



**MOSHI CO-OPERATIVE UNIVERSITY**  
**CHUO KIKUU CHA USHIRIKA MOSHI**



**THE CONSTITUTION OF THE MOSHI CO-OPERATIVE UNIVERSITY  
STUDENTS' ORGANISATION, 2015 (REVISED EDITION OF 2021)**

**July 2021**





**UNITED REPUBLIC OF TANZANIA**  
**MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY**  
**MOSHI CO-OPERATIVE UNIVERSITY (MoCU)**  
**CHUO KIKUU CHA USHIRIKA MOSHI**



**THE CONSTITUTION OF THE MOSHI CO-OPERATIVE UNIVERSITY STUDENTS'  
ORGANISATION, 2015 (REVISED EDITION OF 2021)**

(Made under section 49(2) of the Universities Act, 2005)

**JUNE 2021**

## ARRANGEMENT OF ARTICLES

*Article Title*

### **PART I PRELIMINARY PROVISIONS**

1. Citation.
2. Name of the Organisation.
3. Headquarter of the Organisation.
4. Address of the Organisation.
5. Application of the Constitution.
6. Applicable Laws.
7. Interpretations.

### **PART II ESTABLISHMENT**

8. Establishment of the Organisation.

### **PART III OFFICIAL LANGUAGES OF THE ORGANISATION**

9. Languages of the Organisation.

### **PART IV OBJECTIVES OF THE ORGANISATION**

10. Objectives of the Organisation.

### **PART V FUNCTIONS OF THE ORGANISATION**

11. Functions of the Organisation.

### **PART VI COMPLIANCE AND PRINCIPLES**

12. Compliance with the Laws of the United Republic of Tanzania.
13. Principles of governance.

### **PART VII MEMBERSHIP, OBLIGATIONS, GENERAL CONDUCT AND RIGHTS OF MEMBERS**

14. Eligibility of membership.
15. Cessation of Membership.
16. Obligations of Members.
17. General Conduct of Members.
18. Rights of the Member.

### **PART VIII MANAGEMENT ORGANS**

#### **(a) The General Assembly**

19. Composition of the General Assembly.
20. Functions of the General Assembly.
21. Meetings of the General Assembly.

**(b) The University Students' Representative Council**

- 22. Establishment and composition of the USRC.
- 23. Functions of the USRC.
- 24. Meetings of the USRC.
- 25. Quorum of the meetings of the USRC.
- 26. Powers of the USRC to establish Committees.
- 27. Powers of the USRC to make regulations.

**(c) Institute Representative Council**

- 28. Establishment and composition of the IRC.
- 29. Functions of the IRC.
- 30. Meetings of the IRC.
- 31. Powers of the IRC to establish Committees.

**(d) The Central Government**

- 32. Establishment and composition of the Central Government.
- 33. Meetings of the Central Government.
- 34. Tenure of Office of the Central Government.

**(e) Institute Government**

- 35. Establishment and composition of the Institute Government.
- 36. Meetings of the Institute Government.
- 37. Tenure of the office of the Institute Government.

**(f) The Hall Assembly**

- 38. Establishment and composition of the Hall Assembly.
- 39. Functions of the Hall Assembly.
- 40. Meetings of the Hall Assembly.

**(g) The Hall Committee**

- 41. Establishment and composition of the Hall Committee.
- 42. Functions of the Hall Committee.
- 43. Meetings of the Hall Committee.

**(h) The Programme Assembly**

- 44. Establishment and composition of the Programme Assembly.
- 45. Functions of the Programme Assembly.
- 46. Meetings of the Programme Assembly.

**PART IX**

**SOURCES AND MANAGEMENT OF ORGANISATION FUNDS**

- 47. Sources of Funds.
- 48. Use of Funds.
- 49. Keeping Books of Account.
- 50. Bank Account.
- 51. Signatories and groups of signatories.

52. Authorisation and Approval of Payments.
53. Auditing of books of account of the Organisation.
54. Reporting for misuse of the Organisation funds.
55. Financial Regulations.

## **PART X ELECTION**

56. Types of Elections.
57. Establishment and composition of the Electoral Committee.
58. Posts to be Contested at Main Campus.
59. The President and Vice President.
60. Establishment and composition of the Electoral Sub-Committee.
61. Posts to be Contested at the **Institute**.
62. Eligibility of contestants for the post of President, Vice Presidents, Speaker and Deputy Speakers.
63. Establishment and composition of the Electoral Appellate Committee.
64. Establishment and composition of Electorate Appellate Sub-Committee.

## **PART XI VARIOUS OFFICES AND FUNCTIONARIES WITHIN THE ORGANISATION**

65. The President.
66. Powers of the President.
67. Vacancy of office of the President.
68. The Vice Presidents.
69. The Prime Minister.
70. The Deputy Prime Minister.
71. The Speaker of the USRC.
72. Deputy Speaker of the USRC.
73. Deputy Speakers One and Two of the **IRC**.
74. Appointment of Ministers and Secretaries.
75. Responsibilities of the Ministers, Deputy Ministers and Secretaries.
76. Vacancy of office of the Minister, Deputy Ministers and the Secretary.
77. Number of Ministries, Ministers, Deputies, and Secretaries.

## **PART XII IMPEACHMENT OF THE PRESIDENT**

78. Powers of the USRC to remove President from office.

## **PART XIII MISCELLANEOUS PROVISIONS**

79. Amendments of the Constitution.
80. Revocation of the Constitution of the Moshi University College Students' Organisation, 2013.
81. Procedure on Resignation from Office.
82. Matters not Covered.
83. Approval and Authentication of this Constitution.

**PART I  
PRELIMINARY PROVISIONS**

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|---------------------------------|--|
| Citation                        | <b>1.</b> This Constitution may be cited as the Moshi Co-operative University Students' Organisation, 2015.  |
| Name of the Organisation        | <b>2.</b> The Name of the Organisation shall be Moshi Co-operative University Students' Organisation (MoCUSO).   |
| Headquarter of the Organisation | <b>3.</b> The headquarter of the Organisation shall be at the Main Campus of the Moshi Co-operative University (MoCU)  |
| Address of the Organisation     | <b>4.</b> The Postal Address of the Organisation shall be Sokoine Road, P.O. Box 474, Moshi, Tanzania  |
| Application of the Constitution | <b>5.</b> The Constitution shall govern all the political, economic and social activities of students' community at the University in accordance with enabling instruments of the University.  |
| Applicable Laws                 | <b>6.</b> Universities Act No. 7 of 2005, Regulations made there under and University Charter of 2015  |
| Interpretations                 | <b>7.</b> (1) In this Constitution, the following words and phrases unless otherwise explained, shall have the following meaning:<br><br>"Act" means the Universities Act, 2005;<br>"Annual Handing Over Reports" means the reports, which are prepared, submitted and presented as established in the constitution and which contains the plans, implementation, success, failure and recommendations of the outgoing office bearers and shall be provided annually;<br>"Budget Session" means session in which the University Students Representative Council may discuss and approve Annual budget proposal as established in this constitution;<br>"By- Election" means election held to fill a post, which has been left vacant or unfilled position immediately after the general election or several months before the election established as provided for in this constitution;<br>"Cabinet" This includes all office bearers with the exception of Ministerial principal Secretaries;<br>"Director" means the person in charge of the institute and directorate including the Assistant Director;<br>"Candidate" Any contestant approved by the Electoral Committee to contest for any post as prescribed in this constitution;<br>"Candidates' Observers or Agents" means the organisation members appointed by the contesting candidates for any counting activities at the polling station and room respectively as established in this constitution; |

“Charter” means the MoCU Charter 2015.

“Constitution” means the Constitution of the organisation;

“Council” means the Council of the University as established under the MoCU Charter.

“IRC” means Institute Representative Council;

“Dean of Students” means an officer of the University appointed and designated as such and include the Acting Dean of Students;

“Defaulter” means the person who violates this constitution or rules or both.

“Deputy Prime Minister” means the Deputy Prime Minister for Institutes;

“Deputy Speaker two” means Assistant to Deputy Speaker one;

“Deputy Speakers” includes Deputy Speaker one and Deputy Speaker two;

“DVC” means Deputy Vice Chancellor;

“DVC-A” Means Deputy Vice Chancellor Academic.

“DVC-AF” Means Deputy Vice Chancellor Administration and Finance.

“Electoral Committee” means the Committee established under Article 57 of this constitution to manage and coordinate elections;

“External Auditor” means the Moshi Co-operative University Internal Auditor;

“Financial year” means the accounting period, which starts from the 1<sup>st</sup> July and ends on 30<sup>th</sup> June of the following year;

“General Meeting / Assembly” means the general meeting of all students constituted/ provided under this constitution;

“Government” means the students government established under the University Charter 2015.

“Hall Assembly” means the totality of members resident in a given hall and meeting as management organ of the accepted criteria by the University authority;

“Hall” means the hall of residence at the University Campus;

“Hostel” means a place of residence of the members as approved by the Dean of Students;

“Institute” means the Kizumbi Institute of Co-operative and Business Education;

“Internal Auditor” means any member of the USRC appointed by the Speaker and approved by USRC to audit the finances of the MoCUSO

“Management” means Vice Chancellor, Deputy Vice Chancellors, Deans and Directors;

“Member” means a member of the organisation as provided for under article 14 of this Constitution;

“Mini-elections” means the elections that will be held to fill posts of hostels /units’ chairpersons and secretaries after these have left office due to postponement, discontinuation from studies or death;

“Minister” means a minister in the students’ government as appointed by the President;

“Misconduct” Shall have the same meaning assigned to it in the University instruments, dealing with students’ discipline. It shall include financial mismanagement, sexual harassment, violence, drunkenness, the use of

abusive and scandalous language;

“MoCUSO” means Moshi Co-operative University Students’ Organisation;

“Office Bearers” means the President, Vice President, Ministers and Secretaries as elected or appointed under this constitution;

“Organisation” means the Moshi Co-operative University Students’ Organisation as established under Article 8 of this Constitution;

“Other Associations” means associations established by organisation members;

“Polling Station” means a place where the organisation members go to cast elections vote during polling as established under this constitution;

“President” means the President of the organisation who is democratically elected by Students as provided for under Article 65 of this Constitution;

“Prime Minister” means organisation Prime Minister;

“Rules” Rules that are proposed by the USRC and approved by the Council, under the provision of this constitution and their subsequent amendments;

“Seconders” means the organisation members who affirm any contesting candidates as the electoral committee determines subject to this constitution;

“Signatories” means any organisation office bearers and Management assignee charged with a duty to sign banking financial documents on behalf of the organisation as provided by this constitution;

“Speaker” means the Speaker of the Students USRC as provided for under Article 71 of this Constitution;

“Special Resolution” The resolution of the students’ General Assembly or the USRC, which is supported by two thirds ( $\frac{2}{3}$ ) of the members present by voting;

“Student” means a person admitted and registered at the University in any programme of study and includes non-degree, undergraduate and postgraduate degree students;

“University Administration” means the management of the University; that includes but not limited to; the Vice Chancellor, Deputies, Deans of Faculties, Directors and Dean of Students;

“University Campus” means the Main Campus and includes the Institute;

“University” means the Moshi Co-operative University;

“USRC Secretary” means Secretary of USRC and General Assembly meeting;

“USRC” means University Students Representative Council;

“Vice President” means the Vice President of the organisation who is democratically elected;

“Vote” means a ballot vote cast in the election conducted by the organisation.

(2) In this Constitution, words and phrases used, designation signifies offices, officers, organs or position of governance or responsibility and the whole Constitution shall be construed with reference to the Act, the Regulation made there under and the Charter.



(3) Wherever it appears in this Constitution masculine gender shall include feminine and vice-versa.

## **PART II ESTABLISHMENT**

Establishment of  
the Organisation

- 8.** (1) There shall be and is hereby established the Moshi Co-operative University Students' Organisation hereinafter to be referred to as the organisation.
- (2) The Organisation shall be the regulator and unifying body of the students and shall promote the welfare of the students in line with the provisions of the Universities Act 2005, the University Charter 2015 as well as the Rules made thereunder.
- (3) The Organisation shall be the sole and official representative of the students of Moshi Co-operative University as provided under the Charter and shall, upon approval by the University, be capable of purchasing, holding, alienating, managing and disposing off the property whatsoever, whether movable or immovable and whether by way of involvement or otherwise entering into such contracts as may be necessary or expedient for the performance of its function under this Constitution.

## **PART III OFFICIAL LANGUAGES OF THE ORGANISATION**

Languages of the  
Organisation

- 9.** The official languages of the Organisation shall be both English and Kiswahili.

## **PART IV OBJECTIVES OF THE ORGANISATION**

Objectives of the  
Organisation

- 10.** The Organisation shall have the following objectives:
- (a) To promote the spirit of co-operation among the student's community at the University;
  - (b) To protect and promote students' affairs in all aspects of their lives during their stay at the University;
  - (c) To establish proper organisational basis for communication between the University authorities, the students, academic staff and the community in general;
  - (d) To ensure that every student understands his/her responsibility to educate himself/herself to the best of his/her capabilities and to search knowledge for the betterment of humankind and in so doing cherish and promote academic freedom as an inalienable right to a student at the University;
  - (e) To stimulate and promote desirable aspects of cultural development, which inculcates the spirit of love for music, sports and arts in order to keep the University a fertile ground from which the best talents are developed;
  - (f) To maintain and promote fraternal relations with students in other higher

- learning institutions in Tanzania, Africa and worldwide;
- (g) To perform duties and or exercise all powers conferred in the students' Organisation by any provision of this constitution;
  - (h) To act as the intermediary between students and the University Management, the Government of the United Republic of Tanzania and all other stakeholders/partners; and
  - (i) To do all such other things as may be conducive to the attainment of the foregoing objectives or any one of them.

## **PART V FUNCTIONS OF THE ORGANISATION**

Functions of the Organisation

- 11.** The Organisation shall have the following functions:
- (a) To initiate, sponsor or undertake activities for the benefits of the students of the University;
  - (b) To organise academic debates, seminars, workshops, conferences, congresses, study tours and symposia to enhance intellectual, civic and leadership awareness of the students' community;
  - (c) To mobilise funding, counsel and sponsor students' researches in all academic fields in order to promote creativity and originality of matters of intellectual interest to the scholarly community and the nation;
  - (d) To publish and broadcast through journals, books, newspapers, leaflets, magazine, recording or otherwise through any other means of presenting information to the public;
  - (e) To undertake such fund-raising activities as it deems expedient;
  - (f) To invite at any time, distinguish personalities such as economic, social, academic and cultural professionals to interact with students' community by way of lectures, panels or group discussions, workshop or any other means which will promote a healthy discussion without contravening laid down University Procedures;
  - (g) To communicate or promote relationship between the Organisation and any other Organisations, which share and promote objectives common to those of the Organisation;
  - (h) To establish committees, secretariats, commissions or any other functional organs for the better discharge of the objectives of the Organisation;
  - (i) To undertake other activities or functions in conformity with objectives of the Organisation;
  - (j) To form any association or club, upon which shall not contravene or compete with MoCUSO upon approval by the Council on recommendation from the University Management; and
  - (k) To set up a code of conduct for students within the students' community.

**PART VI  
COMPLIANCE AND PRINCIPLES**

Compliance with the Laws of the United Republic of Tanzania

- 12.** (1) The Organisation shall undertake and is committed to fulfill its responsibilities of abiding with laws of the United Republic of Tanzania as well as Charter, Rules, Regulations, policies and procedures of the University.

Principles of governance

- 13.** The Organisation shall adhere to the Following principles of governance:
- (a) Transparency in all its affairs;
  - (b) Accountability for its actions and omissions;
  - (c) Observance of the sense of responsibility in its decision and
  - (d) Pursuits be guided by good moral principles; and
  - (e) Respect and implement gender mainstreaming.

**PART VII  
MEMBERSHIP, OBLIGATIONS, GENERAL CONDUCT AND  
RIGHTS OF MEMBERS**

Eligibility of membership

- 14.** (1) Any student admitted and registered to the University for at least one academic year in any of the programmes offered by the University shall become a member of the Organisation.

(2) A registered student shall be an automatic member of the Organisation and shall pay annual subscription fee as may be prescribed by Rules made by the USRC and approved by the University.

Cessation of Membership

- 15.** Membership to the Organisation shall cease when any of the following occurs:
- (a) Upon one ceasing to be student of the University.
  - (b) Upon cessation of membership in accordance with the provisions of this Constitution.

Obligations of Members

- 16.** All members of the Organisation shall uphold this Constitution and shall have the following obligations:
- (a) To be faithful member of the organisation;
  - (b) To endeavor to educate oneself to the best of one's ability and use one's education for the benefit of humankind;
  - (c) To pay fees before registration as a student;
  - (d) To pay lawful subscription when due;
  - (e) To attend meetings regularly, carry out assignments; ensure self-discipline, industriousness, ethical and academic responsibility;
  - (f) To be conversant of the constitution of the Organisation and its regulations made thereunder as well as other instruments of Governance of the University.

General Conduct of Members

**17.** Every member shall be obliged to observe personal integrity, dignity and rights of other members. When it is proved that a member has committed any misconduct, he shall be deemed to have violated the provisions of this constitution and shall be deemed guilty of misconduct.

Rights of the Member

**18.** (1) A member shall have right to:

- (a) To participate in all general activities of the Organisation;
- (b) To obtain and inspect all the documents of the Organisation upon prior request to the Prime Minister, within three days after the day of the request;
- (c) To vote or hold any office when elected or nominated including the office of President, Vice President and Prime Minister;
- (d) To request and receive all publications of the organisation;
- (e) To appear before and appeal to any organ that may be set up to determine the members' vital interests;
- (f) To get audience and freedom of expression before all organs of the Organisation and its entire media, provided that in the course of enjoyment of the rights stated in this constitution nothing shall be constructed to entitle such members to hinder in any way other members to enjoy the same; and
- (g) To Form any association, or club, upon approval by MoCUSO and recommendation by the Management of the University. The duration of approval shall be within a month. Upon rejection reasons should be given out in either part.

(2) Without prejudice to the generality of this Article, Article 18(1)(c) of this Constitution shall not apply to international students.

## **PART VIII MANAGEMENT ORGANS**

### **(i) The General Assembly**

Composition of the General Assembly

**19.** (1) The General Assembly is composed of all students studying at the University and shall be the supreme organ of the organisation.

(2) Without prejudice to the generality of sub-article (1), the **Institute** shall be represented in the General Assembly by not less than two students and not more than five students to be appointed by **IRC**.

Functions of the General Assembly

**20.** The General Assembly shall have the following functions:

- (a) To oversee all its subordinate organs;
- (b) To discuss and make final decisions on recommendations from the USRC including approving or disapproving a vote of no confidence to the President and Vice President of the Central Government;
- (c) To take emergency action where the USRC has failed to take appropriate

- steps; and
- (d) To appoint a care-taker government, provided that all the functions of the care-taker government shall be exercised until such time when the Assembly to act on its own motion.

Meetings of the  
General Assembly

- 21.** (1) The General Assembly shall hold its ordinary meetings from time to time as occasion demands but should meet at least once each semester.
- (2) The General Assembly shall hold extra ordinary meetings where the Speaker is so requested by the President or where request in writing by one third ( $\frac{1}{3}$ ) of all the members of the USRC or by a quarter ( $\frac{1}{4}$ ) of all the members of the organisation together with their names to General Secretary including Registration Number, Programmes and year of study. In such situation, the speaker shall issue a five days' notice;
- (3) The Speaker shall preside over all meetings of the General Assembly.
- (4) In making decision the quorum shall be two third ( $\frac{2}{3}$ ) of all the members present in the General Assembly provided that notice of such meeting was duly announced 6.
- (5) The decision shall be carried on by two third ( $\frac{2}{3}$ ) of members present who shall vote through a secret ballot.
- (6) The Speaker shall chair the meetings and, in his absence, the Deputy Speaker shall chair the meetings. The USRC Secretary shall remain the same.

### **(b) The University Students Representative Council**

Establishment and  
composition of the  
USRC

- 22.** There shall be the USRC which shall be Composed of:
- (a) one member representing each hall;
  - (b) one member representing each Programme;
  - (c) one member representing registered Hostel;
  - (d) the Speaker who shall preside over all meetings;
  - (e) Deputy Speaker;
  - (f) the Prime Minister;
  - (g) Ministers and Deputy Ministers;
  - (h) the Secretary of the USRC; and
  - (i) Members appointed by the MoCUSO President as per Article 66(2) (c) of this Constitution.

Functions of the  
USRC

- 23.** The USRC shall have the following functions:
- (a) To elect the speaker and Deputy speaker;
  - (b) To constitute the Central government and supervise its operations;
  - (c) To endorse the appointment of Prime Minister;
  - (d) To make rules or regulations for the better management of the Organisation which shall be approved by the Council;
  - (e) To receive and consider recommendations from the government;
  - (f) To remove from office the Prime Minister, Deputy Prime Minister, Speaker, Deputy Speakers, President, Vice President (s) in accordance with

the provisions of this Constitution.

- (g) To endorse the electoral committee Members before they take office; and
- (h) To discuss and approve MoCUSO budget.

Meetings of the USRC

**24.** The USRC shall meet at least twice in every semester in an ordinary meeting on a date to be given by not less than three (3) days notice where circumstances so demand, a short notice of 48 hours shall be acceptable.

Quorum of the meetings of the USRC

**25.** The quorum shall not be less than  $\frac{1}{2}$  of the members and its decisions shall be carried on by simple majority of members' present votes.

Powers of the USRC to establish Committees

**26.** Powers to form and establish various Committees of the USRC as a need arises is hereby vested to the USRC.

Powers of the USRC to make regulations

**27.** There shall be USRC Regulations which shall provide for proceedings and conduct of the USRC and these Regulations shall be applicable to IRC as well.

### (c) The Institute Representative Council

Establishment and composition of the IRC

**28.** There shall be established in the Institute the IRC which shall be composed of:

- (a) One member representing each Hall;
- (b) One member representing each Programme;
- (c) One member representing each Hostel;
- (d) The Deputy Speaker One;
- (e) The Deputy Speaker Two;
- (f) The Deputy Prime Minister;
- (g) Deputy Ministers;
- (h) The Secretary of the IRC.

Functions of the IRC

**29.** The functions of the Institute Representative Council shall be:

- (a) To elect the Deputy Speaker one and Deputy Speaker Two;
- (b) To constitute the Institute government and supervise its operations;
- (c) To endorse the appointment of Deputy Prime Minister;
- (d) To receive and consider recommendations from the Institute government;
- (e) To remove from office the Deputy Prime Minister, Deputy Speaker One and Two, Vice President in accordance with the provisions of this Constitution;
- (f) To endorse the electorate committee Members; and
- (g) To discuss and approve the Institute budget;

Meetings of the IRC

**30.** (1) The IRC shall meet at least twice in every semester in an ordinary meeting on a date to be given by not less than three (3) days' notice where circumstances so demand, a short notice of 48 hours shall be acceptable.

(2) The quorum shall not be less than  $\frac{1}{2}$  of the members and its decisions shall be carried on by simple majority votes of members present.

Powers of the IRC  
to establish  
Committees

**31.** Powers to form and establish various Committees of the IRC is hereby vested to the IRC.

**(d) The Central Government**

Establishment and  
composition of the  
Central  
Government

**32.** (1) There shall be and is hereby established the central government of the MoCUSO.

(2) The Central Government shall be an executive arm of the Organisation.

(3) Central government shall comprise of the President, Vice President(s), Prime Minister, Deputy Prime Minister and Ministers;

(4) The Central Government shall be responsible to the USRC and shall implement decisions made by the council;

Meetings of the  
Central  
Government

**33.** The Central government shall have the following meetings:

(a) The President and Prime Minister shall be Chairperson and Secretary respectively;

(b) The meeting shall be held at least once every month;

(c) At any meeting, a half ( $\frac{1}{2}$ ) of the members shall constitute quorum. The decision shall be by simple majority vote excluding Chairperson;

(d) At any meeting the President shall chair the meeting. In case the President is absent the meeting shall be presided over by Vice President and if both are absent, the Prime Minister or Deputy Prime Minister shall preside over the meeting.

Tenure of Office of  
the Central  
Government

**34.** (1) The Tenure of the office of the President, Vice President(s), Prime Minister, Ministers, Deputy Ministers and the Secretaries to the Ministers shall be one year.

(2) The office of the Ministers, Deputy Ministers and the Secretaries to the Ministers shall fall vacant upon occurrence of any of the following:

(a) If the incumbent dies or resigns;

(b) Proved insanity;

(c) Discontinuation from studies; and

(d) Postponement.

(3) When the President revokes the appointment by removing incumbent from the office, such revocation in the appointment shall be in writing.

**(e) Institute Government**

Establishment and composition of the Institute Government

**35.** (1) There shall be and is hereby established in every Institute Government which shall be part of Executive arm of the Central Government.

(2) Institute Government shall be comprised of the Vice President, Deputy Prime Minister and Deputy Ministers.

(3) The Institute Government shall be responsible to the IRC and shall implement decisions made by the IRC.

Meetings of the Institute Government

**36.** (1) The Vice President and Deputy Prime Minister shall be Chairperson and Secretary respectively.

(2) The meeting shall be held at least once every month.

(3) At any meeting, a half ( $\frac{1}{2}$ ) of the members shall constitute quorum. The decision shall be by simple majority vote excluding Chairperson.

(4) At any meeting the Vice President shall be the chairperson. In the absence of the Vice President, the Deputy Prime Minister shall preside over the meeting. If both are absent, members shall elect any other member who is present in the meeting to be chairperson.

Tenure of the office of the Institute Government

**37.** (1) Provisions of Article 34(1) of this Constitution shall apply *mutatis mutandis* in relation to tenure of office and vacant post of office of the Institute Government.

(2) Where the President or Vice President for Institute revokes the appointment by removing incumbent from the office; such revocation in the appointment shall be in writing.

**(f) The Hall Assembly**

Establishment and composition of the Hall Assembly

**38.** There shall be and is hereby established the Hall Assembly which shall constitute all members residing in the particular hall.

Functions of the Hall Assembly

**39.** The Hall Assembly shall have the following functions:

(a) To discuss matters of interests to the Hall and may make recommendations there upon to the USRC as the case may be or to another appropriate organs;

(b) To consider and adopt the activities of the Organisation within the hall submitted to it by the Hall Committee; and

(c) To consider and adopt the activities of the Organisation, which include electing the Hall Chairperson and Hall Secretary.



Meetings of the Hall Assembly

**40.** (1) The Hall Assembly shall meet in an ordinary session at least once during each academic semester and the Hall Chairperson shall be the chairperson of the meetings.

(2) The quorum for the Hall Meetings shall be at least one third ( $\frac{1}{3}$ ) of all members in decision making.

#### **(g) The Hall Committee**

Establishment and composition of the Hall Committee

**41.** The Hall Committee shall be composed of the Hall chairperson, the Hall Secretary and two members elected by the Hall Assembly.

Functions of the Hall Committee

**42.** The Committee shall have the following functions:

(a) It shall be responsible for carrying out the decision of the USRC and also those of the General Assembly; and

(b) It shall supervise all activities at that Hall and shall be responsible to the Hall Assembly.

Meetings of the Hall Committee

**43.** (1) In ordinary sessions the Committee shall meet once in every month.

(2) In the absence of the Hall Chairperson any other member of the Committee elected for the purpose shall chair the Committee Meeting.

(3) The quorum of its meeting shall be at least three quarters ( $\frac{3}{4}$ ) of the members

(4) The Hall Secretary shall be the Executive of the Organisation in the Hall and shall be responsible to the Hall Committee of day to day administration of the Hall Affairs.

#### **(h) The Programme Assembly**

Establishment and composition of the Programme Assembly

**44.** The programme Assembly shall be composed of the members of a particular programme.

Functions of the Programme Assembly

**45.** Functions of the programme Assembly shall be to discuss matters pertaining to the particular course and make recommendations to the Representative Council.

Meetings of the Programme Assembly

**46.** The programme Assembly shall meet in an ordinary session at least once in each academic semester and the course chairperson or any other person in his absence elected for the purpose shall be chairperson of the Programme Assembly meeting.

