

THE UNITED REPUBLIC OF TANZANIA

**THE DAR ES SALAAM UNIVERSITY COLLEGE OF EDUCATION
CHARTER, 2010**

THE DAR ES SALAAM UNIVERSITY COLLEGE OF EDUCATION CHARTER 2010

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THE UNIVERSITIES ACT

(CAP. 346)

CHARTER

Made under Section 25

THE DAR ES SALAAM UNIVERSITY COLLEGE OF EDUCATION CHARTER, 2010

WHEREAS the Dar es Salaam University College of Education, a public institution, formerly established by the University of Dar es Salaam (Declaration of Constituent College) (Dar es Salaam Teachers College Order) made under the University of Dar es Salaam Act, 1970, both instruments since repealed by the Universities Act, has applied to the Tanzania Commission for Universities for the grant of a Charter in the manner prescribed under the Universities Act and Regulations made thereunder;

AND WHEREAS the Tanzania Commission for Universities has visited and inspected the said College and is satisfied that the objects of the Dar es Salaam University College of Education are consistent with the advancement of university education in Tanzania;

AND WHEREAS the Tanzania Commission for Universities is also satisfied that the Dar es Salaam University College of Education has complied with the provisions of the Universities Act and the Universities (Chartering, Registration and Accreditation Procedures) Regulations, 2006;

AND WHEREAS the Tanzania Commission for Universities after consultation with the Council and being satisfied with the College's draft Charter submitted it to the Minister responsible for Higher Education, with a recommendation that the Dar es Salaam University College of Education, be granted the Charter;

Cap. 346
G.N. No. 202
of 2005

Cap. 346
G.N. No. 39
of 2006

AND WHEREAS the said 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 exercise of the powers conferred upon me by section 25(2) of the Universities Act, 2005, I JAKAYA MRISHO KIKWETE, President of the United Republic of Tanzania do hereby grant and order with effect from the 31st day of December, 2006 as follows:

PART I
PRELIMINARY PROVISIONS

Citation 1. This Charter may be cited as the Dar es Salaam University College of Education, Charter, 2010.

Commencement 2. This Charter shall be deemed to have come into operation on 31st day of December, 2006.

Interpretation 3. (1) In this Charter, unless the context otherwise requires –

Cap. 346 “Act” means the Universities Act;
“Academic Staff Association” means the academic staff association established by Article 23 and provided for under rule 26(2);
“Administrative and technical staff” shall have the meaning assigned to the term by rule 20;
“alumni” means the alumni established by Article 24 and provided for under rule 25 of the First Schedule;
“appointing authority” in relation to any member of the Governing Board or Academic Committee means the person or body of persons by whom such member was appointed or elected to the Governing Board, or Academic Committee;
“Appointments and Human Resources Management Committee”
or
“Appointments Committee” means, in relation to an appointment to the academic staff or any matter relating to a member of the academic staff thereon, and in relation to an appointment to the administrative and technical staff or any matter relating to a member of the administrative and technical staff thereon, the committee established by rule 14 of the First Schedule;
“appropriate officer” means an officer assigned the functions of the Corporate Counsel under rule 43;
“Associate Dean” means an Associate Dean of a School or Faculty provided for under Article 17;
“Associate Director” means an Associate Director of an Institute, the Library, Centre or Directorate of the College provided for under Article 17;

“board” means a board established under rule 18;

“by-laws” means where the context fits, by-laws made by the Academic Committee under the powers conferred by the Act or Regulations made thereunder or, this Charter to which sanction is not hereby or by Rules, required;

“centre” means any centre established under Article 16 to undertake or administer specific functions and includes a campus set up for the administration of a programme or programmes of the College;

“Chairperson” in respect of the Governing Board, means the Chairperson of the Governing Board, and in respect of any other organ of the College provided for in this Charter, means the Chairperson of the respective organ;

“Chancellor” means the Chancellor of the University of Dar es Salaam who is also the Visitor of the College referred to in Article 11 of and Rule 5 of the First Schedule;

“Charter” means either the University of Dar es Salaam Charter or the Dar es Salaam University College of Education Charter;

“College” or “DUCE” means the Dar es Salaam University College of Education established under Article 19 of the University’s Charter and referred to under the Seventh Schedule to the University Charter and Article 5 of this Charter;

“Competent Authority” includes the Visitor, Council, Senate, Vice Chancellor, the Principal, Governing Board, Academic Committee, their respective boards or committees, and other Principal Officers of the College;

“Commission” means the Tanzania Commission for Universities established under Section 4 of the Act;

“Convocation” means the convocation of the College established by Article 24 of the Charter and Rule 25 of the First Schedule;

“Council” means the Council of University of Dar es Salaam established under Article 17 of the University’s Charter;

“Dean” means the Dean of a school or faculty appointed under Article 15 of the Charter;

“demonstration schools” means the pre-school, primary and secondary schools;

“department” means any department in the College established under this Charter;

“Deputy Principal” means a Deputy Principal of the College provided for under Article 13 and appointed under rule 7(1) of the First Schedule;

“Director” means a Director of an Institute, the Library, Centre or Directorate, of the College provided for under Article 8 and appointed in accordance with rule 10(1);

“directorate” means an academic or administrative sub-division of the College bearing that designation, coordinating more than one discipline, faculty, institute or centre, as the case may be, established by Article 21 of the Charter;

“Faculty” means a Faculty of the College established under Article 21;

“Faculty Board” means a Faculty Board established by rule 18 of the First Schedule;

“the Governing Board” means the Governing Board of the College established by Article 19 of this Charter;

“institute” means an institute established under Article 21 of this Charter;

“member” in relation to:-

- (a) the Governing Board, means a member of the Governing Board and includes the Chairperson of the Governing Board.
- (b) a member of a board includes the Chairperson of the board and;
- (c) the Academic Committee, means a member of the Academic Committee and includes the Chairperson of the Academic Committee;
- (d) The Convocation, means a member of the Convocation;

“Minister” means the Minister responsible for higher education;

“Principal” means the Principal of the College appointed under Article 12 of the Charter stipulated under rule 6 of the First Schedule to the Charter;

“Regulations” means Regulations made by the Minister for the time being responsible for higher education in accordance with the Act;

“Rules” means the rules made in accordance with the Charter;

“Schedules” means the First, Second, Third, Fourth, Fifth, Sixth and Seventh Schedules made under Articles 26 or 27 of this Charter, as the case may be;

“School” means a school of the College established under Article 21 of the Charter;

“Search Committee” means a committee set up under sub-rule 1 of rule 6 and whose functions are as stated in the Second Schedule;

“Secretary” means the officer appointed by the Governing Board to be Secretary of the Governing Board provided in rule 12 to the First Schedule;

“Senate” means the Senate of University of Dar es Salaam referred to in Article 10;

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

“Students’ Organization” means an organization representative of students of the College established under Article 25 of the Charter;

“the Library” means the main academic organ or institution of the College established as such under the Rules contained in the First Schedule hereto to be responsible for the acquisition and maintenance of literary material and as a modern information and communication technology date bank for the College;

“University” or “UDSM” means University of Dar es Salaam established by Article 3 of the UDSM Charter and provided under rule 19 of the Rules made hereunder and of which the College is a constituent part;

“Vice-Chancellor” means the Vice-Chancellor of the University provided for under Article 6 of the University of Dar es Salaam Charter and a member of the College in accordance with Article 4 of this Charter and provided for under Rule 10 of the First Schedule;

“Visitor” means the Chancellor of University of Dar es Salaam who is also a member and head of the college pursuant to the provisions of Articles 4(1) of the Charter and provided for under rule 5 of the First Schedule;

- (2) In this Charter, words and phrases used, designations signifying offices, officers, organs or positions of governance or responsibility and the whole Charter shall be construed with reference to the Act, the Regulations made thereunder, and any other applicable written law.

- (3) Wherever appropriate, reference in the Charter and in the Rules to the masculine gender shall be construed to include the feminine and vice versa, the singular to include the plural and vice versa.
- (4) For avoidance of doubt, the provisions of this Charter are co-extensive and in furtherance of the provisions of the Act and shall be always read and construed together with and subject to the Act.
- (5) It is in the public interest that this Charter shall, subject to the Act and the Regulations made there under and the UDSM Charter and Rules made thereunder, ever be construed benevolently, and in every case most favorably to the College and the promotion of the objects of this Charter.

PART II

ESTABLISHMENT OF THE COLLEGE

Membership of the College

4. (1) Members of the College shall consist of:
 - (a) The Chancellor who is also a Visitor;
 - (b) The Vice-Chancellor;
 - (c) The Deputy Vice-Chancellors;
 - (d) The Principal;
 - (e) Deputy Principals of the College;
 - (f) Dean of Students;
 - (g) Members of the Council;
 - (h) Members of the Governing Board of the College;
 - (i) Members of the Senate;
 - (j) Members of the Academic Committee of the Board;
 - (k) Deans and Associate deans of Schools and Faculties and Directors and Associate Directors of Institutes, the Library Centres and Directorate of the College;
 - (l) Members of other Boards and of Committees of the Board and of the Academic Committee of the College, and of Boards of Schools, Faculties, Institutes, the University Library and Centres and Directorates of the College;
 - (m) Heads of academic department and units in the College;
 - (n) Members of Academic Staff of the College;
 - (o) Administrative and technical staff of the College;
 - (p) Students in the college;
 - (q) Members of the Convocation and Alumni Association of the College; and
 - (r) Such other members of the staff of the College or any other body formally admitted into affiliation or association with the College or with any of its schools, faculties, institutes, the Library, centres or directorates, as the Governing Board may from time to time determine.
- (2) The Governing Board shall by Rules prescribe provisions as to the duration of membership of the College, termination of such membership, the rights, duties and, if any, privileges attached thereto and other related matters.

Establishment of the College

5. (1) There is hereby established a College to be known as the Dar es Salaam University College of Education or in its acronym DUCE.

(2) The College under sub-Article (1) shall be a body corporate with the Common Seal by the name and style of Dar es Salaam University College of Education and shall, in its corporate name, be capable of-

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging, leasing, licensing the use of, hiring and hiring out and disposing of any movable or immovable property;
- (c) borrowing such sums as it may require for its purposes;
- (d) investing in land, debenture stocks, preferential shares, units in unit trusts and other securities but not to invest in the equity of any company, other than a company in which the College has 95% or more share interest and established for the execution of any of the functions of the College, without specific approval of the Council;
- (e) Doing or performing all such other things or acts as are necessary for the proper performance of its functions under, and for the furtherance of the provisions of, the Charter and which may lawfully be done or performed by a body corporate.

(3) The College shall be the successor to the Dar es Salaam University College of Education formally established by the University of Dar es Salaam (Declaration of Constituent College) (Dar es Salaam Teachers College) Order, 2005, and subject to this Charter and the prescribed Rules-

- (a) all subsisting and valid appointments and terms and conditions of service, enrolments, authorizations, decisions and pending disciplinary proceedings, other things, including rights and liabilities made, given, taken, done or incurred under, shall be deemed to be valid, continuous and enforceable according to their respective tenor by or, as the case may be, against the College;
- (b) all funds, assets both movable and immovable, subsisting at the commencement of this Charter shall, without further assurance, automatically and fully vest in the College and the Governing Board;
- (c) all subsisting regulations, rules, by-laws, orders, directions or other subsidiary legislation made, given or issued under the repealed Act or any other written law and which are in force before the effective date, shall remain in force after the effective date until they are repealed or replaced by Rules made under this Charter; and
- (d) Any reference to the College in any contract or document shall for all purposes be deemed to be a reference to the College established under this Article.

G.N. No. 202 of 2005

The Common Seal of the College

6. (1) The Common Seal of the College shall be kept in such custody as the Governing Board directs and shall not be used except in accordance with an order or direction of the Governing Board.

(2) The Common Seal of the College shall be authenticated by the signature of the Principal, or of one other members of the Governing Board authorized in that

behalf by the Governing Board and that of the Deputy Principal responsible for administrative matters.

(3) The Common Seal of the College shall, when affixed to any document and duly authenticated under this Article, shall be judicially noticed, a unless the contrary is proved, any necessary order or authorization of the Governing Board under this Article shall be presumed to have been duly given.

Mission of the College

7. The mission of the College shall be to provide opportunities for acquisition, development, preservation and dissemination of knowledge and skills through training, research, technical and or professional services.

General Objects

8. The objects and functions of the College, in co-operation with the Government of the United Republic of Tanzania and the Revolutionary Government of Zanzibar, and by taking cognizance of the need of teachers and experts in secondary, teacher education and management of the education sector in the country, shall be-

(a) serving as an academic centre of excellence for the advancement of learning, knowledge, innovation and creativity in the fields of education management and leadership;

(b) the diffusion and extension of knowledge in the physical, natural and social sciences and technology;

(c) the provision of higher education, research and consultancy so far as is consistent with these objects; and

(d) the nurturing of a balanced intellectual, cultural and ethical growth of the students of the College.

