

ACT No. 2 OF 2009

AN ACT TO ESTABLISH
THE KARUME INSTITUTE OF
SCIENCE AND TECHNOLOGY
AND OTHER MATTERS
CONNECTED THEREWITH.



**THE KARUME INSTITUTE OF SCIENCE AND TECHNOLOGY
ACT NO. 2 OF 2009.**

ARRANGEMENT OF SECTIONS

SECTIONS

TITLE

**PART I
PRELIMINARY PROVISIONS**

1. Short title and commencement.
2. Interpretation.

**PART II
ESTABLISHMENT OF THE INSTITUTE**

3. Establishment of the Institute.
4. Department of the Institute.
5. Functions of the Institute.

**PART III
ADMINISTRATION OF THE INSTITUTE**

6. Council.
7. Powers of the Council.
8. Academic Board.
9. Meeting and procedures of the Council.
10. Appointment of Director.
11. Appointment of Registrar.
12. Appointment of other Staff.
13. Student Organisation.



**PART IV
FINANCIAL PROVISIONS**

14. Funds of the Institute.
15. Investment of the Institute.
16. Annual budget estimates.
17. Account and Audit.
18. Financial report to be laid before the House of Representatives.

**PART V
MISCELLANEOUS PROVISIONS**

19. By -Laws.
20. Investigation of disciplinary offences.
21. Appeal.
22. Saving.
23. Regulations.



ACT, NO. 2 OF 2009

I ASSENT

A. Karume
{AMANI ABEID KARUME}
PRESIDENT OF ZANZIBAR
AND

CHAIRMAN OF THE REVOLUTIONARY COUNCIL

30th March, 2009.

AN ACT TO ESTABLISH THE KARUME INSTITUTE OF
SCIENCE AND TECHNOLOGY AND OTHER MATTERS
CONNECTED THEREWITH

ENACTED by the House of Representatives of Zanzibar

PART I
PRELIMINARY PROVISIONS

- Short title and commencement. 1. This Act may be cited as the Karume Institute of Science and Technology Act, 2009 and shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.
- Interpretation. 2. In this Act, unless the context otherwise requires:-
- “Council” means the Council of the Institute established under section 6 of this Act;
 - “Director” means the Director appointed under section 10 of this Act;
 - “Government” means the Revolutionary Government of Zanzibar;
 - “Institute” means the Karume Institute of Science and Technology established under section 3 of this Act;
 - “Member” means a member in relation to Council and Academic Board



as provided for under section 6 and 8 respectively of this Act and includes the Chairman;

"Minister" means the Minister responsible for Education;

"President" means the President of Zanzibar and Chairman of the Revolutionary Council;

"Registrar" means the Registrar appointed under section 11 of this Act.

PART II ESTABLISHMENT OF THE INSTITUTE

Establish-
ment of
Institute.

3.(1) There is hereby established an Institute to be known as Karume Institute of Science and Technology.

(2) The Institute shall be a body corporate and shall:-

- (a) have perpetual succession and common seal;
- (b) in its corporate name, be capable of suing and being sued;
- (c) have power to enter into any contract or other transactions and doing or suffering to do all such other acts and things which a body corporate may lawfully perform, do or suffer to be done;
- (d) be capable of acquiring, purchasing or legally disposing of movable and immovable property; and
- (e) have power from time to time to receive, disburse or borrow such sums as it may require for its purposes.
- (f) have power to perform all other acts and things which are necessary for the proper performance of its functions or which may be performed under this Act.

(3) The Institute may offer Certificates, Diplomas, Degrees and other awards on its own or as an associate or agent of any institute whether local or foreign as may be approved by the Council.



(4) The Institute may, in exercise of its functions associate with college or institution which offers courses in science and technology, either inside or outside Zanzibar.

Departments of the Institute.

4. The Institute shall consist of such Departments as the Council may determine.

Functions of the Institute.

