



**THE KIZIMBANI AGRICULTURAL  
TRAINING INSTITUTE ACT, NO.5 OF 2007**

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**ACT NO.5 OF 2007**

**I ASSENT**

*Amani Abeid Karume*

**{ AMANI ABEID KARUME }  
THE PRESIDENT OF ZANZIBAR AND  
CHAIRMAN OF THE REVOLUTIONARY COUNCIL**

*19<sup>TH</sup> JUNE*....., 2007

**AN ACT TO ESTABLISH KIZIMBANI AGRICULTURAL  
TRAINING INSTITUTE 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 Kizimbani Agricultural Training Institute Act, 2007 and shall come into operation on such a date as the Minister by notice in the Gazette may appoint.

Interpretation.

2. In this Act, unless the context otherwise requires:

"Academic Committee" means the Academic Committee established under section 8 of this Act.

"Administrative Officer" means the Administrative Officer appointed in accordance with section 12 of this Act;



“Agricultural Sector” includes livestock, farming, environment, fishing, forestry and cooperatives;

“Chairperson” means the chairman of the Council of the Institute;

“Council” means the Council established under section 5 of this Act.

“Chief Academic Office” means a person appointed under section 10 of this Act;

“Director” means the Director of the Institute appointed in accordance with section 9 of this Act;

“Financial year” means a period of consecutive twelve months commencing from 1st July of each year:

“Institute” means the Kizimbani Agricultural Training Institute established under section 3 of this Act;

“Minister” means the Minister responsible for agriculture;

“President” means the President of Zanzibar and Chairman of the Revolutionary Council;

“Registrar” means the Registrar of the Institute as shall be appointed under section 11 of this Act;

“Student” means any person registered by the Institute for the purpose of pursuing studies;



“Student Organization” means the Student Organization established under section 14 of this Act for the purposes of protecting interests of the student in accordance with the Constitution of organization.

## **PART II THE ESTABLISHMENT OF THE INSTITUTE**

Establishment of the Institute.

3.(1) There is hereby established an Agricultural Institute to be known as the Kizimbani Agricultural Training Institute.

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

- (a) have perpetual succession;
- (b) be capable of acquiring, purchasing or in any reasonable way disposing according to Government procedure of movable and immovable property for the purposes of promoting and improving developments of the Institute;
- (c) have common seal as shall be determined by the Council;
- (d) have power to borrow such amount of money as required;
- (e) in its corporate name shall have the power to sue and being sued.

Functions of the Institute.

4.(1) The functions of the Institute shall be:

- (a) to conduct training in the agricultural sector and related assignment at



different levels, both from public and private sectors;

- (b) to organize training programmes for improving skills and performance;
- (c) to design and conduct short and long term training courses in the public and private agricultural sector and other related fields;
- (d) to organize seminars on matters of topical interest in agricultural sector in general;
- (e) to conduct professional courses on regular basis with a view to develop skill of agricultural sector;
- (f) to give advice to stakeholders of agricultural sector;
- (g) in collaboration with Kizimbani Research Centre, to carry out researches and consultant services in the field of agricultural sector to the government and private sector in view to provide insights into policy formulation, commercialization and modern management perspectives;
- (h) to conduct any viable commercial activities for the purpose of generating income for the Institute sustainability and for the creation of such reserve funds to meet future contingent liabilities as the Council may think fit;
- (i) to perform such other function as the Minister may determine;



- (j) to conduct and administer examinations on courses of different levels conducted by the Institute;
- (k) to prescribe and to provide the award of certificates and other awards conferred or awarded by the Institute.

(2) The Institute may, in the execution of its functions associate with other relevant institutions within and outside United Republic of Tanzania.

(3) The Institute may offer certificates and diploma and other awards on its own or as an associated or agent of any Institute whether local or foreign, in accordance with its academic program.

### **PART III ADMINISTRATION OF THE INSTITUTE**

Council.

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

- (a) a Chairperson who shall be appointed by the President;
- (b) two other members one from agricultural sector who shall be appointed by the Minister;
- (c) the Director of the Institute;
- (d) the Director of Planning and Policy of the Ministry responsible for Agriculture;
- (e) the Chairperson of the Trade Union affiliated to the Institute;



(f) a President of the Students Organization of the Institute.

(2) The members of the Council shall nominate one among the members to be a Vice-Chairperson who shall preside over the meeting of the Council in absence of Chairperson.

(3) The term of office of the Chairperson and the members of the Council appointed by the Minister shall be three years, but shall be eligible to be appointed for another term of office.

(4) Save for the ex-officio members, the Chairperson and other members of the Council shall be eligible to be appointed for only two terms.

(5) The Council may invite any person to attend its meeting if found necessary; but the person invited shall have no right to vote in any deliberation of the Council.

(6) The Council shall appoint a qualified person among the staff of the Institute to be Secretary of the Council who shall have the following functions:

- (a) to keep minutes of the Council in a manner approved by the Council;
- (b) to keep register of resolutions and decision of the Council;
- (c) to make all necessary preparations for the meeting of the Council;
- (d) to inform relevant officers of the decisions and resolutions of the Council;





Functions of the Council.

- (e) to do any other functions as directed by the Council or Director of the Institute.

6.(1) Subject to the provisions of this Act, the Council shall oversee the management and control of Institute.

(2) In particular and without prejudice to the generality of subsection (1) of this section, the Council shall have the following functions:

- (a) to administer the properties of the Institute, both movable and immovable;
- (b) to administer the funds and all assets of the Institute;
- (c) to signify the acts of the Institute by use of the common seal;
- (d) on behalf of the Institute, to receive gifts, donations, grants, or other moneys given to the Institute;
- (e) subject to the provisions of this Act, to appoint and terminate the appointment of such officers of the Institute in accordance with the Institute Regulations;
- (f) to fix the tuition fees and charges for services offered by the Institute;
- (g) to approve examination results, certificates, diplomas and other awards conferred or awarded by the Institute or in collaboration with other institutions;



- (h) to organize and regulate disciplinary proceedings against the officers of the Institute;
- (i) to determine remunerations for the Directors and members of staff's;
- (j) to do all such other acts or things as may be provided for in this Act;

(3) The Council shall entertain all the appeals resulting from the student's claims concerning examinations results and disciplinary offences in accordance with the Regulations made under this Act.

Meeting and procedure of Council.

7. The Council shall meet at least once in every three months of the year and it shall have power to determine all procedures of its meeting as prescribed in the Regulations.

Academic Committee.

8.(1) There shall be the Academic Committee of the Institute that shall comprise of:-

- (a) the Director of the Institute who shall be the Chairperson;
- (b) Chief Academic officer who shall be Secretary;
- (c) the Administrative Officer;
- (d) the heads of departments of the Institute;
- (e) Registrar of the Institute.

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



- (a) to review and make recommendation to the Council regarding the control and regulations of instructions, educations and research programmes of the Institute;
- (b) to satisfy itself regarding the content and academic standard of any course of study offered by the Institute;
- (c) to consider eligibility of person for admission to the course;
- (d) to make recommendation to the Council on any matter pertaining to the course of study and certificate awarded by the Institute;
- (e) to do any act or thing as it may be empowered to do by the Council subject to the provisions of this Act.

Appointment of  
Director.

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

(2) To qualify for the appointment of the Director under subsection (1) of this section, a person shall be at least a holder of Bachelor Degree in agricultural sector and have working experience of not less than three years.

(3) The Director shall be chief administrative and 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 matters of the Institute;



- (c) the proper enforcement of rules and regulations as may from time to time be made by the Council.

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

Appointment of  
Chief Academic  
Officer.

10. There shall be Chief Academic Officer who shall be appointed by the Council whose functions shall be prescribed in Regulations made under this Act.

Registrar of the  
Institute.

11.(1) There shall be the Registrar of the Institute who shall be appointed by the Minister.

(2) The Registrar shall be a person who at least holds of a Bachelor Degree in Administration or related field and not less than three years experience in administration especially in educational institution.

(3) The Registrar of the Institute shall perform the following functions:-

- (a) all matters pertaining to the registration of students;
- (b) any other functions as shall be directed by the Council or the Director of the Institute.

Appointment of  
Administrative  
Officer.

12.(1) The Council may appoint a suitable person to be the Administrative Officer of the Institute who shall also act as the officer of the Council and shall attend meetings of the Council, but shall not, save where he is also a member of the Council, be entitled to vote in the deliberation of the Council.



(2) The Administrative Officer shall have at least a Bachelor Degree in Administration or relevant field.

(3) The Administrative Officer, in addition to other administrative functions assigned to him by the Director, shall:-

(a) be responsible for publicity of the Institute's activities, the editing of the Institute's journal or other publications;

(b) formulate policy and coordinate implementation of matters related to management or financial resources.

Appointment of other staffs.

13. The Director may on the advice of the Council appoint such other officers of the Institute as may be necessary for the proper functioning of the Institute.

Student Organisation.

14.(1) There shall be a Students Organization of the Institute in the form to be established by its Constitution and approved by the Council.

(2) Leadership of the Students Organization shall be in accordance with the Constitution of the Organization.

#### **PART IV THE FUNDS OF THE INSTITUTE**

Fund of the Institute.

15.(1) There shall be a Fund of the Institute which shall be administered by the Council.

(2) The appropriation of the Fund shall be made by the Director upon approval of the Council.



The source of fund of the Institute.

16.(1) The sources of funds and resources of the Institute shall consist of:-

- (a) such sums from the Consolidated Fund as shall be approved by the House of Representatives for the purposes of the Institute;
- (b) 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;
- (c) grants, gifts and donations from institutions or individuals;
- (d) tuition fees and other charges for services offered by the Institute.

Investment of the funds.

17. The Institute shall have power to invest its funds in such investments and subject to such conditions as prescribed by the Council.

Annual budget estimate.

18.(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 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 estimate prepared in accordance with subsection (1) of this section.

(3) The annual estimate shall contain provision for all the estimated expenditure during the financial year and in particular:-



- (a) for the payment of construction, improvement, expansion, maintenance and replacement of any building or other immovable properties of the Institute;
- (b) for the proper maintenance and replacement, of the furniture of the Institute.

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

(5) The annual estimate and every supplementary estimates, if any, shall immediately upon approval by the Council be submitted to the Minister.

Account of the  
Institute.

19.(1) The Institute shall cause to be kept proper accounts and shall as soon as is practicable after the end of each financial year, cause such accounts relating to such financial year together with:-

- (a) a statement of income and expenditure according to financial regulations and guidelines during such financial year; and
- (b) a statement of the assets and liabilities of the Institute;

to be submitted to the Minister not later than 30th July of each year.

Financial report  
of the Institute.

20.(1) The Director shall at the end of each financial year prepare a report on the activities of the Institute during that financial year and, with



Council's approval, submit such report to the Minister.

(2) The Minister shall cause the report to be laid before the House of Representatives under the normal procedures.

Audit.

21. As soon as the accounts of the Institute has been audited, and in any case not later than six months after the close of each financial year, the Council shall submit to the Minister such audited statements of accounts and a copy of the report made by the Controller and Auditor General on the statements of the accounts.

#### **PART V MISCELLANEOUS PROVISIONS**

By-laws.

22.(1) The Council may make by-laws to ensure discipline among the students and Staff and to regulate training and other matters under its power.

(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.

Investigation of  
Disciplinary  
offence.

23.(1) Every charge of a disciplinary offence against a student shall be investigated by the Director, who 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 member of staff has been proved.





(2) No disciplinary investigation shall be conducted for the alleged disciplinary offence against a student or member of staff before an opportunity is afforded and that student or Staff is informed of the allegation against him and given an opportunity to defend such allegations.

Appeal.

24.(1) Where a student or Staff has been punished for any disciplinary offence and intends to appeal, may, while carrying out the punishment, appeal to the Council or Minister in accordance with the procedures set in the by-laws.

(2) For the purpose of the Interpretation of Laws and General Provisions Act, No. 7 of 1984, a disciplinary offence under this Act shall be deemed not to be an offence created by or under any written law.

Limitations of Liabilities.

25. No matter or thing done by member of the Institute, committee or employee shall, if done bonafide for the purpose of executing any provision of this Act, render that member, employee or any person acting by his direction, personally responsible to any action, liability, claim or demand.

Vesting of Asset and liabilities.

26. All assets and liabilities acquired, held or accrued by the Institute prior to this Act shall be deemed to have been so acquired, held or accrued under the provision of this Act.

Saving.

27. Any act lawfully done by the Institute prior to this Act shall be deemed to have been done under the provision of this Act.



Regulations.

28.(1) The Minister may make regulations for the better carrying out of the purposes of this Act, and without prejudice to the generality of the foregoing, may make regulations prescribing any thing which may be prescribed under this Act.

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

**PASSED** in the House of Representatives on the 16<sup>th</sup> day of April, 2007.

( IBRAHIM MZEE IBRAHIM )  
CLERK OF THE HOUSE OF REPRESENTATIVES