Objects and functions of the College

9. (1) Notwithstanding the generality of the provisions of Article 7 of the Charter, the objects of the College, shall be the advancement of knowledge and creativity, particularly in the ideals of Education management foundation, curriculum as well as psychology guidance and counselling; the diffusion and extension of the arts, science, technology and learning, the provision of higher education, research and consultancy and, so far as is consistent with those objects, the nurturing of the intellectual, aesthetic, social and moral growth of the students at the College; and for these objects the College shall, subjects to the provisions of the Charter and in addition to any other powers conferred by the Charter and any other applicable written law, have the following objects, powers and functions, namely-

(a) to assume a leading role in the responsibility for university education within the United Republic and to make provision for centres and places of learning, education (including continuing education), professional or vocational training and research;

(b) to endeavor to excel in knowledge and human resource capacity building by ensuring a balance between quantity and quality and avoiding imparting elitist values to the products of the College the services of the College and of its staff as symbols of creative scientific professionalism;

(c) to ensure, as a matter of principle, integration of research, teaching and consultancy at the immediate subject area level with a view to

building a distinctive characteristics of the products of the College as creative scientific professionals and the services of the College and of its staff as symbols of creative scientific professionalism;

- (d) to ensure and promote gender balance, equality and equity in its policies, programmes and regulations relating to teaching, research and consultancy services;
- (e) to provide, promote and maintain centres of excellence and exemplary good management in terms of knowledge creation, skills development, effective entrepreneurship and formation of a responsible attitude for the betterment of the society as well as its mode of governance;
- (f) to be a producer and supplier of key policy makers, planners, administrator and other experts and personnel in education and other sectors;
- (g) to advance the frontiers of, enhance, preserve and transmit knowledge;
- (h) to prepare students to be teachers by providing academic and professional or vocational courses of instruction and to take such other steps as may be necessary or desirable towards ensuring an output of mainly job-creators who possess professional qualifications or skills as opposed to job-seekers;
- (i) to stimulate and promote intellectual, cultural, scientific and technological development;
- (j) to create a sense of public responsibility in the educated and to promote respect for learning and pursuit of truth;
- (k) to promote research into economic, political, social, cultural, scientific, technological and other matters generally and with particular reference to the interests of Tanzania and mankind in general;
- (l) to institute professorships and other posts and offices and to make appointments thereto in line with such organizational structure as shall be approved by the Governing Board and University's Councils;
- (m) to institute and award fellowships, scholarships, bursaries, medals, prizes and other distinction awards and forms of assistance or sponsorship for the advancement and dissemination of knowledge;
- (n) to provide opportunities for students to engage in productive, service and entertainment activities in the agricultural, industrial, commercial, medical and cultural spheres in and outside the College;
- (o) to hold examinations, in the name of the University of Dar es Salaam to confer degrees, diplomas, certificates or other awards upon persons who have followed courses of study approved by the Academic Committee and the Senate and/or have satisfied such other requirements as may be prescribed by the Academic Committee or the senate and/or to confer honorary degrees;
- (p) to cooperate with the Government of the United Republic of Tanzania and the Revolutionary Government of Zanzibar and the peoples of

Tanzania in the planned and orderly development of education, science and technology in the United Republic;

- (q) to establish mutually negotiated, beneficial and durable links with institutions of learning and research within Tanzania and in other countries;
- (r) to erect, equip and maintain libraries, laboratories, workshops, museums, art galleries, lecture halls, theatres and rooms, halls of residence and other buildings and facilities required for the purposes of the College including providing its community with a good working and living environment in the College campuses;
- (s) to provide and regulate residence, medical, recreational and entertainment facilities, conveniences and opportunities for officers, staff, employees and students of the College including those with physical disabilities of sight, hearing and movement;
- (t) to demand and receive such fees as may from time to time be prescribed by the Governing Board;
- (u) to enter into such contracts, to establish such trusts and support schemes for improved welfare of its staff;
- (v) to establish pension, superannuation and provident fund schemes for the benefit of its officers, staff or employees or any section thereof and to enter into arrangements with the Government, an insurance company, trustee company or other organization or any person or persons for the operation of such schemes jointly, severally or otherwise;
- (w) to acquire property, movable and immovable, and to take, accept and hold any property which may become vested by way of purchase, exchange, grant, donation, lease, licence, hire, testamentary disposition, trustee or otherwise and to sell, mortgage, lease, licence, hire out, exchange or otherwise dispose of any property held by it;
- (x) to borrow money for any purpose deemed fit by the Governing Board and invest in land or securities such funds as may be vested in it for the purpose of endowment, whether for general or special purposes, or such other fund as may not be immediately required for current expenditure;
- (y) to affiliate other institutions or to admit the members thereof to any of its privileges and to accept attendance at courses of study in such institutions for relevant awards of University at the College and/or place them in such part of the attendance at courses of study in the College and upon such terms and conditions and subject to such rules and by-laws as may from time to time be determined by the College or to recognize any members of the teaching staff of any school, institute or similar institution of higher education whether affiliated to the College or not as teachers of the College;
- (z) to enter into an agreement with any other institution for the incorporation of that institution into the College and for taking over its property and liabilities and for any other legitimate purpose not

repugnant to the Act, the Regulations made thereunder, this Charter, these Rules and any other applicable written law;

(aa) to do, in accordance with the general law of the United Republic, including the Charter, and the Rules all such acts and things, whether or not incidental to these objects, powers and functions and whether within or without the United Republic as may be requisite in order to further these objects, powers and functions or any of them.

Powers of the College

10. (1) In order to achieve the objects under Article 8, the College shall be a teaching, research, public service and examining body and shall, subject to the Act and the Regulations made thereunder, the UDSM Charter and this Charter and pursuant to the Rules contained in the Schedules hereto, have the following powers:

- (a) to offer degrees, diplomas, certificate and other programmes in the name of the University of Dar es Salaam to which it is affiliated;
- (b) to award certificates, diplomas, degrees, postgraduate diploma, postgraduate degrees and other awards in the name of the University of Dar es Salaam upon persons who have followed courses of study approved by the Senate and have satisfied such other requirements as may be prescribed by the Senate;
- (c) to confer honorary degrees (*degrees honoris causa*) in the name of the University of Dar es Salaam;
- (d) to co-ordinate all non-affiliate Teachers' Colleges with the objective of developing common curricula and achieving high standards of education;
- (e) to undertake the development of a resource and service centre in education;
- (f) to do such other things as are conferred upon it by the Act, the Regulations made thereunder, this Charter and the Rules contained in the Schedules hereto.

(2) The College shall be-

- (a) a semi-autonomous, not for-profit and self-governing constituent College of UDSM.
- (b) A public funded institution with its financial, administrative and governance powers vested in the Council, the Senate, the Governing Board and the Academic Committee as provided under the Charter and the Rules and whose sources of funds and other resources are as provided for under rule 36 of the First Schedule.

Provided that the College organs of governance shall exercise the powers required and are responsible for the effective and practical running of and administration of the College in pursuance of the vested autonomy, while maintaining lines of communication with the superior organs of UDSM as UDSM's Constituent College.

PART III
THE ADMINISTRATION OF THE COLLEGE

Chancellor

11. (1) Subject to the Act, the Regulations made thereunder the University's Charter and Rules made thereunder, this Charter and the Rules contained in the First Schedule hereto, the Chancellor of the University shall also be the Visitor and head of the College.

(2) The Chancellor shall in the name of University of Dar es Salaam, confer degrees, and grant diplomas, certificates and other awards of University of Dar es Salaam offered at the College and shall have such other non-executive functions and privileges as are or shall be provided under the Act, Regulations or as the case may be, Rules.

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

Principal

12. (1) Subject to the Act and Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and the Rules contained in the First schedule, there shall be a Principal of the College who shall be the chief executive, academic and administrative officer of the College and ex-officio Chairperson of the Academic Committee.

(2) The Principal shall have such other powers as are conferred upon him or her under the Act and Regulations made thereunder, this Charter, the Rules contained in the First Schedule hereto and any Rules made hereunder.

Deputy Principal(s)

13. (1) Subject to the Act and the regulations made thereunder, and UDSM Charter and rules contained in the First Schedule hereto, there shall be a Deputy Principal or more than one Deputy Principals who, severally and or together, shall-

(a) be responsible to, the chief advisor of, and assistant to the Principal in respect to such matters of the University College as shall be assigned to him or them or his or their office(s) and may be prescribed;

(b) deputize for the Principal during his absence or during a vacancy in the office of the Principal; and

(c) perform such other functions as may be given to him and as may be prescribed by the Principal.

Dean of Students

14. There shall be a Dean of Students who shall be responsible for the administration of students' affairs and welfare at the College.

Deans of Schools and Faculties 15. There shall be a Dean for every School and every Faculty of the College who shall be the academic and administrative head and the Chairperson of the Board of the School or, as the case may be, the Faculty.

Directors of Institutes, the Library, Centres and Directorates 16. There shall be a Director for every Institute, the Library, Centre and Directorate who shall be the academic and administrative head of the Institute, the Library, Centre or, as the case may be, Directorate.

The Associate Deans and Associate Directors 17. (1) There shall-
(a) an Associate Dean for every School and every Faculty;
(b) an Associate Director for every Campus College-based Institute, the Library, Centre and Directorate, who shall be the assistant to the Dean or, as the case may be, Director and deputize for the Dean or Director during his absence or during vacancy in the office of the Dean or, as the case may be, director.
(2) Notwithstanding sub-Article (1), there may be more than one Dean of a School or Faculty and more than one Associate Director of an Institute, the Library, Centre, or, as the case may be, Directorate.

Staff of the College 18. (1) There shall be staff of the College whose appointment and other terms of service shall be as provided in the First Schedule and Fifth Schedules to this Charter.
(2) The staff of the College shall be responsible for the general execution of the academic and administrative functions of the College and related matters, and bearing such titles designations and occupying such offices as are provided in the Act or established in accordance therewith, under the Rules contained in the First Schedule hereto and as may be prescribed.

The Governing Board 19. (1) There shall be a Governing Board of the College (hereinafter called “the Governing Board”) which shall, subject to the Act and the Regulations made thereunder, the University of Dar es Salaam Charter and the Rules contained in the First and Third Schedules hereto:-
(a) be the governing body and principal policy-making organ of the College, including the campus, affiliated or adopted institutes, schools, centres and directorates and associate colleges and institutes, schools, centres and directorates of the College;
(b) have custody and use of the Common Seal;
(c) be responsible for the management and administration of the College revenue and other properties both movable and immovable; and
(d) subject to the powers of the Senate and the Academic Committee provided in the Act and the Regulations thereunder, the University of Dar es Salaam Charter and the Rules contained in the First Schedule hereto, have general control over the conduct of the affairs

of the College with power to manage all matters not provided otherwise by this Charter or by the Rules contained in the Schedules hereto.

(2) The Governing Board of the College shall be answerable to the Council through the Senate for general academic-related matters, appointment of Professors and Associate Professors and passing of Rules and By-laws.

The Academic Committee

20. (1) There shall be an Academic Committee of the College which shall, subject to the powers of the Governing Board, the Council or as the case may be, the Senate as provided in the Act, the University of Dar es Salaam Charter, the Rules made thereunder, and this Charter and the Rules contained in the First Schedule hereto -

(a) be the principal overall decision-making organ, in respect of all the academic matters of the College and all matters incidental thereto of its Schools (including Demonstration Schools), Faculties, Institutes, the Library, Centres and Directorates; and

(b) be responsible for the academic work of the College both in teaching, experimentation/research and consultancy and for the regulation and supervision of the education of the students of the College.

Schools, Faculties the Library, Institutes, Centres Directorates and their Programmes

21. (1) There shall be Schools, Faculties, the Library, Institutes, Centres and Directorates within the College each comprising one or more related branches of teaching, research, organized as an academic department or unit or departments or units as may from time to time be established by the Governing Board on recommendation of Academic committee through the Senate and after approval by the Council in accordance with the Act and the Regulations made thereunder, this Charter and rules contained in the First schedule hereto.

(2) The establishment, composition functions procedure and powers Schools, Faculties, Institutes, the library directorates or Centres and organs of governance thereof shall be provided for by the Rules.

(3) The course of study or programmes to be conducted by such bodies under sub-Article (1) shall be determined or approved by the Senate on the recommendations of Academic Committee.

Associate Schools, Institutes, Centres and Directorates

22. Subject to the Act, the Regulations made thereunder, Article 15 of the University's Charter and Rules made thereunder, this Charter and pursuant to the Rules contained in the First Schedule hereto and any other applicable written law, the College may establish, associate status with any school, institute, centre or, as the case may be, directorate, other than a college-based institute or institution, centre or, as the case may be, directorate.

PART IV **ASSOCIATIONS AND ORGANIZATIONS**

Staff Associations 23. (1) There shall be an Academic Staff Association representative of all members of the Academic Staff and an Administrative Staff Association representative of all members of the Administrative Staff of the College to be established in accordance with the Act, the Regulations made thereunder, and the Rules contained in the First Schedule hereto.

(2) Subject to the Act and the Regulations made thereunder, and Rules made thereunder this Charter the Governing Board may approve the establishment of such other staff associations as it deems fit upon application and submission of a constitution by members of staff desirous of forming an association within the College with objects which are not in conflict with the objects of the College or the University and the provisions of any written law.

The Convocation and Alumni Association 24. Subject to the Act and the Regulations made thereunder, the University's Charter and Rules made thereunder, this Charter and pursuant to the Rules contained in the First Schedule thereto-

(a) there shall be a Convocation of the College; and

(b) there may be established an alumni association of the College or discipline-based alumni associations in the College.