5. The functions of the Institute shall be—

- (a) to preserve, enhance, transmit and disseminate knowledge in sciences and technologies by teaching, conducting research and consultancy in various fields;
- (b) to foster, maintain and promote science and technology in the highest possible standard;
- (c) to provide facilities for the study, extension and training in the field of technology and all other aspects of science in accordance with modern scientific principles;
- (d) to liaise and associate with other institutions of higher learning in furthering the advancement and development of science and technology;
- (e) to prepare and organize the teaching of science and technology at different levels to suit the needs of local and foreign students joining the Institute;
- (f) to conduct examinations for and to grant degrees, diplomas, certificates and other awards of the Institute as approved by Academic Board;
- (g) to provide consultancy services to the public and private sectors in specified fields as prescribed in this Act;
- (h) to sponsor, arrange, facilitate and provide facilities for conferences, symposia, meetings, seminars, and workshops, for discussion of matters related to the development of science and technology;



- (i) to do anything that is necessary or convenient for or incidental to the purpose of its functions.

PART III ADMINISTRATION OF THE INSTITUTE

Council. 6.(1) There shall be a Council of the Institute which shall be composed of:

- (a) Chairman who shall be appointed by the President;
- (b) the Director who shall be an ex-officio member and Secretary of the Council;
- (c) five members who shall be appointed by the Minister, after consultation with relevant institutions as follows:-
 - (i) member from the Vocational Education and Training Authority (VETA) of Zanzibar;
 - (ii) member from the State University of Zanzibar;
 - (iii) member from the Ministry responsible for education;
 - (iv) member from the business community;
 - (v) member from the employers' association;
- (d) Representative of the Students' Organisation of the Institute;
- (e) Representative of the academic staff of the Institute;
- (f) One other member preferably with experience in education to be appointed by the Minister.

(2) The members of the Council shall from among their members elect a Vice-Chairman who shall hold office for as long as he or she remains a member of the Council.

(3) The term of office of the Chairman and all members of the Council other than the ex officio member shall be three years, but shall be eligible to be appointed for another term of office.



Powers of
the
Council.

7.(1) Subject to the provisions of this Act, the management and control of the Institute shall be vested to the Council.

(2) In particular and without prejudice to the generality of sub-section (1) of this section, the Council shall have power-

- (a) to administer movable and immovable properties of the Institute;
- (b) to administer the funds and other assets of the Institute;
- (c) to signify the acts of the Institute by using the Common seal;
- (d) to receive on behalf of the Institute gifts, donations, grants, loans or other moneys and to make disbursements there of to the staff or other persons or bodies;
- (e) subject to the provisions of this Act, to appoint such officers of the Institute as it may deem necessary;
- (f) to approve tuition fees and charges for service offered by the Institute.
- (g) to approve curricula, certificates, diploma, degree and other awards conferred by the Institute or in collaboration with other institutions.
- (h) to do all such other acts and things as may be provided for in this Act or as may be advised from time to time by the Minister.

Academic
Board.

8. (1) Subject to the provisions of this Act, the Council shall establish an Academic Board which shall comprise of -

- (a) the Director of the Institute who shall be the Chairman;
- (b) the Registrar of the Institute who shall be the Secretary;
- (c) all heads of Academic Departments of the Institute;
- (d) Industrial Liaison Officer of the Institute;



(e) Representative of the Students' Organisation.

(2) The Academic Board shall, subject to the general or specific directions of the Council, have the power-

- (a) to review and make recommendations to the Council regarding the control and regulations of Instructions, education and research programme of the Institute;
- (b) to make recommendations to the Council on any matter pertaining to the courses of study and certificates awarded by the Institute;
- (c) to approve examinations result;
- (d) to do any act or thing as it may be empowered to do by the Council subject to the provisions of this Act.

Meeting
and
procedures
of Council.

9.(1) The Council shall meet four times a year by notice of the Chairman or in his absence the Vice-Chairman any time when deemed necessary to call the Council, but in case of emergency the Council may meet any time.

(2) At any meeting more than half of the total number of members of the Council shall constitute a quorum for a meeting of the Council.

