play among the applicants and acceptable to the Administrative Staff Appointments and Promotion Committee, and shall submit to the Appointments Committee the names of all the persons who have applied for the post, highlighting the candidates who are most suitable for the post and indicate the reason for the non-suitability of the other applicants.

(5) Where the Appointments Committee is the appointing authority for the post in question, the Appointments Committee may, after considering the applications, the results of any due process of testing and the recommendations of the Deputy Vice Chancellor for Administration, make an appointment.

(6) Where the Council is the appointing authority for the post under consideration, the Appointments Committee shall, after considering the applications and the results of any due process of testing and recommendations of Deputy Vice Chancellor for Administration, submit to the Council the names of the applicants most suitable for the post.

(7) Where the Council is the appointing authority, the Council may, after considering the applications and all the relevant information presented to it, and the result of any further due process of testing that they may wish to conduct or cause to be conducted, make an appointment.

Appointment by Vice-Chancellor and Deputy Vice Chancellor

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

(2) The Deputy Vice Chancellor for Administration may make appointments to any post on the administrative staff within a range specified from time to time by the Council.

Provided that such appointments shall be reviewed by the Administrative Staff Appointments and Promotion Committee before the confirmation of the appointee to the post.

Given under my hand and the public seal this ....24th.... day of ....March.....2010.

The State House
Dar es Salaam

JAKAYA MRISHO KIKWETE
*President*