The Students' Organization and other Students' Organizations 25. (1) There shall be a Students' Organization representative of all students of the College and such other students' organizations as have objects that are not in conflict with the objects of the College and the provisions of any other applicable written law, as the Governing Board may approve.

(2) Subject to the Act and regulations made thereunder matters concerning administration, welfare and discipline of students shall be conducted in accordance with the applicable provisions of the First Schedule.

PARTY V **SUBSIDIARY LEGISLATION**

Rules in the Schedules 26. (1) The Rules contained in the Schedules hereto shall form part of this Charter and shall remain in force until they are revoked or replaced.

(2) Subject to the Act and the Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and pursuant to the Rules contained in the First, Second, Third, Fourth, Fifth or as the case may be, Sixth Schedules hereto, the Rules shall prescribe or regulate, as the case may be:-

(a) the status, appointment and continuance in office of the Visitor, Chairperson of the Governing Board, Principal, Deputy Principals, Deans, Directors, Associate Deans, Associate Directors and other officers of the College;

- (b) the membership, constitution and functions of the Governing Board, the appointment and continuance in the office of the members of the Governing Board, the filling of vacancies among the members and all other matters relative to the Governing Board;
- (c) the membership, constitution and functions of the Academic Committee and all other matters relative to the Academic Committee;
- (d) the management and administration of properties both movable and immovable and the funds and other assets including investment of such funds and other assets of the College;
- (e) the membership, constitution, functions and mode of-
 - (i) establishment and disestablishment of campus institutes, the library, centres, directorates or units and all matters relative thereto;
 - (ii) affiliation or adoption, procedure of de-affiliation and other matters concerning affiliated or adopted institutes, centres or, as the case may be, directorates; and
 - (iii) association, disassociation and all other matters concerning associated schools, institutes, centres, or as the case may be, directorates;
- (f) the establishment of offices, appointment, terms and conditions of service, including termination, other than dismissal, and discipline of academic and the administrative staff of the College and all other matters relative thereto;
- (g) the constitution and functions of the Academic Staff Association, the Administrative Staff Association and other staff associations;
- (h) the constitution and functions of the Convocation and the alumni association(s);
- (i) the constitution and functions of the students' organization and other students' organizations;
- (j) the membership, constitution, and functions of the Boards of Schools, Faculties, Institutes, the Library, Centres and Directorates and the appointment and continuance in office of Deans and Associate Deans of Schools and Faculties and Directors and Associate/Deputy Directors of Institutes, the Library, Centres, Directorates and of chairpersons of Boards thereof, and all other matters relative thereto;
- (k) the administration, welfare and discipline of students; and
- (l) such other matters as the Governing Board may deem fit with respect to or for the governing or regulation of the College, its members and constituent parts including its Institutes, the Library, Centres and Directorates, or otherwise for the promotion of the Objects of this Charter.

Powers of the
Governing Board
to make Rules

27. (1) The Governing Board may, subject to the Act and Regulations made thereunder, this Charter and pursuant to the Rules contained in the First Schedule hereto, make Rules for the College which may amend, add to or repeal the Rules contained in the Schedules hereto for the time being in force:

Provided that no such Rules shall have effect until approved by the Commission in accordance with the Act, the Regulations made thereunder and this Charter.

(2) For the avoidance of doubt, the Governing Board may, subject to such approvals as are prescribed, amend, add to or repeal such Rules as are for the time being in force.

(3) Subject to the Act and Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and pursuant to the Rules contained in the First Schedule hereto the Governing Board may make Rules to direct or regulate the College, its members and the welfare and administration of its staff, students and any other affairs, provide that:-

(a) notice of any proposed Rule(s) (and the date upon which it is proposed that they should come into effect) shall be given to the members of the Governing Board not less than fourteen days before the date of the meeting of the Governing Board at which it is or they are to be considered; and,

(b) before passing any Rules, the Governing Board shall consider a report from the Academic Committee and shall not, except on the recommendation of the Academic Committee, pass any Rules:-

(i) relating to courses of study, degrees; diplomas certificates or other awards of UDSM

(ii) for functions of the boards of schools, faculties institutes, the library, centres and directorates; and

(iii) the affiliation or adoption of, or association with other institutions; and

(iv) the recognition of academic staff and the constitution of any Joint Committees of the Governing Board and the Academic Committee.

(c) The Rules made under this Article shall be submitted to the UDSM Council through the UDSM Senate for approval.

(4) the power to make Rules shall include a power to amend, add to or repeal any rules made or passed in that behalf or pursuant to the exercise of that power.

Procedure for
making Rules

28. (1) Where the Governing Board desires to make rules, notice of any proposed rules, and the date upon which it is proposed that it should come into effect shall be given to the Governing Board not less than fourteen days before the date pass the meeting of the Governing Board at which it is to be considered.

(2) The Governing Board shall before passing any rules, consider a report from the Academic Committee and shall not, except on the recommendation of the Academic Committee pass any rule-

- relating to courses of study, degrees, diplomas, certificates or other awards of the University College; and
- for functions of the Boards of Faculties, Institutes, the Library, Centres, Directorates; and Academic Departments.
- Rule made by the Governing Board under this Charter shall be published in the *Gazette*.

Power of Academic Committee to make by-laws

29. (1) The Academic Committee may make By-laws to regulate the academic work of the University College, the admission, education and examination of the students of the University College, and such other matters as lie within the functions of the Academic Committee.

(2) The By-laws made by the Academic Committee may add to, amend or repeal By-laws made by the Academic Committee from time to time.

PART VI

MISCELLANEOUS PROVISIONS

No gender discrimination

30. Subject to the Act and the Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter and pursuant to the Rules contained in the First Schedule hereto, men and women shall be equally eligible for the holding of any office in the College and for membership of any of its constituent bodies, for the holding of all degrees, diplomas, certificates and other awards of UDSM and for the pursuit of all courses of study in the College.

Gender balance principle to be observed

31. The principle of gender equity or balance as provided in the Act and Regulations made thereunder and the Rules contained in the First Schedule hereto shall be observed and implemented by all persons exercising powers under the said Act, Regulations this Charter and Rules.

No test of religion, race, ethnicity, etc

32. No test of religion, race, ethnicity, sex, physical condition, ideological or political belief/orientation or other similar criteria shall be imposed upon any person in order to entitle him or her to be admitted to the College or to hold any office therein or to graduate thereat or to hold, or enjoy any advantage or privilege thereof.

Provision of suitable environment for teaching and learning

33. Subject to the Act and the Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and pursuant to these Rules, the College shall provide a suitable environment for teaching and learning including:

- academic facilities including library services and equipment for academic programmes and the manner in which they are to be properly maintained.

(b) a structural, physical and technological environment as well as equipment, facilities and amenities suitable' for, the respective requirements of both male' and. female, students and for the academic and other needs of students with disabilities and special learning needs or are otherwise vulnerable requiring special teaching and learning aids including hearing, sight and movement aids.

Prohibition on declaration of dividend

34. The College shall not make any dividend, gift, division or bonus in money unto or between any of its members except by way or prize, allowance, reward or special grant for work duly authorized done or to be done in furtherance of the objects of the College.

Amendment of Charter

35. (1) Subject to the Act and Regulations made thereunder, the President may, upon a recommendation of the Minister, at any time amend, add or repeal any Article of this Charter if he satisfied that such amendment, addition or, as the case may be, repeal-
(a) is in the interest of higher education in the United Republic; or
(b) may assist the College to operate in a more efficient and effective manner'.
(2) Such amendment, addition or repealed shall have effect so that this Charter shall thenceforward continue and operate as so amended added to or, as the case may be, repealed.
(3) This Article shall apply to this Charter as amended, added or repealed in the manner aforesaid.

Revocation of the Charter

36. The President may, subject to the Act and Regulations made thereunder, revoke this Charter if -
(a) it is evident that the College is not carrying on its ·functions in a proper manner; or
(b) the College is in breach of the Charter; or
(c) it is in the interest of higher education to revoke the Charter

Revocation of Declaration Order G.N. No. 202 of 2005

37. The University of Dar es Salaam (Declaration of Constituent College) (Dar es Salaam Teachers College) Order, 2005, is hereby revoked.

THE FIRST SCHEDULE

(Under Article 26)

ARRANGEMENT OF RULES

Rule Title

PART I
PRELIMINARY PROVISIONS

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2. Interpretation.

PART II
ESTABLISHMENT, OBJECTS, POWERS AND FUNCTIONS OF THE COLLEGE

3. Establishment and vesting of rights, assets and liabilities of the College

PART III
AWARD OF DEGREES, DIPLOMA ETC.

4. Award of degrees etc.

PART IV
GENERAL ADMINISTRATION AND STAFF APPOINTMENTS

(a) The Chancellor and Principal Officers of the College

5. Chancellor.
6. Principal.
7. Deputy Principals.
8. Deans, Directors and other officers.
9. Heads of Departments.

(b) Principal organs of the College

10. Establishment and Composition of the Governing Board
11. Powers and functions of the Governing Board.
12. Secretary of the Governing Board.
13. Validation of proceedings of the Governing Board.
14. Appointments Committee.
15. Other Boards and Committees of the Governing Board

(c) Academic Committee

16. Establishment and composition of the Academic Committee.
17. Powers and functions of the Academic Committee
18. Boarding Schools, Faculties, institutes, the Library, Centres and Directorates

(d) Staff of the College

19. Academic Staff.
20. Administrative and technical staff.

PART V
DISCIPLINE OF STAFF AND TOP EXECUTIVE
OFFICERS OF THE COLLEGE

21. Discipline of Staff of the College.
22. Discipline of Top Executive Officers of the College.
23. Disciplinary Appeals Committee for Staff of the College.
24. Disciplinary Appeals Board for Executive Officers of the College.

PART VI
CONVOCATION, ALUMNI AND OTHER STAFF ASSOCIATIONS

25. The Convocation and Alumni Associations.
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27. Dean of students and students' Welfare.
28. Students' Organization.
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ESTABLISHMENT OF SCHOOLS, FACULTIES,
INSTITUTES, LIBRARIES, CENTRES,
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33. Establishment of Schools, Faculties etc.
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- 36. Funds and resources.
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- 38. Financial year.
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- 43. The Legal Unit and Corporate Counsel.
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- 50. Attributes of the system of appointment for holders of specified positions.
- 51. Provisions relating to principles of natural justice.
- 52. Special needs of women and other vulnerable persons.
- 53. Matters of general administration and students' Affairs in the College.
- 54. Gender balance principle and representation of persons with disabilities.
- 55. Power to make Rules.
- 56. Academic freedom and social responsibility.

FIRST SCHEDULE

RULES

(Under Article 26)

PART I PRELIMINARY PROVISIONS

Citation and commencement

1. These Rules may be cited as the Dar es Salaam University College of Education Rules, 2008

Interpretation

2. In this Schedule, unless the context otherwise requires:-
"Academic Committee" means a committee of the College established under Article 20 and provided for under 16;
"Act" means the Universities Act;

"Academic Staff Association" means the academic staff association established by Article 23 and provided for under rule 26;
"accounts" means the accounts prescribed to be kept by rule 40;
"Administrative and technical staff shall have the meaning assigned to the term by rule 20;
"alumni" means the alumni established by Article 24 and provided for under rule 25;
"annual estimates" means the annual budget estimates prescribed to be prepared by rule 39(1);
"appointing authority" in relation to any member of the Governing Board or Academic Committee means the person or body of persons by whom such member was appointed or elected to the Governing Board, or Academic Committee; .
"appointment" in relation to the staff of the College, means an appointment of a person to the academic staff or the administrative staff of the College and includes an appointment or promotion or transfer, or an acting appointment;
"Appointments and Human Resources Management Committee" or
. "Appointments Committee" means, in relation to an appointment to the academic staff or any matter relating to a member of the academic staff thereon, and in relation to an appointment to the administrative and technical staff or any matter relating to a member of the administrative and technical staff thereon, the committee established by rule 14;

"appropriate officer" means an officer assigned the functions of the Corporate Counsel under sub-Rule (1) of rules 12 and 43;
"Article" means an Article of this Charter or, as the case may be; of UDSM Charter,

"Associate Dean" means. an Associate of a School or Faculty provided for under Article 17;

"board" means a board established under rule 18;

"centre" includes a campus set up for the administration of a programme or programmes of the College and established under Article 21 and provided for under rule 33;

"Chairperson" in respect of the Governing Board, means the Chairperson of the Governing Board, and in respect of any other organ of the College provided for in these Rules, means the Chairperson of the respective organ;

" Chancellor" means the Chancellor of the University of Dar es Salaam who is also the Visitor of the College in accordance with Article 11 of the Charter;

"Charter" means either the UDSM Charter or, as the case may be, the DUCE Charter to which these Rules form a Schedule;

"the Library" means the library of the provided for under rule 32;

" the College" or "DUCE" means the Dar es Salaam University College of Education provided for under Rule 3 of this Schedule, Rule one the Seventh Schedule to the UDSM Charter and established by Article 5 of the Charter;

"the Library" means the library of the college established under Article 21 of this Charter and Rule 33;

"Committee" means a committee established in accordance with the provisions of this Charter and the Rules made hereunder;

"Competent Authority" includes the Chancellor, Council, Senate, Vice-Chancellor, the Principal, Governing Board, Academic Committee their respective boards or committee and other principal officers of the College;

"Convocation" means the Convocation recognized by Article 24 and established under rule 25;

"Dean" means the Dean of a School or Faculty provided for by Article 15 and appointed in accordance with rule 8; .