(3) The Council shall cause minutes of all proceedings of meetings of the Council to be entered in a book kept for that purpose.

(4) Minutes of previous meeting of the Council shall be confirmed by the Council at the next meeting by signature of the Chairman.

(5) A member who becomes absent from three consecutive meetings of the Council without reasonable excuse may be terminated by the Minister or other appointing authority on the advice of the Council.

(6) All questions at a meeting of the Council shall be decided by a majority votes of the members present at the meeting, and in the event of equality of votes the Chairman shall have the decisive vote.



Appoint-
ment of
Director.

10.(1) There shall be a Director of the Institute who shall be appointed by the President.

(2) A person may be eligible to be appointed as Director, if he has at least a second degree in the field of Science and Technology and experience of at least three years.

(3) The Director shall be the Chief Executive Officer of the Institute and shall be responsible to the Council for:

- (a) the proper day to day administration of the Institute in accordance with the policy laid down by the Council;
- (b) the academic management of the Institute;
- (c) the proper enforcement of by-laws and regulations as may from time to time be made by the Council;
- (d) as accounting officer.

(4) The Director shall in accordance with the regulations made under this Act be responsible for the supervision of discipline of the students and employees of the Institute.

Appoint-
ment of
Registrar.

11.(1) There shall be a Registrar of the Institute who shall be appointed by the Council upon recommendation of the Director and shall be a person who in the opinion of the Council, has proven administrative experience and is able to exercise his duties effectively.

(2) The Registrar shall hold office for such a period and upon such terms and conditions as the Council may, upon advice of the Director determine or as may be specified in the letter of his appointment.

(3) The Registrar shall:

- (a) be the principal assistant and chief advisor to the Director in all matters pertaining to the administration of the Institute.
- (b) have and perform such other functions as are conferred upon him by the Director according to the provisions of this Act.



Appoint-
ment of
other Staff.

12.(1) The Council may on such terms and conditions as it may deem necessary, appoint such number of academic and non-academic staff of the Institute.

(2) Notwithstanding the provisions of sections 11 and subsection (1) of this section, the Council may, subject to such conditions and restrictions as it may impose, delegate to any person or body of persons the power of appointment of any members or category of academic staff and other staff of the Institute.

Student
Organisation.

13.(1) There shall be a Students Organisation of the Institute which shall be established according to the constitution approved by the Council.

(2) Leaders of the Students Organisation shall be elected in accordance with the constitution of the Student Organisation.

PART IV FINANCIAL PROVISIONS

Funds of
the
Institute.

14. The funds and resources of the Institute shall consist of -

- (a) such sums as may be provided for the purposes of the Institute by the Government;
- (b) such sums as the Council may, from time to time borrow for the purposes of the Institute; and
- (c) such sums as may in any manner become payable to or vested in the institute either under the provisions of this Act or incidental to the carrying out of its functions.
- (d) grants and donations from institutions or individuals.
- (e) tuition fees and other charges for services offered by the Institute.

Investment
of Institute
funds.

15. The Council shall have power to invest the funds of the Institute in any viable venture as it may consider appropriate having regard to the economic and commercial viability.



Annual
budget
estimates.

16.(1) At least three months before the commencement of any financial year the Director shall prepare or cause to be prepared for the approval of the Council, annual estimates of the revenue and expenditure of the Institute for the particular financial year.

(2) The Council shall, before the commencement of a financial year, consider and approve, subject to such modifications, and amendments as may consider appropriate the estimates prepared in accordance with subsection (1) of this section.

(3) The annual estimates shall contain provisions for all the estimated expenditure during the ensuing financial year and in particular;

- (a) for the payment of salaries, allowances and other charges in respect of the staff and officers of the Institute including the members of the Council.
- (b) for the payment of construction, improvement, maintenance and replacement of any building or other immovable property of the Institute;
- (c) for the proper maintenance and replacement of the furniture and purchasing of new machineries, tools and other equipments to the Departments of the Institute; and
- (d) for the creation of such reserve funds to meet future contingent liabilities as the Council may think fit.
- (e) for the payment of staff development and training (recurrent, capital or development expenditure).