**PART IX**  
**SOURCES AND MANAGEMENT OF ORGANISATION FUNDS**

- Sources of Funds      **47.** The Organisation shall derive its funds from membership fees and annual subscriptions, loans, grants, donations, gifts, investments and from any other source approved by the University Authority.
- Use of Funds          **48.** (1) Funds of the Organisation shall be used solely for the promotion of the objectives of the Organisation as set out in this Constitution as well as it shall be prescribed in the Financial Regulation.  
(2) In avoidance of doubt it is hereby stated that the Organisation is a non-profit entity and its officers shall not be entitled to salaries except allowances and reimbursements for lawful expenditure.  
(3) Funds of the Organisation shall be spent according to financial regulations and operational manual of the Organisation upon approval in accordance with this Constitution by the Council.
- Keeping Books of Account      **49.** The Organisation shall keep proper books of accounts and these shall be on request in writing, open to inspection by any member, group of members or by the University, Internal and or External Auditor.
- Bank Account          **50.** The Organisation shall open and maintain a bank account with a reputable bank of preferably where University operates its accounts and all funds received shall be banked into that account.
- Signatories and groups of signatories      **51.** (1) The signatories to the operation of the Bank Account of the Main Campus shall be as follows:  
(a) Category 'A': President or Prime Minister; and  
(b) Category 'B': Dean of Students or any other person duly authorised by the Dean of Students.  
  
(2) The signatories to the operation of the Bank Account of the Institute shall be as follows:  
(a) Category 'A': Vice President or Deputy Minister of Finance and Planning.  
(b) Category 'B': Head of Department (Accommodation) or other person duly authorised by the Dean of Students.  
  
(3) For the purposes of drawing cash in any Bank. The cheque shall be signed by one signatory from each category.  
  
(4) Where the signatories of Group 'A' and 'B' differ, the matter should be referred to the Deputy Vice Chancellor Administration and Finance of the University or the Director for decision.
- Authorisation and Approval of      **52.** (1) All payments must be prepared by the Minister responsible for Finance and Planning and authorised by the President or Vice President at the

Payments	<p><b>Institute.</b></p> <p>(2) All payments shall be approved by DVC-AF or <b>Director</b> of the <b>Institute</b>.</p>
Auditing of books of account of the Organisation	<p><b>53.</b> (1) The books of accounts of the Organisation shall be audited periodically and the audit reports shall form part of the reports of the Dean of Students to the Management of the University and shall be kept in conspicuous places of the University notice board.</p> <p>(2) The books of account of the Organisation shall be externally audited at least once per year by the Internal Auditor of the University who shall be appointed by the DVC-AF.</p> <p>(3) The costs of audit shall be borne by the Organisation.</p> <p>(4) Whenever new government assumes the Office, there shall be a proper handing over from the outgoing to the incoming authority within three (3) working days after inauguration of new government.</p>
Reporting for misuse of the Organisation funds	<p><b>54.</b> (1) Any member of the Organisation shall report in writing with evidence, any loss or misuse of the money or resources of the Organisation to either the Organisation leadership or to the University Management through the Dean of Students.</p> <p>(2) On receiving the report, the complaint shall be investigated through the office of the Dean of Students and appropriate steps shall be taken depending on the outcome of the investigation.</p>
Financial Regulations	<p><b>55.</b> There shall be Financial Regulations which shall govern finance and audit process of the MoCUSO fund.</p>
<p><b>PART X</b> <b>ELECTION</b></p>	
Types of Elections	<p><b>56.</b> (1) There shall be three types of elections namely:</p> <p>(a) General Elections whereby the members shall elect the President as well as members of the Representative Assembly;</p> <p>(b) By-elections which shall be held to fill up a gap which falls vacant after the general elections; and</p> <p>(c) Mini-elections means elections which shall be held to fill posts of halls/hostels chairpersons and secretaries after these have left office due to postponement, discontinuation from studies or death.</p> <p>(2) There shall be Election Regulations which shall govern election process of the MoCUSO government.</p>
Establishment and composition of the	<p><b>57.</b> (1) It is hereby established an Electoral Committee comprising of members</p>

Electoral  
Committee

not exceeding fifteen (15) nominated by the President subject to approval by the USRC and IRC.

(2) The Electoral Committee shall be an independent body and its members shall be drawn from different Programmes.

(3) In appointing members of the Electoral Committee, the president shall consider gender balance and other students with good caliber and integrity. In order to maintain its independence, the members of the committee shall not be eligible to contest or to be appointed for any post or office.

(4) The functions of the Committee shall be to supervise and guide the election process including preparation and distribution of voting apparatuses and co-ordination of campaigns, counting of votes and announcing the results.

Posts to be  
Contested at Main  
Campus

**58.** The following posts shall be contested at Main Campus:

- (a) President;
- (b) Vice President;
- (c) Speaker;
- (d) Deputy Speaker;
- (e) Hall Representatives;
- (f) Hostel Representatives;
- (g) Programme Representatives;
- (h) Hall Secretary; and
- (i) Hostel Secretary.

The President and  
Vice President

**59.** (1) The electorate committee shall scrutinize applicants for the Presidency and running mate who will be the Vice President after filling in and submitting application forms.

(2) Three names for the posts above shall be brought before the General Assembly for voting. For the purpose of avoiding doubts the General Assembly shall include students from other institutes.

(3) The elected candidates shall win by simple majority of all votes casted.

(4) If less than three names are brought to the General Assembly for any post the electorate committee may decide otherwise as deemed fit.

(5) In case there is one candidate such a candidate shall win by three quarter (3/4) of the casted votes.

(6) The Dean of Students shall be the Returning Officer and overall Supervisor of the elections.

Establishment and  
composition of the  
Electoral Sub-

**60.** (1) There shall be established an Electoral Sub-Committee in every Institute which comprises of not exceeding fifteen (15) members nominated by the

Committee

Vice President of the respective **Institute** subject to approval by the **IRC**.

(2) The Electoral Sub-Committee shall be an independent body and its members shall be drawn from different Programmes.

(3) In appointing members of the Electoral Sub-Committee, the Vice President shall consider gender balance and other students with good caliber and integrity. In order to maintain its independence, the members of the Electoral Sub-Committee shall not be eligible to contest for any post or office.

(4) The functions of the Electoral Sub-Committee shall be to supervise and guide the election process including preparation and distribution of voting apparatuses and co-ordination of campaigns, counting of votes and announcing the results.

Posts to be Contested at the **Institutes**

**61.** The following posts shall be contested at the **institutes**:

- (a) Vice President;
- (b) Deputy Speaker One;
- (c) Deputy Speaker Two;
- (d) Hostel Representatives;
- (e) Hostel Secretary;
- (f) Programme Representatives;
- (g) Programme Secretary;
- (h) Hall Representatives; and
- (i) Hall Secretary.

Eligibility of contestants for the post of President, Vice Presidents, Speaker and Deputy Speakers

**62.** Any member of MoCUSO shall be eligible to contest for the office of the President, Vice Presidents, Speaker and Deputy Speakers provided that:

- (a) Has good conduct;
- (b) Has sound academic standing with a GPA of not less than 3.5 in the year previous to the election;
- (c) Has paid the MoCUSO Annual Subscription fee;
- (d) Has been registered for current semester of study;
- (e) Is not mental aberrant; and
- (f) Is not finalist student.

Establishment and composition of the Electoral Appellate Committee

**63.** (1) It is hereby established the Electorate Appellate Committee which shall be composed of five members to be appointed by the DVC-AF and one of whom shall be a student.

(2) The Electorate Appellate Committee shall be chaired by a Senior member of the University Staff appointed by the DVC-AF

(3) Any person aggrieved by election results shall appeal to the Electorate Appellate Committee within 24 hours from the date of announcement of results.

(4) The decisions shall be made within 72 hours from the date of receiving complaints.

Establishment and composition of Electorate Appellate Sub-Committee

**64.** (1) It is hereby established in every **Institute** the Electorate Appellate Sub-Committee which shall be composed of five members to be appointed by the **Director** and one of whom shall be student.

(2) The Electorate Appellate Sub-Committee shall be chaired by a Senior member of the University Staff appointed by the **Director**.

(3) Any person aggrieved by election results shall appeal to the Electorate Appellate Sub-Committee within 24 hours from the date of announcement of results.

(4) The decisions shall be made within 72 hours from the date of receiving complaints.

## **PART XI VARIOUS OFFICES AND FUNCTIONARIES WITHIN THE ORGANISATION**

The President

**65.** The President shall be the overall executive leader of the Organisation. Once elected, the President shall hold office until the end of his tenure.

Powers of the President

**66.** (1) The President shall be the Head of the MoCUSO Government and the Chief spokesperson and shall have powers to:

- (a) preside over MoCUSO Government Meetings;
- (b) make and terminate appointment of members of the Organisation Government;
- (c) establish committees for the purpose of carrying out activities, organisation, social and economic project or any other special duties of the organisation provided that the President appoints the committee heads or chairpersons, the President shall exercise this power after consultation with the Vice President; and
- (d) any other powers conferred upon him by this Constitution.

(2) In the event that the President is absent or is unable to discharge any of the functions stated in the Constitution, the duties of the President shall be discharged by the Vice President. In the absence or inability of the Vice President, the Prime Minister shall discharge the functions.

(3) In the absence of the Vice President of the **Institute**, Deputy Prime Minister shall discharge the functions.

Vacancy of office of the President

**67.** Where the Office of the President becomes vacant, shall be declared vacant by the Speaker upon occurrence of any of the following:

- (a) Resignation of the President.
- (b) Death of the President.

- (c) Impeachment in the accordance with provision of this Constitution.
- (d) Discontinuation from studies.
- (e) Postponement of Studies.
- (f) Proved insanity.

The Vice Presidents

**68.** (1) The Vice Presidents shall be the Chief Assistant to the President and shall exercise the powers and functions of the President in the absence of the President.

(2) The provisions regarding the vacancy of office by the President shall also apply to the office of the Vice Presidents as well as to that of the Prime Minister.

The Prime Minister

**69.** (1) The Prime Minister shall be appointed by the President from amongst the elected Representatives and shall be endorsed by the USRC before he takes office.

(2) The Prime Minister shall be responsible for the co-ordination of the activities in various ministries and the implementation of the decisions of the USRC.

(3) As Chief Coordinator and supervisor of government activities, the Prime Minister shall be the authorisation officer of all payments of the Organisation.

(4) The Prime Minister shall be responsible to the President.

(4) The Prime Minister shall be responsible to prepare and submit before the USRC a report of the events that occurred during the representation of the Organisation to any tour, symposia, Seminar, workshop conference or congress by any member of group or members of the Organisation.

The Deputy Prime Minister

**70.** (1) There shall be in every **Institute** the Deputy Prime Minister who shall be appointed by the President after consultation with the Vice President of the respective **Institute** from amongst the elected representatives.

(2) The Deputy Prime Minister shall be endorsed by the **IRC** before he takes office.

(3) The Deputy Prime Minister shall exercise the power and functions of the Prime Minister in the respective **Institutes**.

The Speaker of the USRC

**71.** (1) There shall be the **Speaker** of the USRC who shall be elected by the members of the USRC **in accordance with this Constitution and the USRC**

Standing Orders and who shall be the Chairperson of all meetings of the USRC and General Assembly for one year.

(1)A. The Speaker shall have the following functions:

- (i) Preside over all USRC meetings unless he delegates his powers to the deputy speaker or any other USRC member.
- (ii) Appoint the secretary of the USRC.
- (iii) Preside over all general assembly meetings unless he delegates his powers to the deputy speaker.
- (iv) Represent the USRC in various matters;
- (v) Speak for the USRC as a spokesperson; and
- (vi) May carry out all other functions as permitted by this Constitution and MoCUSO laws.

(2) The Speaker shall give notices of vacant positions in the Organisation leadership and shall act as a link between the executive and the USRC.

(3) In the event of absence or inability to carry out his functions, the Deputy Speaker of the Main Campus shall chair the meeting of the USRC and General Assembly.

(3A) The meeting of the USRC shall be postponed in absence of the Speaker, the Deputy Speaker or any other USRC member delegated with the authority to preside over it.

(4) The Speaker shall lead the USRC meetings according to the rules and regulations governing the Council Representation.

(5) The Speaker shall cease to hold the office if he is removed from the office by resolution of the USRC by votes of not less than two third ( $\frac{2}{3}$ ) of all USRC members if he violates any provision of this Constitution.

(6) The Speaker shall be the representative and spokesperson of the USRC where such a representation is required.

Deputy Speaker of the USRC

**72.** There shall be Deputy Speaker who shall be elected by the members of the USRC and shall be a principal in charge of all meetings of the USRC and General Assembly on behalf of the Speaker.

Deputy Speakers One and Two of the IRC

**73.** (1) There shall be Deputy Speaker One and Deputy Speaker Two of the Institute of whom they shall be elected by the members of the IRC.

(2) Deputy Speaker One of the Institute shall be a principal in charge of all Meetings.

(3) In the event of absence or inability to carry out his functions, the Deputy Speaker two shall preside over the meeting of the IRC.



Appointment of Ministers and Secretaries

**74.** The President shall appoint Ministers, Deputy Ministers and Secretaries from amongst the members of USRC, where the President can appoint not more than 25% of the USRC members from the rest of the Organisation members who are not members of the USRC.

Responsibilities of the Ministers, Deputy Ministers and Secretaries

**75.** (1) Ministers, Deputy Ministers and Secretaries shall carry out such duties and instructions as may be prescribed from time to time by the President in relation to the discharge of function of the organisation provided that such duties and instructions shall be expected in every special situation, fall under responsibilities of the ministry in which the Minister or Secretary belongs.

(2) Without prejudice to the generality of Sub-Article (1), a Minister shall be the head and chief spokesperson of his or her Ministry, preside over his Ministry meetings, carry out day to day Ministry functions and ensure good performance of all office bearers in his Ministry.

(3) Without prejudice to the generality of Sub-Article (1), the Deputy Ministers shall be the head and chief spokesperson of his or her respective Ministry in their respective **Institute**, presides over his or her Ministry's functions and ensure good performance of all office bearers in his Ministries.

(4) Without prejudice to the generality of Sub-Article (1), the secretary shall be the executive officer of the Ministry, shall convene Ministry Meetings, write and circulate minutes required by MoCUSO Government including letters, reports, budget estimate and tables.

Vacancy of office of the Minister, Deputy Ministers and the Secretary

**76.** The office of the Minister, Deputy Ministers and the Secretary to the Ministry shall fall vacant upon the occurrence of any of the following events:

(a) If the incumbent dies or resigns.

(b) Where the President revokes the appointment by removing the incumbent from the office.

(c) Where the President resigns, or is impeached or where both offices of President and Vice President are vacant for reasons other than being absent.

Number of Ministries, Ministers, Deputies, and Secretaries.

**77.** The number of Ministries shall not be more than eight (8) and the number of Ministers, Deputies and Secretary shall not exceed twenty-five; President, Vice President and Prime Minister not included:

Provided that, the number of Ministries of the **Institute** Government shall not be more than eight (8) and the number of Deputy Ministers and Secretaries shall not exceed sixteen (16), Vice President, Deputy Prime Ministers, not included.

**PART XII  
IMPEACHMENT OF THE PRESIDENT**

Powers of the USRC to remove President from office

- 78.** (1) The USRC may pass a resolution to remove the President from office if a motion to impeach the President is moved and passed in accordance with the provision of Article 78 of this Constitution.
- (2) No motion to impeach the President shall be moved or saved: Unless it is alleged and proved that the President: -
- (a) Has committed an act, which generally violates any provision of this constitution.
  - (b) Has conducted in a manner himself/herself, which lowers the esteem of the office of the president.
- (3) In order to pass the motion shall have to be supported by at least two third ( $\frac{2}{3}$ ) of the members of Representative Council.

**PART XIII  
MISCELLANEOUS PROVISIONS**

Amendments of the Constitution

- 79.** (1) This Constitution may be amended as and when need arises.
- (2) Any member wishing to have an amendment made shall forward that amendment as a proposal before the USRC.
- (3) The USRC shall form a committee to deal with suggestions to the amendments of the Constitution.
- (4) The USRC shall convene a special meeting for the amendment of the constitution bearing in mind the members' proposals and the views from the committee.
- (5) Any amendment shall have the approval of the Council.

Revocation of the Constitution of the Moshi University College Students' Organisation, 2013,

- 80.** The Constitution of the Moshi University College Students' Organisation, 2013 is hereby revoked.

Procedure on Resignation from Office

- 81.** Any person who holds office under any of the provision of the constitution may, by giving sufficient reasons resign from his office by submitting a written notice to that effect to the organ of the Organisation, which elected or appointed him. Such resignation shall take effect from the date on which the notice and accepted by the addressees. No notice shall be accepted unless the person resigning has made a proper handing over to the Dean of Students

who is the Returning Officer.

Matters not  
Covered

**82.** (1) In the event of any matter, problem or situation arising but not covered by any provisions of this constitution, such matter, problem or situation shall be put before the USRC and IRC for deliberation and decision provided that it does not contravene any provision of this Constitution or any other laws of the University for the time being.

(2) In the event no decision is reached or the decision is not conclusive, such matter shall be referred to the University Management for decision and direction.

Approval and  
Authentication of  
this Constitution

**83.** The Amendment to the Constitution is approved by the Council this ...  
.....day of ....., 2021.