"Demonstration schools" means the pre-school, primary and secondary Schools;

"department" means an administrative sub-division of a school, faculty, institute, the Library, centre or, as the case may be, directorate.

bearing that designation, established under rule 33;

"Deputy Principal" means a Deputy Principal of the College provided for under Article 13 and appointed under rule 7;

"Director" means a Director of an Institute, the Library, Centre or Directorate, of the College provided for under Article 16 and appointed in accordance with rule 8(1);

"Associate Director" means an associate director of an institute, the library, centre or directorate of the college recognized under Article 17;

"Directorate" means an academic or administrative sub-division of the College bearing that designation, coordinating more than one discipline, faculty, institute or centre, as the case may be; established by Article 21 and provided for in rule 33;

"Faculty" means a Faculty of the College established under Article 21 and

provided for in rule 33;

"Faculty Board" means a Faculty Board established by rule 18;

"Financial year" means a period of twelve months commencing on the first day of July and expiring on the thirtieth day of June in any year provided for in rule 38;

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

"the' Governing Board" means the Governing Board of the College established by Article 19 and provided for' under rule 10;

"institute" means an institute established under Article 21 and provided for in rule 33;

"key administrative positions" include the position of Chancellor, Principal, Deputy Principals, Dean of Students, Deans, Directors, Associate Deans and Associate Directors;

"member" in relation to-

(e) the Governing Board, means a member of the Governing Board and includes the Chairperson of the Governing Board.

(f) a member of a board includes the Chairperson of the board and;

(g) the Academic Committee, means a member of the Academic Committee and includes the Chairperson of the Academic Committee;

(h) the Convocation, means a member of the Convocation;

"Minister" means the Minister responsible for higher education;

"officer" means any person in the employment of the College but does not include the Principal or a Deputy Principal;

"Principal" means the Principal of the College provided for by Article 12 and appointed under rule 6(1);

"Rules" means these Rules and Rules made under rule 55;

"salary" includes one's pay and any overseas pay addition but does not include any allowance or other monetary benefit;

"School" means a school of the College established under Article 21 and provided for under rule 33;

"Search Committee" means a committee set up as required under rule 6 and whose functions shall be as shown in the Second Schedule;

"Secretary" means the officer appointed by the Governing Board to be the Secretary of the Governing Board provided in Rule 12 of these Rules;

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

"Students' Organization" means an organization representative of the students of the College established under Article 25 and provided for by rule 28;

“University” or “UDSM” means University of Dar es Salaam established under Article 3 of the UDSM Charter and provided for under rule of the Rules made hereunder and which the College is a constituent part;

“Vice-Chancellor” means the Vice-Chancellor of the University provided for under Article 8 of the UDSM Charter and a member of College in accordance with Article 4 of the Charter and provided for under Rule 10 of the these Rules; “Visitor” means the Chancellor of UDSM who is also of a member and of the College pursuant to the provisions of Article 11 of the Charter and provided for in Rule 5 (1).

PART II

ESTABLISHMENT, OBJECTS AND FUNCTIONS OF THE COLLEGE

Establishment and vesting of rights assets and liabilities

3. (1) The College, established by Article 5 of the Charter, shall be known as the Dar es Salaam University College of Education and in its acronym DUCE.
(2) The College shall be a body corporate with perpetual succession of the College and a Common Seal, and shall, in its corporate name, be capable of –
 - (a) suing and being sued
 - (b) taking, purchasing or otherwise acquiring, holding, charging, leasing, licensing the use of, hiring and hiring out and disposing of any movable or immovable property;
 - (c) from time to time borrowing such sums as it may require for its purposes;
 - (d) Investing in land, debenture stocks, preferential shares, units in unit trusts and other securities but not to invest in the equity of any company, other than a company in which the College has 95 per cent or more share interest and established and established for the execution of any of the functions of the College, without specific approval of the Governing Board;
 - (e) Doing or performing all such other things or acts as are necessary for the proper performance of its functions under, and for the furtherance of the provisions of, the Charter and which may lawfully be done or performed by a body corporate.
 - (3) The Common Seal of the College:
 - (a) shall be kept in such custody as the Governing Board directs shall not be used except upon the order of the Governing Board;
 - (b) shall be authenticated by the signature of the Principal, or of one other member of the Governing Board duly authorized by the Governing Board in that behalf and of the Deputy Principal responsible for administration;
 - (c) when affixed to any document and duly authenticated under this Regulation, shall be judicially noticed, and, unless the contrary is proved, any necessary order or authorization of the Governing Board under this Rule shall be presumed to have been duly given.

PART III

AWARD OF DEGREES, DIPLOMAS, ETC

Award of
degrees, etc.

4. Subject to the Act and Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter and pursuant to these Rules and any applicable written law, the College shall, in the name of University of Dar es Salaam:-

- (a) confer degrees of Bachelor, Master, Doctor and such other degrees as may be prescribed by the Council on the advice of the Senate, the Academic Committee and the Governing Board;
- (b) grant diplomas and postgraduate diplomas, certificates or other awards approved by the Council on the advice of the Senate, the Academic Committee and the Governing Board; and
- (c) confer honorary degree which the Governing Board, on the advice of the Academic Committee and with the approval of the Senate and the Council, may decide to confer upon any person who in their opinion, has rendered distinguished service in the advancement of education or has otherwise rendered himself worthy of such a degree.

PART IV

GENERAL ADMINISTRATION AND STAFF APPOINTMENTS

a) The Chancellor and Principal Officers of the College

The Chancellor

5. (1) Subject to the Act and Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter and pursuant to these Rules, the Chancellor of UDSM shall also:-

- (a) be the Visitor and head of the College and confer all degrees, and grant all diplomas, certificates and other awards in the name of University of Dar es Salaam pursuant to the objects, powers and functions of the College;
- (b) subject to the provisions of paragraph (d) of this sub-rule, have power to direct an inspection of the College or an inquiry into the teaching, research or any other activity of the College;
- (c) have power to arrange for visitation into the general administration and organization of the College in such manner as may be provided for under Rules or as may be deemed appropriate by the Visitor on the advice of the Governing Board or, as the case may be, the Council.
- (d) Have power to advise the Government, the Governing Board or, as the case may be, the Council regarding the betterment of the College;
- (e) Seek advice from the Government regarding the general acceptability of the person recommended for appointment as the Principal of the College; and
- (f) have such other powers and functions and privileges as are conferred

upon him by the Act and the Regulations made thereunder, the respective Charters or as may be provided for under the respective Rules.

(2) The powers conferred upon the Chancellor under sub-rule (2) of this Rule shall be exercised in accordance with Rules made in that behalf.

(3) Where the Chancellor is for any reason, unable to perform the functions of his office, the person appointed by the President or a person authorized by the President in that behalf to temporarily perform the functions of Chancellor in an acting capacity under sub-rule (6) of rule 6 of the First Schedule to the UDSM Charter shall deputies for and perform the functions of the Visitor until the resumption of office of the Visitor or the filling of the position by appointment of a new UDSM Chancellor.

Principal

6. There shall be a Principal of the College who:-
 - (a) subject to the Act, the Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter and pursuant to these Rules, shall be recommended by the Senate from a list of at least three professors or associate professors or senior academicians on the basis of recommendations submitted by a search committee set up in accordance with the Second Schedule or under a procedure of public advertisement for the post and appointed by the Chancellor/Visitor on the advice of the Council after consultation with the College Governing Board in such manner and upon such terms and conditions as the Council may prescribe:
Provided that the requirement on Search Committee or procedure of public advertisement shall not apply to the appointment under this Charter of the first Principal of the College.
 - (b) subject to the Act and Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and pursuant to these Rules, shall:
 - (i) hold office for a period of four years with eligibility for re-appointment consecutively for one further term of four years;
 - (ii) be the academic and administrative head of the College shall, under the general authority of the Vice-Chancellor, have such powers and duties as may be provided by Rules, or any other applicable written law; and
 - (iii) be responsible to the Vice-Chancellor of UDSM, the Governing Board, the Senate and the Council in respect of all matters concerning the College.

Deputy Principal(s)

7. (1) There shall be a Deputy Principal(s) for the College, not exceeding three in number at any one time, who shall, subject to the provisions of this Rule, be recommended by the Senate from a list of three professors or associate professors or senior academicians on the basis of recommendations submitted by a search committee set up in accordance with the Second Schedule or under a procedure of public advertisement for the post and appointed by the Chancellor on the advice of the Council, after consultation with the College Governing Board in such manner and upon such terms and conditions

as the Council may prescribe.

(2) Subject to sub-rule (1), the number of Deputy Principals at any one time shall be as may be prescribed by the Council upon the recommendation of the Principal and the advice of the Governing Board.

(3) A Deputy Principal shall-

- (a) hold office for a period of three years with eligibility for re-appointment consecutively for one further term of three years; and
- (b) be responsible to, the chief advisor of, and assistant to the Principal in relation to all matters of the College assigned to him or them or his or their office(s) or as may be prescribed.
- (c) Have such powers as the Principal may delegate to him or her, provided that such delegation shall normally be in writing; and
- (d) Have such other powers and functions as are conferred upon him or her by the Act and the Regulations made there under, the UDSM Charter and the Rules made there under, this Charter or as, the case may be, establishing instrument or any other applicable written law or as may be prescribed.

(4) The Deputy Principal responsible for academic affairs shall normally deputize for the Principal during the Principal's absence from office.

The Deans,
Directors and
other officers

8. (1) The appointment of Deans and Associate Deans of Schools and Faculties and Directors, and Associate Directors of Institutes, the Library, Centres and Directorates shall be provided for under Rules.

(2) The appointment, terms and conditions of service, including designation of titles of other officers of the University, shall be provided for under Rules.

Heads of
Departments

9. (1) There shall be Heads of Departments in Schools and Faculties of the College who shall, subject to this provision of this Rule, be recommended by the Senate from a list of three senior academicians on the basis of the recommendations submitted by a search committee and electoral board as may be determined by the Governing Board.

(2) The Senate shall recommend to the Vice-Chancellor the names for appointment of Heads of Departments.

(3) The Heads of Departments shall hold office for a period of three years with eligibility for re-appointment for one further term

(4) The terms and conditions of service shall be provided for under Rules.

(b) Principal Organs of the College

Establishment
and Composition
of the
Governing Board

10. (1) Subject to the Act and the Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and pursuant to these Rules, there shall be a Governing Board of the College of which:-

(a) not less than seventy five percent and not more than-
eighty percent of its members shall, be drawn from outside the College and the remaining members shall be drawn from within the College;

and
(b) not less than one third of its members shall be women.

(2) The total membership of the Governing Board shall not be less than eleven and not more than twenty-one persons who shall, subject to the provisions of sub-rules (3) and (4) of this Rule; be appointed in accordance with relevant Rules.

(3) Subject to the Act and Regulations made thereunder and this Charter, the membership of the Governing Board shall include:

- (a) the Vice-Chancellor of the University of Dar es Salaam who shall be the Chairperson;
- (b) the Principal, as an *ex-officio* member;
- (c) one representative appointed by the Minister responsible for higher education;
- (d) one member of the Council of the University of Dar es Salaam who shall be elected by the Council from amongst its members;
- (e) one member of the Senate of the University of Dar es Salaam who shall be elected by the members of the Senate;
- (f) one member who shall be elected by the Students' Organization from amongst its members;
- (g) one member who shall be elected by the College Academic Committee from amongst its members;
- (h) One Principal of an accredited Public Constituent College;
- (i) A representative the President's Office-Regional Administration and Local Government (PO-RALG) responsible for secondary schools;
- (j) one representative of UDASA-DUCE; and
- (k) one representative of the Workers Union at the College;

(4) The proceedings of the Governing Board and, subject to the Provisions of sub-Rules (6), (7) and (8), other matters relating to the Governing Board and its members shall be governed by the Third Schedule.

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

Provided that the appointment of a member shall cease upon the happening of anyone or more of the following events:

- (a) he resigns;
- (b) he becomes or is declared bankrupt;
- (c) he dies;
- (d) he is convicted of any offence involving moral turpitude, including fraud or dishonesty;
- (e) he is absent, without the leave of the, Chairperson of the Governing Board, from three consecutive meetings of the Governing Board;
- (f) he is unable to perform his duties and functions as such member by reason of any infirmity of body or mind; or

(g) the appointing, nominating or, as the case may be, electing authority terminates his appointment; nomination or, as the case may be, election.

(6) The termination of the appointment of the members of the Governing Board, the proceedings of the Governing Board and other matters in relation to the Governing Board and its members shall be provided for in the Third Schedule.

(7) The *quorum* and other related matters for meetings of the Governing Board and of the boards and committees of the Governing Board shall be as provided for in the Third Schedule.

Powers and functions of the Governing Board

11. (1) The Governing Board shall be the principal policy making body of the College.
(2) Subject to the provisions of the Act and Regulations made thereunder and this Charter, the governance and control of the College shall be vested in the Governing Board.
(3) In particular, and without prejudice to the generality of sub-Rule (1), the Governing Board shall have power:
 - (a) to administer the properties of the College, both movable and immovable;
 - (b) to administer the funds, investments and other assets of the College in such manner and for such purposes as will in its opinion, promote the best interests of the College;
 - (c) subject to the provisions of the rule 38, to approve annual estimates and supplementary estimates of the College;
 - (d) to signify the acts of the College by use of the Common Seal;
 - (e) on behalf of the College, to receive gifts, donations, grants, endowments or other moneys and to make disbursements therefrom to the schools, faculties, institutes, the Library, directorates, centres, or to other persons or bodies;
 - (f) to appoint, set the terms and conditions of services or terminate the appointment of officers and other employees of the College as it may deem necessary, provided that, for the purpose of this provisions, "officer" shall not include the Principal and Deputy Principal(s);
 - (g) to provide for the welfare of students of the College;
 - (h) to establish or appoint Committees and boards for the proper and better carrying out of its functions;
 - (i) to define the rights, obligations and privileges of the members of the College;
 - (j) subject to the provisions of the Act, Regulations made these under, this Charter, these Rules and any other applicable written law to establish schools, faculties, institutes, libraries, centres or directorates and other bodies and to disestablish any one or more of these;
 - (k) subject to the provisions of the Charter, make Rules, and approve By-laws for the proper management of the College affairs and interest;

and the better carrying out of the provisions of the Charter and these Rules;

(l) to establish boards, committees and sub-committees as may be deemed necessary and delegate any of its functions to any such organs for the efficient discharge thereof; and disestablish any one or more of these;

(m) to recommend to Council the appointment or promotion of Deans of Schools and Faculties, Directors of Institutes, the Library, Centres, Directorates, and promotion of academic staff to professional ranks on the advice of the Staff Appointments Committee;

(n) to do all such other acts and things as are or may be provided for in the Act and the Regulations made there under, the UDSM Charter and Rules made there under, this Charter and these Rules or as may be prescribed.

Secretary of the Governing Board 12. (1)Where the College has not appointed a Corporate Counsel, the Governing Board shall appoint an appropriate officer to be the Secretary of the Governing Board from amongst the names submitted by the Principal.
(2) The Governing Board, on the recommendation of the Principal, may also appoint such number of officers to assist the Secretary as the Governing Board may consider necessary.
(3) Where the Secretary is not a member of the Governing Board; he shall have such functions as may be conferred upon him by the, Governing Board but shall have no right to vote at the meetings of the Board.

Validation of proceedings of the Governing Board 13. No act or proceedings of the Governing Board shall be invalid by reason only of the required number of the members not being complete or the *quorum* for the proceedings not being realized at the time of such act or proceedings or of any defect in the appointment of any member of the Governing Board or the fact that any member of the Governing Board was at the time in question disqualified or disentitled to act as such.

Appointments Committee 14. (1) Without prejudice, to the generality of the provisions of paragraph (k) of sub-rule (3) of rule 11, there shall be established an Appointments and Human Resources Management Committee (hereinafter referred to as “the Appointments Committee”) for the handling of appointments and related matters concerning both Academic Staff and Administrative Staff of the College.
(2) The Appointments Committee shall be composed of:-
(a) the Principal who shall be the Chairperson;
(b) the Deputy Principal responsible for Administration Affairs, who shall be the Vice-Chairperson;
(c) the Deputy Principal responsible for Academic Affairs;
(d) one member who shall be appointed by the Governing Board from

amongst its members;

- (e) a representative of the President's Office-Public Service Management and Good Governance;
- (f) one member nominated by the Academic Staff Association from amongst its members;
- (g) a representative of the Workers' Union at the College who shall be an administrative staff.

(3) Where the Appointments Committee meets to make or approve any appointment, in addition to the persons specified in sub-Rule (2), the following persons shall be entitled to sit on the Committee as temporary members:-

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

(4) The Appointments Committee shall have such functions as are or may be conferred upon it under these Rules or as may be delegated to it by the Governing Board.

(5) The members of the Appointments Committee shall hold office for a period of three years.

(6) Expert for appointments of the rank of Professor and Associate Professor which shall be referred to Council for approval, all other academic and administrative appointments shall be made or approved by the Appointments Committee.

(7) The retirement, the right to terminate appointment, and appointment of a new member to fill any vacancy in relation to members of the Appointments Committee appointed under paragraphs (e), (g), (h), (i), (j), (k) and (l) of sub-Rule (2) and also in relation to the election of a temporary Chairperson, the *quorum*, the proceedings and meetings of the committee shall, *mutatis mutandis* be as provided in the Third Schedule.

15. (1) Without prejudice to the generality of the provisions of paragraph (k) of sub-rule (3) of rule 11 and subject to the provisions of rule 18, the Governing Board may, from time to time; appoint such either boards and committees as it may consider necessary and; subject to the provisions of the Charter and these Rules and directions given by the Visitor or the Council in that behalf, delegate to any such board or committee any of its functions under the Charter and these Rules upon such limitations or conditions as the Governing Board may prescribed.

Other Boards
and Committees
of the Governing
Board

(2) Where the Governing Board establishes a board or committee under this rule, the Governing Board shall-

- (a) determine the number of members of the board or, as the case may be, committee as it deems fit and appoint such members: Provided that-
 - (i) at least one-third of the total number of members appointed to any such board or, as the case may be, committee shall be appointed from amongst the members of the Academic Committee; and
 - (ii) at least one third of the total membership shall consist of women including at least one woman member of the Governing Board;
- (b) fix the quorum necessary for the conduct of any business of such board or committee;
- (c) elect one of the members of the Governing Board to be the Chairperson of the board or, as the case may be, the committee;
- (d) prescribe provisions for the election of a Chairperson by members present where at any meeting of the board or committee the Chairperson is absent;
- (e) subject to the Charter and pursuant to these Rules and other Rules made hereunder, determine whether representation on such board or committee of the academic staff association, administrative staff association, the workers union or, as the case may be, the Students' Organization is necessary and, if necessary, provide for such representation;
- (f) subject to the provisions of the Charter and these Rules and any other Rules made hereunder, prescribe provisions for the conduct or regulation of the proceedings of such board or, as the case may be, of the committee.

(3) For the purpose of this Rule, the Deputy Principals and the Corporate Counsel or other appropriate officer shall be deemed to be members of the Governing Board.

Establishment
and Composition
of Academic
Committee

16. (c) *The Academic Committee*

- (1) Subject to the Act and Regulations made thereunder, the UDSM Charter and the " Rules made thereunder, this Charter "and pursuant to these Rules, there shall be an Academic 'committee of the College of which not less than eighty percent and not more than eighty five percent of its members shall be drawn from within the College.
- (2) The minimum and maximum number of membership of the Academic Committee shall be determined by the Governing Board except that the number and categories of *ex officio* members shall not be reduced.
- (3) Subject to the provisions of this Rule, members of the Academic Committee shall be appointed in accordance with relevant Rules.

(4) The membership of the Academic Committee shall include:

- (a) the Principal who shall be the Chairperson;
- (b) the Deputy Principal responsible for Academic Affairs who shall be the Vice-Chairperson;
- (c) the Deputy Principal responsible for Administration Affairs;
- (d) Deans of Schools and Faculties of the College;
- (e) Directors of Institutes, the Library, Centers and/or Directorates;
- (f) Coordinator Undergraduate studies;
- (g) One member who shall be elected by the Academic Staff Association from amongst its members;
- (h) One member elected by the Students' Organization from amongst its members;
- (i) One member appointed by the Senate from the University of Dar es Salaam who be elected by members of the Senate.

(4A) In appointing the members of the Academic Committee, the women members shall not be less than one third of the Committee members.

(5) The Academic Committee shall have power to co-opt any number of competent persons as it may deem necessary or appropriate for the better carrying out of its functions.

(6) The provisions of the Third Schedule to this Charter shall apply, *mutatis mutandis*, in relation to the tenure of office of members elected under paragraphs (e), (g), (i), (j), (k) and (l) of sub-rule (4), their retirement, the power to terminate their appointment and the appointment of a new member to fill any vacancy, and also in relation to the election of a temporary Chairperson, *quorum*, proceedings and meetings of the Academic Committee.

(7) The proceedings of the Academic Committee and, subject to the provisions of sub-rule (6), other matters relating to the Academic Committee and its members shall, *mutatis mutandis*, be governed by the Third Schedule to this Charter.

(8) The tenure of office of the members of the Academic Committee shall be three years subject to a member's eligibility for re-appointment for a further term or further terms of three years each:

Provided that, the appointment of a member shall determine on the happening of anyone or more of the events mentioned in the proviso to sub-rule (5) of rule 10 of these Rules.

Powers and
functions of the
Academic
Committee

17. (1) Subject to the Act and the Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter and pursuant to these Rules and the general supervision and guidance of the Governing Board, the Senate and the Vice-Chancellor, the Academic Committee shall be the principal decision-making organ in respect of all academic matters of the College.

(2) Without prejudice to the generality of sub-Rule (1), the Academic Committee

shall be responsible to the Governing Board and the Senate for the control and general regulation of the instruction, education, research and consultancy within the College and, in addition thereto, shall have the following functions-

- (a) to satisfy itself regarding the content and academic standard of any course of study offered by:-
 - i. any School, Faculty, Institute, the Library, Centre or Directorate in respect of a degree, diploma, certificate or any other award of the University;
 - ii. any associate school, institute, centre or directorate of the college in respect of any diploma, certificate or other award of the relevant institution as required by its enabling legal instrument; and
 - iii. to report its findings thereon to the Governing Board or, as the case may be, the Senate;
- (b) with the consent of the Governing Board in consultation with the Senate to make By-laws:
 - i. regarding the eligibility of person for admission to courses for a degree, diploma, certificate or other award of the University;
 - ii. with regard to the standard of proficiency to be attained in each examination for a degree, diploma, certificate or other award of the University; and
 - iii. regarding the carrying out of academic audits on a regular basis;
- (c) to recommend candidates for degrees, diploma, certificates or other awards of the University who attain standard of proficiency prescribed in the By-Laws made under paragraph (b) and are otherwise fit for the award of such degrees, or grant of such diplomas, certificates or other awards of the University;
- (d) to consider recommendations made to it by a board of a school, faculty, institute, the Library, centre, or directorate, as the case may be, concerning existing courses or programmes and the establishment of new courses or programmes of study and their gender mainstreaming or any other academic matter and to take such action thereon as it may consider appropriate;
- (e) to make proposals to the Governing Board on matters relating to the conduct of the College generally; and
- (f) to perform such other functions as are or may be conferred upon it by the Act and Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter, these Rules, By-laws and any other applicable written law or by the Governing Board, Senate or as the case may be, the Council.

(3) In respect of any matter in relation to which the Academic Committee is required to report to the Governing Board or to make By-laws in accordance with the provisions of paragraphs (a) and (b) of sub-rule (1) of this Rule, the Governing Board shall not initiate any action in

respect thereto until such report has been received from the Academic Committee or, as the case may be, such By-laws have been made by the Academic Committee and shall not reject any such report or By-laws without further reference to the Academic Committee.

(4) Proposals having financial implications shall be recommended by the Academic Committee through the Governing Board for approval.

(5) Subject to the Act and, the Regulations made thereunder, the UDSM Charter and the Rules made thereunder, this Charter and pursuant to these Rules, the Senate shall, in furtherance of the objects of the College in particular and of the University in general exercise and perform such residual functions as are reserved for the Senate.

(6) The Academic Committee shall have power to establish or appoint boards and committees for the proper or better carrying out of its functions, and to disestablish anyone or more of such boards or committees.

(7) Subject to sub-rule (7) of this Rule, any such establishment or appointment or disestablishment of a board or committee, as the case may be, shall be governed by the Rules or, as the case may be, By-laws.

(8) Any board or committee of the Academic Committee established under sub-rule (5) shall be chaired by a member of the Academic Committee and may consist of such number of members including those who, not being members of the Academic Committee, possess qualifications and experience which may promote the cause for which the board or as the case may be, the committee is established as the Academic Committee may determine and such members shall be appointed by the Academic Committee:

(a) at least one third of the total number of its members appointed to any such committee shall be appointed from amongst the members of the Academic Committee; and

(b) at least one third of the total membership shall consist of women including at least one woman member of the Academic Committee.

(9) The Academic Committee may, as it deems fit, delegate anyone or more of the powers and functions conferred on it under the Charter, these Rules and any other applicable written law, to a board of a school, faculty institute, the University library, centre or directorate, subject to any limitations or conditions the Academic Committee may prescribe .

Boards of
Schools,
Faculties,
Institute, the
Library, Centres
and Directorates

18. (1) There shall be established in respect of:-

- (a) every school, a School Board;
- (b) every faculty, a Faculty Board;
- (c) every institute, a Board of the Institute;
- (d) the college Library, a Board of the Library; and
- (e) every centre or directorate, a Board of the Centre or Directorate.

(2) Every Board established for a School, Institute, the Library Centre of Directorate, shall be composed of:-

- (a) the Dean of that School or Faculty, the Directorate of the Institute, the Library, Centre or Directorate, as the case may be, who shall be the Chairperson;
- (b) the associate Dean of the School or Faculty or the Associate or Deputy Director of the Institute, the Library, Centre or Directorate as, the case may be, who shall be Vice-Chairperson;
- (c) three representatives from among the academic staff assigned to other School, Faculty, Institute, the Library, Center or as the case may be, Directorate in the College;
- (d) Heads of Departments in the respective School, Faculty, Institute, the Library, Center or as the case may be, Directorate for which the Board is established;
- (e) Coordinator for demonstration schools shall be appointed a member in the Board for the Faculty responsible for education;
- (f) one member appointed by College Academic Committee from amongst its members; and
- (g) one member elected to the Board by the Students in the relevant School, Faculty, Institute, the Library, Center or as the case may be, Directorate for which the Board is established;

(3) Every such Board shall, subject to the general or specific direction of the Academic Committee, have power:-

- (a) to review and make recommendations to the Academic Committee in respect of the control and regulation of the instruction, education and research within the School, Faculty, Institute, Library, Centre or, as the case may be, Directorate;
- (b) to make recommendations to the Academic Committee on any matter pertaining to the School or Faculty, the Institute, the Library, Centre or, as the case may be, Directorate; and
- (c) to do any other act or thing as it may be empowered to do by the Senate or under any provision of these Rules.

(3A) In appointing the members of the Board the women members shall not be less than one third of the Board member.

(4) A Board of a school, Faculty Institute, the Library and centre or, as the case may be Directorate-

- (a) may, subject to any direction for the Academic Committee in respect of academic matters, meet at such intervals as it considers necessary;
- (b) shall act in accordance with the directions of the Academic Committee and shall, in respect of all academic and related matters, report on its functions and actions to the Academic Committee in such manner and at such intervals as the Academic Committee may direct; and
- (c) subject to the directions of the Academic Committee, may regulate its own proceedings and fix a *quorum* for its meetings

(5) Subject to the provisions of sub-rules (3) and (4) of this rule, the powers, functions and procedure of the respective boards; specified under sub-rule (1) of this rule, and the rights, duties and privileges of their respective memberships shall be provided for under Rules.

(6) In pursuance of the provisions of this Rule, the respective boards specified under sub-rule (1) may, with the approval of the Academic Committee, establish boards and committees for the departments and units within their respective campus school, faculty, institute, the College Library or libraries, centre or directorate, as the case may be.

d) The Staff of the College

Academic Staff 19. The Academic Staff of the College shall be composed of:-

- (a) the Principal;
- (b) the Deputy Principal responsible for Academic Affairs;
- (c) the Deans and Associate Deans of Schools and Faculties;
- (d) the Directors and Associate Directors of Institutes, the Library, Centres and/or Directorates responsible for academic programmes or affairs;
- (e) Associate Professors and Professors;
- (f) Assistant Lecturers, Lecturers and Senior Lecturers;
- (g) Assistant Research Fellows, Research Fellows, Senior Research Fellows, Associate Research Professors and Research Professors;
- (h) Assistant Librarians, Librarians, Senior Librarians, Associate Library Professors and Library Professors; and
- (i) such other members of the staff of the College who are engaged wholly in teaching or research in any School, Faculty, Institute, the Library, Centre or Directorate.

Administrative and technical staff 20. The administrative and technical staff of the College shall include:-

- (a) the Principal;
- (b) the Deputy Principal responsible for administration;
- (c) Dean of Students;
- (d) Deans of Schools and Faculties;
- (e) Directors of institutes, libraries and centres;
- (f) Heads of administrative Departments; and
- (g) all other officers of the College employed on permanent or fixed term contracts who are not members of the academic staff.

PART V
DISCIPLINE OF STAFF AND TOP
EXECUTIVE OFFICERS OF THE COLLEGE

Discipline of Staff of the College 21. (1) The powers of dismissing or terminating the appointment of any member of the Academic Staff, Senior Administrative and technical

staff, other than the Principal and the Deputy Principals, by way of disciplinary action or of punishing any member of the academic or administrative and technical Staff otherwise than by dismissal or termination of his appointment, for any disciplinary offence or misconduct shall be vested in the Governing Board.

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

- (a) A Chairperson who shall be appointed by the Governing Board
- (b) A legally qualified person with at least five years experience of practice as attorney, advocate, magistrate or judge, who does not hold any post at the College and who shall be appointed by the Governing Board.
- (c) An appointee of the Principal from among the heads of department.
- (d) An appointee of the Academic Committee from amongst the members of the Committee.
- (e) An appointee of the Workers Council who holds a senior position in the College.
- (f) An appointee of the trade union from outside the College with knowledge and experience in human resources management.

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

(4) Charges of disciplinary offence(s) or misconduct against academic members of staff and administrative and technical members of staff, other than the Principal and Deputy Principal(s), shall be handled in accordance with the provisions of rule 51 and a recommendation shall be made to the Principal through the Deputy Principal responsible for administration for imposition of such punishment as the Appointments Committee, exercising its powers under these Rules or any other applicable Rules, may deem justified.

(5) All matters of discipline of members of staff, of associate institutes, school, centres and/or, as the case may be, directorates shall be dealt with in accordance with the respective enabling legal instruments of such institutions and/or any other applicable written law.

Discipline of
Top Executive
Officers of the
College

22. (1) A charge of disciplinary offence or misconduct against the Principal or a Deputy Principal shall be investigated by a Special Committee of the Governing Board whose composition and terms of reference shall be determined by the Governing Board.

(2) The Special Committee appointed under sub-rule (1) in carrying out any investigation, shall adhere to the rules of natural justice as provided for under rule 51, that is:-

- (a) the right of the accused to know the nature of the disciplinary offence(s) or misconduct he stands accused of; and

(b) the right to be granted a fair opportunity for self-defence; and

(c) the right to be judged without bias.

(3) If the charge is established against the officer, where the Governing Board is the appointing authority, it shall make a decision as it deems fit, or where the Governing Board is not the appointing authority, and, if it deems it proper, it may refer the findings to the appointing authority:

Provided that-

(a) a two-thirds majority vote at a special meeting of the Governing Board shall be necessary for the Governing to decide or, as the case may be, recommend to the appointing authority that a Principal or Deputy Principal be removed and replaced;

(b) where the Governing Board does not deem it proper to refer the findings to the appointing authority for a decision, the Governing Board shall itself decide on what alternative measure, other than the recommended punitive measure(s), is to be taken against the officer and shall forward such a decision to the appointing authority for endorsement; and

(c) if the appointing authority does not endorse the decision of the Governing Board, the appointing authority may substitute its own decision after consultation with the Chancellor and the Governing Board where such consultation is deemed fit.

(4) If the charges are not established against the officer in question, it shall be dropped and the officer shall be informed in writing of that outcome forthwith.

(5) All matters concerning discipline of top executive officers of associate schools, institutes, centres and directorates shall be dealt with in accordance with their respective enabling legal instruments and/or other applicable written law.

Disciplinary Appeals Committee for Staff of the College

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

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

- (a) a Chairperson who shall be appointed by the Chancellor from amongst the members of the Governing Board;
- (b) one member appointed by the Chancellor;
- (c) two members elected from amongst the members of the Governing Board, one of whom shall be a woman;
- (d) two representatives appointed by the Principal, one nominated by the Academic Staff Association and one by the Administrative Staff Association, from amongst their respective memberships at the College;
- (e) one representative nominated by the Workers' Union at the College appointed by the Principal; and
- (f) one representative nominated by the Worker's Council; and

(g) a legally qualified person with ten years experience of practice as a State Attorney, Advocate, Magistrate, or Judge, who shall be appointed annually by the Governing Board from outside the College Community.

(3) The Committee may appoint one of its members as Vice-Chairperson thereof.

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

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

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

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

Disciplinary Appeals Board for Executive Officer of the College

24. (1) Subject to the UDSM Charter and the Rules made thereunder, the Charter and these Rules and any other applicable written law, the provisions of rule 23 shall apply, *mutatis mutandis*, in respect of the appeals by the Principal of, as the case may be, a Deputy Principal.

(2) Any recommendation for disciplinary action including removal and replacement or dismissal from or termination of service, made under Rule 22 against the Principal or a Deputy Principal, shall be open to contestation by the affected person before the Council which shall submit a recommendation to the appointing authority who may:

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

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

PART VI

CONVOCATION, ALUMNI AND OTHER STAFF ASSOCIATIONS

Convocation and Alumni Associations

25. (1) There shall be a Convocation of the College which shall consist of graduates and members, other than undergraduate students of the College and

such other persons as Rules may prescribe.

(2) The Convocation shall have the right to meet and discuss any matter relating to the College; to transmit resolutions thereon to the Governing Board, the Academic Committee, the Senate or to the Council, as the Convocation may consider appropriate and may exercise such other functions as Rules may prescribe.

(3) The Governing Board may approve the establishment of an Alumni Association of the College or discipline-based alumni associations whose affairs shall be governed by its/their constitution(s), which shall be subject to approval by the Governing Board including amendment thereof.

(4) An Alumni Association of the College whose establishment is approved under sub-Rule (3) shall have the right to transmit its resolutions to the Governing Board and the Academic Committee and may exercise such other functions and enjoy such other privileges as Rules may provide.

(5) A discipline-based alumni association whose establishment is approved under sub-Rule (3) shall have the right to transmit its resolutions to the Board of the School, Faculty, Institute, the Library, Centre, or as the case may be, Directorate under which the association's discipline-base falls.

(6) In this Rule the word "discipline" includes School, Faculty, Institute, the Library, Centre or Directorate, as the case may be.

Staff
Associations and
Workers' Unions

26. (1) The staff association(s) specified in the Fifth Schedule are declared to be staff associations(s) in the College and the Workers' Union(s) specified in the Fifth Schedule hereto are recognized to be the Workers' Unions.

(2) The Governing Board may approve the establishment of an Academic Staff Association representative of all the academic staff of the College and an Administrative Staff Association representative of all the administrative staff of the College.

(3) An Academic Staff Association and an Administrative Staff Association whose establishment is approved under sub-rule (1) shall have the right to transmit its resolutions to the Governing Board and the Academic Committee and may exercise such other functions and enjoy such other privileges as Rules may prescribe.

(4) The Governing Board may, as it deems fit, upon an application and submission of a constitution by members of staff desirous of forming an association within the College, approve the establishment of any other staff association(s) whose objects and constitution are not in conflict with the objects of the College or the University and the provisions of any other written law.

(5) The affairs of a staff association, including membership, shall be governed by its constitution.

(6) The constitution of a staff association, including amendments thereof, shall be determined by the members of the association and shall be subject to approval by the Governing Board.

PART VII
ADMINISTRATION, WELFARE AND DISCIPLINE OF STUDENTS

Dean of Students and Students' Welfare 27. (1) There shall be a Dean of Students of the College who shall be a person with a minimum academic qualification of a Masters degree in the social sciences and outstanding experience and capability in student administration or counseling.
(2) The Dean of Students shall be appointed by the Governing Board on the recommendation of the principal for a period of four years with eligibility for reappointment for a further term of further terms of four years each upon such other terms and conditions as the Governing Board shall prescribe.
(3) The Dean of Students shall be responsible to the Deputy Principal responsible for administration for the general welfare of the students of the College and the administration of their affairs.

Students' Organizations 28. (1) The student organizations specified in the Sixth Schedule are declared to be the student organizations in the College.
(2) There shall be a Students' Organization of the College which shall be known by such name as may be agreed upon by its members and approved by the Governing Board, by notice published in the *Gazette* or the College *Prospectus*.
(3) The affairs of the Students' Organization, including membership, shall be governed by its Constitution whose objects shall not conflict with the objects of the College and the provisions of any other written law.
(4) The Constitution of the Students' Organization, including amendments thereof, shall be subject to approval by the Governing Board.

Other students' Organizations 29. (1) The Governing Board may, by Rules, provide for the approval and conduct of other students' organizations:
(2) No students' organization shall have objects which are in conflict with the objects of the University or the College and the provisions of any other written law.

Student Rules 30. (1) The Governing Board may, on the recommendation of the Academic Committee, make Rules for the administration of students.
(2) Rules made under sub-rule (1) may provide that the contravention of any such Rule shall constitute a disciplinary offence and may further provide the punishment that may be imposed for such disciplinary offence.
(3) Rules made under this Rule shall be published in the *Gazette* or the College *Prospectus* and every such Rule shall be brought to the notice of the students in such other manner as the Governing Board may determine.

Students' Disciplinary Authority 31. (1) There shall be the Students' Disciplinary Authority whose powers, functions and procedure or mode of operation shall be provided for under Rules made by the Governing Board in that behalf.
(2) The Deputy Principal responsible for administration shall be the students'

Disciplinary Authority.

(3) The Rules made under sub-rule (1) shall include the provisions in rule 49 of these Rules.

Student's
Disciplinary
Appeals
Committee

32. (1) There shall be established by the Governing Board a committee, to be known as the Students', Disciplinary Appeals Committee of the College, whose function shall be to hear and decide appeals from the Students' Disciplinary Authority.

(2) The power, functions and procedure or mode of operation of the Students Disciplinary Appeals Committee shall be provided for under Rules made by the Governing Board in that behalf.

(3) The Rules made under sub-rule (2) shall include the provisions of Rule 49 of these Rules.

(4) The Students' Disciplinary Appeals Committee shall be composed of:

- (a) a Chairperson, who shall be appointed by the Governing Board;
- (b) four members elected by the Governing Board from amongst its members, one of whom shall be a member elected to the Governing Board by the Students Organization; and
- (c) a legally qualified person holding office in the Attorney-General's Chambers nominated in that behalf by the Attorney-General.

PART VIII
**ESTABLISHMENT OF SCHOOLS, FACULTIES, INSTITUTES,
LIBRARIES, CENTRES, DIRECTORATES, DEPARTMENTS AND
ASSOCIATE STATUS**

Establishment of
Schools,
Faculties, etc.

33. (1) The Schools, Faculties, Institutes, Libraries, Directorates and Centres specified in the Fourth Schedule hereto are declared to be schools, faculties, institutes, libraries, directorates and centres of the College.

(2) The Governing Board may from time to time, on the advice of the Academic Committee establish schools, faculties, institutes, libraries, centres or directorates either in addition to, or in substitution of, the schools, faculties, institutes, libraries, centres and directorates specified in the Fourth Schedule and may disestablish or reconstitute any one or more of these or combine anyone or more of these with another or others to form a new or larger school, faculty, institute, library, centre or directorate as the case may be.

(3) The establishment, composition, functions, procedure and powers of schools, faculties, institutes, the Library and other libraries, centres or directorates, and organs of governance thereof shall be provided for by Rules.

(4) The Board of a School or Faculty may, with the approval of the Academic Committee, establish such number of departments and units as the Board may consider necessary and may in the same manner disestablish or reconstitute anyone or more of these or combine anyone or more of them with another or others to form new or larger departments or, as the case may be, units.

(5) The course of study to be conducted in any school, faculty, institute, library, centre or directorate, shall be determined by the Senate or, in that behalf, the Academic Committee, on the recommendation of the respective Board of the School, Faculty, Institute, Library, Centre or, as the case may be, Directorate.

Establishment of associate, institute, school, etc status

34. The Chancellor, on the advice of the Governing Board and the Council after consultation with the Commission, by order published in the Gazette, may declare a higher institution of learning, education or training, other than a college, a campus institute, school, center or directorate to be associate institute, school, centre or, as the case may be, directorate.

PART IX **FINANCIAL PROVISIONS**

Management of assets

35. The Governing Board shall manage all the assets and properties, movable and immovable, of the College in such manner and for such purposes as in the opinion of the Governing Board would promote the best interest of the College. Provided that the management of assets and properties, both movable and immovable, of the associate institutes, schools, centres and/or directorates, as the case may be, shall vest in the Governing Boards of the said respective institutions in accordance with their respective enabling legal instruments .

Funds and resources

36. The funds and other resources of the University shall consist of:

- (a) such sums as may be provided for the purposes of the University by Parliament by way of grant;
- (b) such sums as the Governing Board may, from time to time, borrow for the purposes of the College;
- (c) such sums as may accrue to the College from or by way of fees;
- (d) such sums as may accrue to the College from investments, leases, licences, consultancies, of the University; and
- (e) such sums as may in any manner become payable to or vested in the College either under the provisions of the Charter, these Rules, any applicable written law or as incidental to the carrying out of its functions.

Investment of funds

37. The Governing Board shall have power to invest the funds of the College in such assets and subject to such conditions as are prescribed by the law in relation to investment of funds by a trustee.

Financial year

38. (1) The financial Year of the College shall be a period of twelve consecutive months, that is, from 1st July to 30th June in each year.

(2) Notwithstanding sub-rules (I), the Governing Board may determine any other period of, twelve consecutive months which shall constitute the Financial Year of the College:

Provided that in the event of any change in the, financial year and for the purposes of the transition from one financial year to another, the transitional period, whether longer or shorter than twelve months, shall be

regarded as if it were a financial year.

Annual estimates 39. (1) At least two months before the commencement of any financial year, the Deputy Principal responsible for planning, finance and administration shall prepare at appropriate time or cause to be prepared, for the approval or the Governing Board, annual estimates of the revenue and expenditure of the College for the ensuing financial year.

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

(a) for the payment of salaries, allowances, travel and other charges in respect of staff of the College;

(b) for the payment of costs of materials, equipment, and other charges in respect of teaching, research and charges in respect of teaching, research and consultancy, publications, examinations and other academic matters;

(c) for the payment of allowances, fees and expenses in respect of the Chancellor, members of the Governing Board, the Academic Committee, the Convocation and other boards and committees;

(d) for the payment of all pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the College

(e) for the, construction, improvement, maintenance and replacement of any building or other immovable property of the College;

(f) for the proper maintenance and replacement, of the furniture and equipment of the College; and

(g) for the creation of such reserve funds with which to meet future contingent liabilities as the Governing Board and the Council, may think fit.

(4) No expenditure shall be incurred for the purposes of the College except in accordance with the provisions of the annual estimates, or in accordance with the provisions of any supplementary estimates approved by the Governing Board.

(5) A copy of the College's annual estimates and of every supplementary estimates, if any, shall immediately upon the approval of such annual estimates or, as the case may be, the supplementary estimates, be forwarded to the Commission, the Minister and the Chancellor for information.

Accounts and auditing of accounts 40. (1) The Governing Board shall cause to be kept proper books and records of account, of income; expenditure, assets and liabilities of the College and shall within 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 of the College during such financial year;

(b) a statement of the assets and liabilities of the College on the last day of such financial year; and

(c) any other such statements as may be required or prescribed by an written law, to be submitted to and audited by the Controller and Auditor-General or by such other authorized Auditor as the Governing Board may appoint.

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

Principal's Annual Report 41. The Principal shall, at the end of each financial year, prepare a, report on the activities of the College during that financial year and, submit such report to the Governing Board, the Chancellor and the Commission.

Tabling of Report to the National Assembly 42. The Chancellor shall cause to be laid before the National Assembly through the Minister as soon as may be practicable-

- (a) copies of the statements referred to in Rule 40;
- (b) a copy of the auditor's report, if any; and
- (c) a copy of the Principal's report.

PART X
MISCELLANEOUS PROVISIONS

The Legal Unit and Corporate 43. (1) There shall be established a unit to be known as the Legal Unit of the College, which shall be responsible for the proper handling of the legal affairs of the College.

(2) There shall be a Corporate Counsel of the College.

(3) The Corporate Counsel, who shall be appointed by the Governing Board on the recommendation of the Principal upon such terms and conditions as the Governing Board may prescribe, shall be a person with a minimum academic qualification of a second or Masters degree in law and outstanding experience and capability as a lawyer on the Roll of Advocates.

(4) The Corporate Counsel shall:

- (a) be head of the Legal Unit;
- (b) be responsible to the Principal in respect of all legal affairs of the College;
- (c) be Secretary to the Academic Committee, the Governing Board and their boards or committees; and
- (d) have such other functions as are conferred upon him by the Act and Regulations made thereunder, this Charter and these Rules or any other written law or as may be prescribed.

(3) It shall be lawful for the College to hire the services of an enrolled advocate or a firm of advocates from outside, the establishment of the Legal Unit to carry out the functions and duties provided for under this Rule either in whole or in part on temporary or a retainer basis concurrently or in

collaboration with the Corporate Legal Counsel:

Provided that where the College hires the services of a such an advocate or firm of advocates to carry out such functions and duties in whole:-

- (a) the provisions of sub-Rule (1) shall apply to the extent that the Legal Unit shall serve as liaison between the College and the external advocate or firm of advocates;
- (b) the provisions relating to the functions of the Corporate Counsel under paragraph (a), (b) and (c) of sub-rule (4) shall not apply;
- (c) the functions of the Corporate Counsel provided for under paragraph (a), (b), (c), of sub-Rule (4) shall be assigned to such other appropriate officer(s) of the College as the Governing Board on the advice of the Principal, shall deem fit.

Memoranda of
understanding

44. (1) In the discharge of its functions under the Charter and these Rules, the College shall abide by the terms and conditions of any such memorandum or memoranda of understanding as may be agreed between the Government of the United Republic and the College.

(2) Without prejudice to the generality of sub-Rule (1) of this Rule, the terms and conditions of a memorandum of understanding may include:

- (a) development and running of academic programmes, courses, institutions;
- (b) developing and conducting research and consultancy or research and development programmes, arrangements projects; and
- (c) providing funds for the general and development expenditure of the College.

College
Funding
Promotion
Committee

45. (1) There shall be established a committee which shall be known as the College Funding Promotion Committee.

(2) The College Funding Promotion Committee shall comprise a Chairperson and not less than five nor more than fifteen members:

Provided that-

- (a) at least one third of the total membership shall consist of women; and
- (b) at least one third of the total membership, including the Chairperson, shall consist of members of the Governing Board.

(3) The Chairperson and the members of the College Funding Promotion Committee shall be appointed by the Governing Board.

(4) The Functions of the College Funding Promotion Committee shall include to:

- (a) advise the Governing Board on:-
 - i. matters relating to the procurement and expenditure of funds of the College;
 - ii. investment of such funds;
 - iii. promotion of appropriate income generation; and
 - iv. fund raising activities;
- (b) mobilize resources for and on behalf of the Governing Board for the

promotion of the objects and functions of the College;

(c) perform such other functions as may be conferred upon the Committee by the Governing Board.

(4) The appointment and tenure of office of the Chairperson and members of the College Funding Promotion 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, procedure and meeting of the College Funding Promotion Committee shall, *mutatis mutandis*, be governed by the Third Schedule.

Deployment of Forces 46. The Principal may request deployment of police, military or para-military forces on the College grounds where the situation so dictates.

Delegation of powers 47. The powers granted to the President under these Rules may, wholly or in part; be delegated by the President to the Minister and in any such event such delegation shall be in writing.

Protection of Members of the Council, Senate, Governing Board, Academic Committee, Convocation and Boards 48. No matter or thing done by any member, or officer, the Council, the Senate, the Governing Board, the Academic Committee, the Convocation or a board, or a committee shall, if done bona fide in the execution or in the purported execution of the functions of such Council, Senate, the Governing Board, the Academic Committee, the Convocation or a board, or a committee, as the case may, render such organ or member or officer personally liable such matter or thing.

Proceedings of Council, Governing Board, Senate, Academic Committee or boards not to be invalid by reason of irregularity 49. No act or proceeding of the Council, the Governing Board, the Senate, the Academic Committee or a board or a committee, as the case may be, shall be invalid by reason only of any vacancy in the membership thereof, or any defect in the appointment of any member or the fact that any member was at the time in question disqualified or disentitled to act as such member.

Attributes of system of appointment of holders of specified position 50.

- (1) Subject to the Act and Regulations made thereunder, the UDSM Charter and Rules made thereunder, this Charter and pursuant to these Rules, the holders of all specified positions in the College including Schools, Faculties, Institutes, the Library, Centres and Directorates shall, normally, be citizens of the United Republic.
- (2) In making appointments to the specified positions in the College, its School, Faculties, Institutes, the Library, Centres and Directorates, the Governing Board or, as the case may be, the Council shall ensure that such appointments are made on merit in accordance with an

open system capable of inspiring confidence that fairness and the appointee's competence for the relevant position and his general acceptability in the College, School, Institute, the library, centres and Directorates, community shall all been taken into account.

(3) The Governing Board in consultation with the Council, the Senate and the Academic Committee, shall, by Rules, prescribe the attributes of the open system referred to in sub-Rule (2) which attributes shall include the form, way or method of identifying candidates, participation of the community or the organs of governance that shall be involved in the process of such a system of appointment.

Provisions
relating to the
Principles of
Natural Justice

51. Notwithstanding the provisions of any of these Rules to the contrary, the power to dismiss an officer or member of the College or expel or rusticate a student from the College, as the case may be, by way of disciplinary action shall not be exercised unless:

- (a) a disciplinary charge has been made against such officer or member of staff or student, as the case may be;
- (b) the officer or member of staff or student, as the case may be, has had opportunity to answer such charge or charges;
- (c) an inquiry has been held into the charge in accordance with the provisions of the Rules made by the Governing Board, in that behalf, or any applicable general law of the land, as the case may be; and
- (d) the officer or member of staff or student concerned, as the case may be, has, after such inquiry and defence, been found to be guilty of the charge(s) levelled against him or of a minor charge of the same category established on the basis of the findings made in the course of dealing with the said charge.

Special needs of
women and other
vulnerable
persons

52. (1) In the construction or maintenance of any building, appliance, facility, amenity, convenience, road, path or passage way for use by students or staff of the College, due regard shall be had of the special needs of women and of persons with common physical disabilities of sight, hearing and movement.

(2) Without prejudice to the generality of sub-rule (1), the Library and other buildings of the College where studies, research and/or Classes are conducted, including-their branches wherever they may be; shall be so constructed or structured, set up and equipped as to cater, as far as possible, for the needs specified under sub-rule (1).

Matters of
general
administration
and students'
Affairs in the
College

53. All matters of general administration and student affairs other than those of an academic nature, of associate institutes, faculties, libraries schools, centres or, as the case may be, directorates shall be governed by their respect enabling instruments.

Gender balance principle and representation of persons with disability

54. (1)The principle of gender equality or balance as provided in the Act and Regulations made thereunder, the University's Charter and Rules made thereunder, this Charter and these Rules shall be observed and implemented whenever a board, committee or other organ or institutions formed or established to perform a function or functions involving the interests of the College or the public in general, such that at least one third of the membership of the board, committee or other organ or body, as the case may be, shall consist of women.

(2)The principle of representation of persons with physical common disabilities of sight, hearing and movement shall be observed and implemented whenever a board, committee or other organ or body of the College, including its schools, faculties, institutes, centres or directorates is formed or established to perform a function or functions involving matters that may affect the interests of staff and/or students with common physical disabilities such that at least one of the members of the board, committee or organ or body, as the case may be, shall be a person with a common physical disability nominated for the purpose by staff or students with such disabilities.

Power to make Rules

55. (1) In the performance of its functions under the Charter and these Rules, the Governing Board shall, where applicable, with the approval of the Council and the commission, subject to the Act and the Regulations made thereunder, and Rules made thereunder, this the University's Charter and any other applicable written law, make Rules for the governance, control, academic instruction and administration of the College and for the better carrying out of the purposes of the Charter.

(2) In particular and without prejudice to the generality of the foregoing the Governing Board, may make Rules:

- (a) prescribing provisions as to the duration of membership of the College, termination of such membership, the rights, duties and privileges attaching thereto and other related matters;
- (b) prescribing the provisions for the exercise of the privileges, powers and functions conferred on the Chancellor;
- (c) prescribing the provisions for the appointment of and terms and conditions for the position of Principal, Deputy Principals and the Corporate Counsel of the College in furtherance of the relevant provisions of the Charter and these Rules;
- (d) prescribing the provisions for the appointment of, and terms and conditions for the positions of a Dean of School or a Faculty, and Director of an Institute, Director of the Library, a Director of a Centre or Directorate;
- (e) for the establishment, composition, functions, procedures and powers of schools, faculties, institutes, the College Library, centres or directorates, departments or units, etc, of the College and their organs of governance, as well as the members and *quorum* for meetings of the organs of governance;

- (f) for the description of the degrees, diplomas, certificates and other awards which may be conferred or granted by the College in the name of University of Dar es Salaam;
- (g) for the requirements and the manner of conferment or grant of such degrees, diplomas, certificates or other awards of the University;
- (h) for the conduct of examinations;
- (i) prescribing allowance, fees and charges;
- (j) for the settlement of the terms and conditions of service, including the appointment, dismissal, termination, remuneration and retiring benefits of officers and other employees of the College;
- (k) for the provisions on staff welfare and of rules of discipline for conducting proceedings against officers and staff of the College;
- (l) prescribing for the administration of any school, faculty, institute, the College Library, centre or directorate;
- (m) for the appointment of members of the Governing Board other than those specified under rule 10 of these Rules;
- (n) providing for the general welfare of the students of the College;
- (o) prescribing for the administration of students which may provide that contravention of any such Rules shall constitute a disciplinary offence under such Rules and may further provide the punishment that may be imposed for such disciplinary offence;
- (p) prescribing the composition functions, procedure and powers of the Students' Disciplinary Authority and of the Students' Disciplinary Appeals Committee and the rights, duties and privileges of the members thereof;
- (q) prescribing provisions governing the appointment and duration thereof, the rights, duties and privileges of holders of Professor *Emeritus*;
- (r) prescribing the manner in which By-laws made by the Governing Board on advice of the Academic Committee under rule 17 shall be submitted to the Council for approval through the Senate, and the Commission for final approvals;
- (s) providing for or prescribing anything, which may be prescribed under this Charter and these Rules;
- (t) governing any matter in respect of which Rules may be made under the Charter and these Rules;
- (u) providing for any matter or thing which, in the opinion of the Governing Board, is necessary to provide for the furtherance of the objects and functions of the College; and
- (v) providing for the delegation of the powers of the Governing Board; and

(3) Notwithstanding the provisions of sub-rule (1), the Governing Board shall not make, amend or revoke any subsidiary legislation relating to the functions or privileges of the Chancellor, the Principal or the Academic Committee without first ascertaining the opinion of the Academic Committee.

(4) Rules shall only be made by a resolution passed at a meeting of the Governing Board supported by a majority of not less than two thirds of the members presents and voting being not less than half of the total membership of the Governing Board.

(4) Rules or By-laws made or approved by the Governing Board under the Charter and these Rules shall be published in the *Gazette*

Academic freedom and social responsibility

56. (1) All staff and students shall have the freedom to conduct teaching, research acquisition, exchange and dissemination of knowledge without fear of interference, prejudice, victimization or repression other than for reasons of public health, morality or present or imminent danger to the nation.

(2) The freedom under sub-rule (1) shall include the participation of staff and students in the University organs and in their associations, and the expression of their views on national and international issues. In the course of that participation and the right of both students and staff to challenge each other on academic matters in the course of their work

(3) No member of the academic community shall participate in, or become a party to any 55 endeavor which may work to the detriment of the University, the people of Tanzania or compromise scientific, ethical and professional principles and standards.

(4) All members of the University community shall be obliged to fulfill their functions and duties at their utmost competence, integrity and ability, and without prejudice to the needs, views and opinions of others or the society as a whole, in a spirit of tolerance and transparency, and with a view to redressing the historical and contemporary inequalities in the society, arising from class, beliefs, gender, race, nationality, religion economic status;

(5) Council shall cause to develop the University Code of Conduct.

SECOND SCHEDULE

PROVISIONS RELATING TO THE SEARCH COMMITTEE (Rule 2 of First Schedule)

Search Committee

1. There shall be a Search Committee for making recommendations to the Chancellor for the appointment of a Principal of the College.

Composition of Search Committee

2. The Search Committee shall consist of three members, of whom two shall be nominated by the Governing Board and one by the Chancellor and the person nominated by the Chancellor shall be the convenor of the Committee:
Provided that:

(a) no person who is an employee of the College or any authority of the College shall be nominated to be a member of the Search Committee; and
(b) at least one of the member shall be a woman.

Procedure for appointment of Principal 3. The Chancellor shall present to the Council for appointment of a Principal from a panel of not more than three persons recommended by the Search Committee constituted under paragraph 2:

Provided that if the Chancellor does not approve of any of the persons so recommended, he may call for a fresh recommendation.

THIRD SCHEDULE

PROVISIONS RELATING TO REGULATION OF THE GOVERNING BOARD PROCEEDINGS

(Article 19)

The tenure of Governing Board 1. (1) The Chairperson of the Governing Board shall hold office for a period of four years from the date of his appointment.

(2) Subject to the provisions of this Schedule, the term of office of all members of the Governing Board, other than the Chairperson and the *ex-officio* members, shall be three years and all such members shall retire on the last day of June of the third year and, on the last day of June of every third year, their places shall be filled by the newly appointed or, as the case may be, elected members who shall come into office immediately upon such retirement:

Provided that -

(a) nothing in this Schedule shall be construed as preventing any person otherwise eligible to be appointed or elected as a member from being re-appointed or, as the case may be, re-elected for another term of office;

(b) in the case of a member elected by the National Assembly, he ceases to be a member of the National Assembly;

(a) in the case of a member elected by the Students' Organization, he shall cease to hold office as prescribed in their constitution.

(3) Nothing in paragraph 2 shall be construed as preventing any appointing authority from terminating the appointment of any member appointed or elected by it, prior to the date when such member is required to retire from office under paragraph 2.

Cessation of Membership 2. (1) Where any member absents himself from three consecutive meetings of the

Governing Board without reasonable excuse, the Governing Board shall advise the appointing authority of the fact and the appointing authority may, if it deems fit so to do, terminate the appointment of the member and appoint or, as the case may be, elect another member in his place.

(2) Where any member of the Governing Board ceases to be such a member by resignation or death, or by virtue of the operation of the *proviso* to paragraph 2, or is unable to perform his functions as such member by reason of his absence from the United Republic or by reason of any infirmity of body or mind, or where the appointing authority terminates his appointment under paragraph 3 or paragraph 4, the appointing authority may appoint or, as the case may be, elect another member in his place, and the member so appointed or elected shall, subject to the provisions of this Schedule, hold office for the remainder of the term of his predecessor.

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

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

Proceedings in the Governing Board 3. The Deputy Principal responsible for administration shall have the right to be present at every meeting of the Governing Board and to participate in its deliberations but shall have no right to vote.

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

Proceedings in the Meeting 5. (1) The Chairperson shall preside at all meetings of the Governing Board.
(2) Where at any meeting of the Governing Board, the Chairperson is absent, the Vice-Chairperson shall preside.
(3) In the absence of both the Chairperson and the Vice-Chairperson at any meeting of the Governing Board, the members present may, from amongst their number, elect a temporary Chairperson who shall preside at that meeting.
(4) The Chairperson, Vice-Chairperson or temporary Chairperson presiding at any meeting of the Governing Board, shall have a vote and, in the event of any equality of votes, shall have a casting vote in addition to his deliberative vote.

Meetings 6. (1) Subject to this Charter, this Schedule and any general or specific direction given by the Owner on the advice of the Chancellor, the Governing Board; the Academic Committee, respectively shall meet not less than four times during very financial year and at such additional time's as may be fixed by the Chairperson or, if he is absent from the United Republic or unable for any reason to act, the Vice-Chairperson:
Provided that the Chairperson or, if he is absent from the United Republic or is unable for any reason to act, the Vice-Chairperson shall, at the request of at least ten' members, convene a meeting of the Governing Board within thirty days of such requests being made to him in Writing.
(2) The Secretary of the Governing Board shall give to each member not less than fourteen days' notice of the time and place of any such meetings.

Quorum 7. (1) At any meeting of the Governing Board not less than one-third of the members in office for the time being shall constitute a *quorum*.
(2) If a *quorum* is not present within half an hour of the time appointed for the meeting, the members present, or the majority of them, or anyone member or 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.

Decision of the Governing Board 8. (1) Subject to the provisions relating to a casting vote, all questions at a meeting of the Governing Board shall be decided by a majority of the votes of the members present at the meeting, and if any member fails or refuses to vote on any question, his vote shall be counted in the negative.
(2) Notwithstanding the foregoing provisions of this Schedule decisions may be made by the Governing Board without a meeting, by circulation of the relevant papers among the members and the expression of the views of the majority thereof in writing:
Provided that any member shall be entitled to require that any such decision is deferred and the subject matter be considered at a meeting of the Governing Board.

Seal of the College 9. (1) The Common Seal of the College shall upon the order of the Governing Board be of such shape, size and form as the Governing Board may determine.
(2) The Common Seal shall be affixed in the presence of:-
(a) the Principal; or
(b) the Deputy-Principal responsible for Planning, Finance and administration; or
(c) such person or persons appointed in writing by the Principal in that behalf, and the person or persons present shall sign over or underneath the sealing

in witness thereof.

Execution of instructions

10. Subject to paragraph 9, all conveyances, transfers, contracts, guarantees, agreements, bonds, authorities mortgages, charges, bills of exchange, promissory notes, bank drafts, letters of credit, securities and other instruments to which the College is a party shall be executed on behalf of the College by -
 - (a) the Principal; and
 - (b) the Deputy Principal responsible for Planning, Finance and Administration;
 - (c) such other officers of the College as the Principal may appoint in writing in the behalf.
11. Subject to the provisions of this Schedule, the Governing Board may regulate its own meetings.

FOURTH SCHEDULE

DIRECTORATES, FACULTIES, INSTITUTES AND THE LIBRARY OF THE COLLEGE *(Article 21)*

Faculties

1. The following Faculties are declared to be the Faculties of the College-
 - (a) the Faculty of Education;
 - (b) the Faculty of Humanities and Social Sciences;
 - (c) the Faculty of Science; and
2. The following Institute is declared to be the Institute of, the College-
 - (a) the Institute of Educational, Research and Innovation

Library

3. The following Library is declared to be the College Library-
 - (a) the Dar es Salaam University College of Education Library Services or the College Library.

Schools

4. The following are declared as demonstration schools of the College:-
 - (i) Chang'ombe Pre-School;
 - (ii) Chang'ombe Primary School;
 - (iii) Chang'ombe Secondary School

FIFTH SCHEDULE

APPROVED STAFF ASSOCIATIONS AND LABOUR UNIONS IN THE COLLEGE

(Article 23)

The following staff associations and Workers' Unions are declared and recognized to be staff associations and Workers' Unions in the College:

(a) Staff Associations-

- (i) The University of Dar es Salaam Academic Staff Assembly Dar es Salaam (UDASA-DUCE)
- (ii) Dar es University College of Education Administrative Association;

(b) Dar es Salaam University College of Education Workers Union

SIXTH SCHEDULE

APPROVED STUDENTS' ORGANIZATIONS IN THE COLLEGE

(Article 25)

The following organizations is declared to be the approved Students' Organization and other students' organizations in the College-

- (a) the Dar es Salaam University College of Education Students' Organization (DARUSO – DUCE).

Given under my hand and the Public seal this
24th day of March, 2010

The State House,
DAR ES SALAAM

HON. JAKAYA MRISHO KIKWETE,
President