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

(5) A copy of the annual estimates and of every supplementary estimate, if any, shall, immediately upon the approval of such annual estimates by the Council, be submitted to the Minister for scrutiny and submission to the House of Representatives for approval.



Accounts
and Audit.

17.(1) The Council shall cause to be provided and kept proper books of accounts and records with respect to the receipt and expenditure of money and other financial transactions of the Institute, and assets and liabilities of the Institute, and shall cause to be made out every financial year a balance sheet and statement of income and expenditure.

(2) Within three months after the closure of each financial year, the accounts shall be submitted for auditing to the Office of the Controller and Auditor General.

Financial
report to
be laid
before the
House of
Representatives.

18.(1) As soon as the accounts of the Institute have been audited and in any case not later than six months after the closure of the financial year, the Council shall submit to the Minister a copy of audited statement of accounts together with a copy of the report made by the Controller and Auditor General.

(2) The Minister shall as soon as possible after receiving the report, lay it before the House of Representatives.

PART V MISCELLANEOUS PROVISION

By-laws.

19.(1) The Council may make By-laws to ensure discipline among the students and employees.

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

(3) It shall not be necessary for the by-law made under this section to be published in the Gazette and every such by-law shall be brought to the notice of the students or employee in such manner as the Council may determine.

Investiga-
tion of
disciplinary
Offence.

20. (1) Every charge of a disciplinary offence against a student or employee shall be investigated by the Disciplinary Authority which shall impose such punishment as he may consider appropriate after inquiring into the offence in accordance with the procedure prescribed in the by-laws and upon being satisfied that the charge against the student or employee has been proved.



(2) A disciplinary action shall not be taken for the alleged disciplinary breach against a student or employee before an opportunity is afforded and that student or employee is informed of the allegation against him and given an opportunity to defend such allegations.

Appeal. 21.(1) Where a student or employee has been punished for any disciplinary offence and intends to appeal, may, while carrying out the punishment, appeal to the Council within fourteen (14) days of the decision of the Disciplinary Authority.

(2) Where a student or employee intends to appeal pursuant to subsection (1) of this section shall, within three days of the decision of the Disciplinary Authority, give a written notice of his intention to do so to the Director who shall forthwith submit it to the Chairman of the Council.

(3) On every appeal under this section the student or employee appealing and the Administrative Officers shall have the right to appear before and be heard by the Council.

(4) On an appeal under this section the Council may:-

- (a) set aside the finding made against the students or employee and the punishment imposed on him; or
- (b) uphold the finding and punishments; or
- (c) uphold the finding and reduce or enhance the punishment imposed upon the student or employee.

(5) The decision of the Council under this section shall be final.

Saving. 22. Any act lawfully done by the Karume Technical College prior to this Act shall be deemed to have been done under the provision of this Act.

Regulations. 23.(1) The Minister may in consultation with the Council make regulations for the better carrying out of the purposes and provisions of this Act, and without prejudice to the generality of the foregoing, may make regulations:-

- (a) prescribing the award of certificates and other awards which may be conferred or awarded by the Institute;



- (b) prescribing the conditions which may be fulfilled before granting of any certificate or other award;
- (c) regulating the conduct of examination;
- (d) prescribing fees for admission to the Institute;
- (e) prescribing fees payable by the candidate for the examinations held or conducted by the Institute;
- (f) regulating disciplinary proceedings against the officers of the Institute;
- (g) prescribing anything which may be prescribed under this Act;
- (h) providing for the procedure to facilitate contribution from the technological sector for the management and development of the Institute;
- (i) providing for any matter or thing which, in the opinion of the Council, is necessary for the better carrying out the purposes of this Act;

(2) Regulations made under this section shall be published in the Government Gazette.

PASSED in the House of Representatives of Zanzibar on 26th day of January, 2009.

{IBRAHIM MZEE IBRAHIM}
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR.