

# **MBEYA UNIVERSITY OF SCIENCE AND TECHNOLOGY**



# **MUSTSO CONSTITUTION**

# **2017**

## Table of Contents

ARTICLE 1 .....	3
1.1 ESTABLISHMENT OF THE ORGANIZATION AND HEADQUARTERS.....	3
1.2 AUTHORITY OF THE CONSTITUTION .....	3
ARTICLE 2 .....	4
DEFINITIONS.....	4
ARTICLE 3 .....	5
OFFICIAL LANGUAGES.....	5
ARTICLE 4 .....	6
STATUS .....	6
ARTICLE 5 .....	6
OBJECTIVES .....	6
ARTICLE 6 .....	7
MUSTSO POWERS AND FUNCTIONS.....	7
ARTICLE 7 .....	8
MEMBERSHIP AND TERMINATION.....	8
ARTICLE 8 .....	9
RIGHTS OF MEMBERS .....	9
ARTICLE 9 .....	10
RESPONSIBILITIES OF MEMBERS .....	10
ARTICLE 10 .....	10
ORGANS OF MUSTSO.....	10
ARTICLE 11 .....	11
THE UNIVERSITY STUDENTS REPRESENTATIVE COUNCIL (USRC) .....	11
ARTICLE 12 .....	13
THE CABINET.....	13
ARTICLE 13 .....	15
JUDICIARY OF MUSTSO.....	15
ARTICLE 14 .....	16
STUDENTS' BARAZA.....	16
ARTICLE 15 .....	18
ELECTORAL COMMITTEE .....	18
ARTICLE 16 .....	20

QUALIFICATIONS FOR LEADERSHIP .....	20
ARTICLE 17 .....	22
THE BLOCK ASSEMBLY .....	22
ARTICLE 18 .....	23
OFFICE BEARERS AND THEIR DUTIES .....	23
ARTICLE 19 .....	31
FUNCTIONS OF MINISTRIES .....	31
ARTICLE 20 .....	35
CEASATION FROM LEADERSHIP.....	35
ARTICLE 21 .....	36
FINANCIAL PROVISIONS.....	36
ARTICLE 22 .....	37
AUDIT.....	37
ARTICLE 23 .....	37
CAPACITY TO CONTRACT.....	37
ARTICLE 24 .....	37
AMENDMENTS .....	37
ARTICLE 25 .....	38
RECOGNITION AND EXISTANCE OF MUSTSO BY UNIVERSITY COUNCIL .	38
ARTICLE 26 .....	39
DISSOLUTION .....	39
ARTICLE 27 .....	39
PORTRAITS OF PAST OFFICE BEARERS .....	39
ARTICLE 28 .....	39
OATH.....	39
ARTICLE 29 .....	40
MORALS AND ETHICS OF MUSTSO.....	40
ARTICLE 30 .....	41
BY-ELECTIONS.....	41
ARTICLE 31 .....	41
MISCELLANEOUS.....	41

## **THE PREAMBLE**

**WHEREAS** students of the Mbeya University of Science and Technology understand and believe that the Mbeya University of Science and Technology plays its Roles in its own unique environment and system in serving the nation;

**AND WHEREAS** students understand and believe that only a diligent autonomous and independent Students' Organization run democratically by the students themselves will be completely responsible to students among themselves and administration hence serve their interests to its best level;

**NOW, THEREFORE,** this Constitution is enacted by the University Students Representative Council (USRC) of Mbeya University of Science and Technology on behalf of the MUST students for the purpose of enhancing academic prosperity, good governance and relations, democracy and human rights observance, hence the Mbeya University of Science and Technology Students Organization will always cherish, co-operate and associate in all civil society activities as it deems fit for the interest of its members.

## **ARTICLE 1**

### **1.1 ESTABLISHMENT OF THE ORGANIZATION AND HEADQUARTERS**

- i. There shall be a Students' Organization to be known as the Mbeya University of Science and Technology Students' Organization or by its acronym of MUSTSO.
- ii. The organisation shall be the sole representative body of its members in pursuance of its aims and objectives
- iii. The Headquarters of the organization shall be at the Mbeya University of Science and Technology (MUST) Main Campus, P. O. Box 131, Mbeya, Tanzania.

### **1.2 AUTHORITY OF THE CONSTITUTION**

This Constitution is the governing document which shall regulate the management and the operations of the students' organization. All the provisions and articles in this Constitution shall be enforced and followed by the members of the organization and students' government of MUST.

## ARTICLE 2

### DEFINITIONS

2.1 In this Constitution, unless the context otherwise requires:-

“**Block**” means Hall of residence/Hostel

“**Block Manager**” Means a student leader in a Hall of residence/Hostel and who is also a constituent member of the Block Assembly and the Block committee

“**Block Secretary**” means a student leader in a hall of residence/Hostel and who is also a Constituent member of the Block Assembly and the Block Committee and is the chief executive in the said hall/ hostel

“**Cabinet**” means an organ of MUSTSO established by article 12 of this Constitution;

“**Class Representative**” means a student leader of MUSTSO referred to in article 18.22 of this constitution;

“**Constitution**” means the Constitution of MUSTSO

“**Deputy Minister**” means a member of Cabinet and MUSTSO officer appointed in accordance with the provisions of article 12.3 of this Constitution

“**Deputy Speaker of the University Students Representatives' Council**” means a MUSTSO officer elected in accordance with provisions of article 11.7 of this Constitution

“**Female Representatives**” means MUSTSO officers referred to in article 18.19 of this Constitution

“**Government**” means the Government of the United Republic of Tanzania;

“**Law of land**” means laws of the United Republic of Tanzania including but not limited to Constitution of United Republic, Acts of Parliament, Regulations, Government Seculars and By-Laws.

“**Member**” means a student admitted in accordance with provisions of article 7 of this constitution;

“**Minister**” means a member of the Cabinet and MUSTSO officer appointed in accordance with the provision of article 12.3 of this Constitution;

“**MUST Organs of Governance**” includes the University Council, Colleges, Institutes, Schools, Departments, Committees and the Administration

“**MUST Students Representative Council**” means an organ of MUSTSO established by Article 11.1 of this Constitution;

“**MUST**” means the Mbeya University of Science and Technology;

“**MUSTSO Judiciary**” means an organ of MUSTSO established by article 13.1 of this Constitution

“**MUSTSO**” means Mbeya University of Science and Technology Students' Organization established under article 1.1(i) of this constitution;

“**NTA**” Means National Technical Award;

“**Ordinary Diploma**” means Ordinary Diploma Programmes;

**“Organs of MUSTSO”** means the organs established by article 10 of this Constitution;

**“President”** means MUSTSO officer and Chairperson of the Cabinet elected by votes of all MUSTSO members;

**“Prime Minister”** means a MUSTSO officer appointed in accordance with the provision of article 12.3 of this Constitution

**“Regulations”** means any by-laws, rules, order made by MUSTSO or University authority;

**“Secretary to the University Students Representatives’ Council”** means a MUSTSO officer appointed in accordance with the provision of Article 11.1(iii) of this Constitution

**“Speaker of the University Students Representatives’ Council”** means a MUSTSO officer elected in accordance with provision of Article 11.7 of this Constitution;

**“Student(s)”** means any student(s) who is admitted at the University for a Degree, Diploma, Certificate or other awards of the University;

**“Students Baraza”** means the supreme organ of MUSTSO established by article 14.1 of this Constitution;

**“Students Community”** means all students registered with the University to pursue various programs of study;

**“Students Disciplinary Authority”** means disciplinary authority established and constituted in accordance with University authority;

**“Undergraduate”** means Bachelor Degree Programmes;

**“University Authority”** means any MUST staff or organ conferred a power by the Council of the University to deal with student matters;

**“University”** means Mbeya University of Science and Technology;

**“Vice President”** means a MUSTSO officer and Vice Chairperson of the Cabinet elected by the votes of MUSTSO members.

2.2 Wherever appropriate, reference in this Constitution to the masculine gender shall be construed to include the feminine and vice versa, the singular to include the plural and Vice Versa

### **ARTICLE 3**

#### **OFFICIAL LANGUAGES**

The official languages of MUSTSO shall be English and Swahili and each shall be used as appropriate.

## **ARTICLE 4**

### STATUS

MUSTSO shall be a semi-autonomous organization within the framework of the Mbeya University of Science and Technology duly established and the Regulations made there under and shall endeavor to fulfill its objectives to the best interest of members and the University in general.

## **ARTICLE 5**

### OBJECTIVES

The general objectives of MUSTSO shall be as provided hereunder:

- 5.1 To promote and protect the interests and rights of its members in all aspects of their academic and social levels during their existence at the University
- 5.2 To establish a proper organizational basis for communication between the University authority and the students as well as maintaining harmonious relations between students and academic members of staff; the University administration and the community in general.
- 5.3 To promote within the students' community respect for learning among various disciplines offered by the University and to impart knowledge and truth; to promote progress and responsible application of the acquired knowledge towards sustainable development of the nation
- 5.4 To promote academic freedom as an inalienable right of students at the University and inculcate a sense of integrity, self respect, devotion, commitment and accountability in the students towards the Tanzania society and mankind they are bound to serve
- 5.5 To promote and maintain fraternal relations, dialogue, and carry out any other activities both academic and non-academic in collaboration with other students' organizations in the Higher Learning Institutions in Tanzania, Africa and the rest of the world
- 5.6 To stimulate and promote all desirable aspects of cultural development which inculcate the spirit of love for sports and arts in order to keep the University a fertile ground on which best talents can be developed.
- 5.7 Subject to the law of the land, to participate in the advancement of a free and democratic Tanzania society based on the principles of social

- equality and justice which uphold the values of human rights, freedoms and liberties of the individual and the society in general, regardless of race, color, ethnicity or tribe, religion and gender
- 5.8 To strive for improvement of the quality of life of the students at the University at significant and reasonable standards
- 5.9 To perform any other duties and functions imposed or conferred on the student's organization by or under the law of the land within the framework of the University Rules and Regulations
- 5.10 To act as a medium for students through their competent leaders to speak for and on behalf of them generally and as an avenue for communication and exchange of information between the students and the management of the University
- 5.11 To do all such things and acts as may be required, desirable or expedient in order to further the objectives and functions of MUSTSO

## **ARTICLE 6**

### **MUSTSO POWERS AND FUNCTIONS**

Pursuant to the objectives stated in Article 5 thereof, MUSTSO shall carry out any or all of the following functions: -

- 6.1 In consultation with the relevant University authority, to organize debates, seminars, workshops, conference, congresses, study tours, and symposia to enhance intellectual awareness of the Students' community
- 6.2 Organize funds and sponsor students' research and projects in academic fields in order to promote creativity and originality in matters of intellectual interest to the scholarly community and the nation
- 6.3 Publish journals, articles, books, newspapers, leaflets, magazines, recordings or other forms of publications which reflect the University activities and mission, in collaboration and/ or with the approval of the University authority.
- 6.4 Invite any distinguished personalities, such as government, social, academic and cultural leaders, to interact with the student community by ways of lectures, panel or group discussions, workshops or any other means that would promote healthy and constructive discussions of contemporary social, scientific and political issues by approval of the University authority.

- 6.5 In consultation with the University authority, to correspond and communicate with students, youth and any other organizations which share and promote common objectives with MUSTSO
- 6.6 Establish committees, secretariats, commissions, or any other functional organs for the better discharge of the objectives of MUSTSO
- 6.7 Question and inquire into the membership of any student who has not met the admission conditions into the Students' Organization
- 6.8 Collaborate with disciplinary authority of the University; to initiate disciplinary proceedings against any student who breaches the Student By-Laws
- 6.9 Do, in accordance with the provisions of this Constitution, all such acts and things as may be required in order to further the powers, objectives and functions of MUSTSO
- 6.10 Organize and lead students' demands and rights in accordance with the established procedures and in conformity with the objectives and functions of MUSTSO
- 6.11 Ensure students' discipline, orderliness and obedience are observed among its members
- 6.12 Submit at the end of every academic year a performance report to the Director of Students Affairs who shall submit the same to the University Council.
- 6.13 Prepare and amend the Constitution of the Organization, election regulations, rules governing peer support services and organize and implement outreach programmes

## **ARTICLE 7**

### **MEMBERSHIP AND TERMINATION**

- 7.1 Every student admitted by the University for the Award of Bachelor Degree, Postgraduate Degree, Ordinary Diploma and any other award as approved by the University, shall become a member of MUSTSO upon such admission
- 7.2 Students admitted for short courses whose tenure of study is not less than one academic year shall also be admitted to membership
- 7.3 Every member of MUSTSO shall pay an annual membership fee as shall be prescribed from time to time by rules made by the USRC established under this Constitution and approved by University authority

- 7.4 Membership shall cease when a member: -
- a. Completes his or her studies
  - b. Is terminated from studies on academic or any other grounds;
  - c. Transfer to another University; or
  - d. Dies

## **ARTICLE 8**

### **RIGHTS OF MEMBERS**

A member of MUSTSO shall be entitled to the following rights to:-

- 8.1 Attend and participate in all activities organized or undertaken by MUSTSO subject to such conditions and restrictions as the USRC may impose;
- 8.2 Elect MUSTSO leaders in various positions as per MUSTSO Constitution;
- 8.3 Stand for election for any post established by the Constitution;
- 8.4 Obtain and inspect relevant copies of documents of MUSTSO upon written request to the Prime Minister;
- 8.5 Attend and vote in authorized general meetings and any other meetings of members provided for by this Constitution on the basis of one member one vote respectively;
- 8.6 Receive all publications of MUSTSO at concession/compromise as determined by the Students Representative Council from time to time;
- 8.7 Appear before and/or appeal to any established organ of MUSTSO vested with jurisdiction of determining rights and liabilities of a member;
- 8.8 Question and inquire the discharge of the functions by any one of the office bearer of MUSTSO;
- 8.9 Subject to conditions prescribed by the Students Representative Council, to have access to and use facilities owned, possessed or entrusted to MUSTSO;
- 8.10 Make a follow up of any decision made by external authority which affects his studentship;
- 8.11 Use the MUSTSO facilities to the maximum advantage of his/her career subject to prevailing conditions for the use of such facilities;

- 8.12 Students shall have rights to freely and peaceably,
- a. assemble,
  - b. demonstrate,
  - c. express their opinion, and
  - d. conduct their referendum

Provided that they do not cause breach of Students By-Laws and the law of the land

## **ARTICLE 9**

### **RESPONSIBILITIES OF MEMBERS**

Every member of MUSTSO shall be obliged to discharge the following duties:-

- 9.1 Uphold and defend the provisions of this Constitution.
- 9.2 Pay fees and other subscriptions as determined by the University Students Representative Council (USRC) and approved by the University authority.
- 9.3 Attend all relevant meetings lawfully convened by MUSTSO or the University.
- 9.4 Devote his/her energy and time to the advancement of MUSTSO's objectives and functions.
- 9.5 Refrain from influencing MUSTSO or any of its office bearers in any way or manner that has the consequence of prejudicing the status of MUSTSO or any interests of the members.
- 9.6 Carry out in good faith any lawful assignments as may be delegated to him or her by MUSTSO or University.

## **ARTICLE 10**

### **ORGANS OF MUSTSO**

- 10.1 There shall be established the following principal organs of MUSTSO:
  - a. The University Students' Representative Council (USRC);
  - b. The Cabinet; and
  - c. The Judiciary;

Each of the principal organs shall be independent.

- 10.2 Other organs of MUSTSO include the following:
- a. The Students' Baraza
  - b. The Electoral Committee (EC);
  - c. The Block Assembly

## **ARTICLE 11**

### **THE UNIVERSITY STUDENTS REPRESENTATIVE COUNCIL (USRC)**

- 11.1 There shall be a USRC which shall constitute of the following members:-
- i. The Speaker of the USRC
  - ii. Deputy Speaker of the USRC
  - iii. Secretary of the USRC
  - iv. The Prime Minister
  - v. The Ministers
  - vi. The Deputy Ministers
  - vii. The Block Managers
  - viii. The Class Representatives
  - ix. Female Representatives
- 11.2 The USRC shall meet at least twice in every academic semester as provided for in the University almanac and shall be convened by Speaker of USRC in collaboration with the Prime Minister upon giving a three (3) days public notice or a shorter period as the circumstances may demand.
- 11.3 An extra-ordinary meeting of the USRC shall be convened in accordance with the provisions of Article 14.3 of this Constitution.
- 11.4 The Speaker of the USRC shall preside over all meetings of the USRC and in his/her absence the Deputy Speaker of the USRC shall preside over that particular meeting
- 11.5 The quorum for the USRC shall be two thirds (2/3) of the members and where the meeting lacks such quorum the meeting shall be postponed to another date and or time as will be determined by the Speaker of the USRC, after consultation with the Prime Minister
- 11.6 All decisions in the USRC shall be arrived at by consensus or by simple majority if voting is taken up. In case of voting, each member eligible to vote shall have one vote except the Speaker of the USRC or the Chairperson of such particular meeting as the case may be, who shall have an additional or casting vote in case of a tie

- 11.7 The Speaker and the Deputy Speaker of the USRC shall be elected by the Students Representative Council from a list of candidates approved by the Electoral Committee during the Council's (USRC) first meeting. The President and his/her Cabinet shall not be eligible to be elected as Speaker or Deputy Speaker of the USRC
- 11.8 The Students Representative Council shall have the right to nominate candidates to the office of the Speaker of the USRC from within USRC or the Students' membership in general
- 11.9 One female representative to the USRC shall be elected by female students from each College, Institute and School during the general elections.
- 11.10 The two class representatives shall be elected by members of the respective classes in consideration of gender. The one with the highest votes will be the "Mbunge" to represent the respective class in the USRC meetings.
- 11.11 A member of the USRC shall not be entitled to any remuneration but may be reimbursed by MUSTSO for any expenses properly and bonafide incurred by them in the course of performance of their MUSTSO duties
- 11.12 The Students Representative Council shall discharge the following functions:
- i. Elect the Speaker and Deputy Speaker of the USRC.
  - ii. Confirm the Secretary of the USRC who shall be nominated by the Speaker of the University Students' Representatives Council
  - iii. Confirm the Prime Minister appointed by the President.
  - iv. Appoint interim MUSTSO President and Cabinet where the President and his Cabinet have been voted out of office, provided that the interim president shall not be Speaker, Deputy Speaker and Secretary of the USRC.
  - v. Receive, discuss, review and recommend for approval by the students' Baraza the annual budget, strategic plans and annual report as prepared by the Cabinet
  - vi. Receive and consider the handing over report prepared by the retiring government.
  - vii. Recommend to the University authority legal action to be taken against any officer of MUSTSO who contravenes the MUSTSO Constitution
  - viii. Approve a motion of a vote of **NO** confidence against a MUSTSO president in a case where he/she breaches this Constitution, provided that in any such case, two thirds (2/3) of the members of

the USRC shall support the motion and recommend to the Students Baraza.

- ix. Prepare the agenda for the Students' Baraza
- x. Establish and disestablish USRC Committees as may be found necessary for execution of MUSTSO functions;
- xi. Perform any other duties as the Students' Baraza may from time to time delegate to it within the framework of this Constitution or as may be necessary or expedient for the efficient and effective execution of its functions under this constitution
- xii. Approve motion of vote of no confidence against a MUSTSO Prime minister in case he/she breaches this constitution, provided that in any such case, two thirds (2/3) of the members of the USRC shall support the motion and recommend to the President.

11.13 Where there is a conflict between a decision made by the Cabinet and the University Students' Representative Council, the Judiciary shall give ruling.

11.14 Where the Cabinet or the Students Representative Council is aggrieved by the decision made by the Judiciary under sub-section 11.13, a referendum shall be called to obtain students' opinion over the matter.

11.15 Where the referendum is called, the Director of Students Affairs shall supervise the referendum proceedings

11.16 The Director of Students Affairs shall make sure that the referendum referred to under sub-article 11.15 is conducted in a manner which guarantees every student the right of free expression

11.17 The Director of Students Affairs and Student's Counselors shall attend the USRC meetings but shall have no voting right

## **ARTICLE 12**

### **THE CABINET**

12.1 The affairs of MUSTSO shall be managed and supervised by the Cabinet headed by the President.

12.2 The Cabinet of MUSTSO shall be comprised of:-

- i. The President
- ii. The Vice President
- iii. The Prime minister
- iv. The Ministers

- 12.3 The Prime Minister, Ministers, and Deputy Ministers shall be appointed by the President in consultation with the Vice President from amongst the Students and confirmed by the USRC in its first meeting and shall be responsible and answerable to the MUSTSO President.
- 12.4 The President shall have the discretion to determine the number of ministers provided that, the number of ministers shall not at any particular time, exceed ten.
- 12.5 All Cabinet members shall attend Cabinet meetings and have voting right.
- 12.6 The Cabinet shall meet at least twice in each academic semester and the President shall convene all Cabinet meetings and the Prime Minister shall be the secretary, provided that the President may call any extraordinary meetings at any time he/she considers it necessary.
- 12.7 The President of MUSTSO or in his/her absence, the Vice president shall preside at all meetings of the Cabinet and in the absence of both of them, the members forming a quorum shall elect an interim chairperson from amongst their members.
- 12.8 The MUSTSO Cabinet headed by the President shall be charged with carrying out the day to day activities and obligations of MUSTSO
- 12.9 The appointment of Ministers and Deputy Ministers shall endeavor to achieve proportionate representation with regard to sex, students with special needs, colleges, institutes, and schools
- 12.10 Without prejudice the foregoing, the functions of the Cabinet shall include among others:-
  - i. Preparation of the annual budget, the quarterly, half-yearly and annual income and expenditure statements and the strategic plans of MUSTSO
  - ii. Preparation of annual reports on the operations and activities of MUSTSO handing-over report, and other things or matters as shall be directed by the Students' Baraza or the USRC
  - iii. Keeping and maintaining proper books of accounts and records with respect to MUSTSO funds and ensuring that they are audited annually by the University Internal Auditor.
  - iv. Proposing rates of membership annual fees and subscription through USRC to the University authority for approval.
  - v. Initiating, promoting and supervising fund raising activities for MUSTSO

- vi. Preparation of draft amendments to the Constitution and rules made thereunder
- vii. Performing such other functions and activities as may enhance the realization of the fundamental objectives and functions of MUSTSO

12.11 The Cabinet quorum shall be two thirds (2/3) and it will make internal regulations for the conduct of its proceedings

## **ARTICLE 13**

### JUDICIARY OF MUSTSO

#### 13.1 Establishment

- i. There shall be the MUSTSO Judiciary
- ii. There shall be a Chairperson, Deputy Chairperson and Secretary to the Judiciary who shall be elected from amongst the members of the Judiciary elected.
- iii. The quorum of election meeting shall be two thirds (2/3) of chairpersons and secretaries from the respective College, Institute and School.

#### 13.2 Composition

The Judiciary is composed of:

- a. Chairpersons, and
- b. Secretaries

from every College, School and Institute

13.3 The Judiciary shall meet at least twice in every academic semester as provided for in the University almanac and shall be convened by the Secretary in consultation with the Chairperson of the Judiciary upon giving a three (3) days public notice or a shorter period as the circumstances may demand.

13.4 An extra-ordinary meeting of the Judiciary shall be convened by the Secretary in consultation with the Chairperson in accordance with the provisions of Article 14.3 of this constitution.

13.5 The Chairperson of the Judiciary shall preside at all the meetings and in his/her absence the Deputy Chairperson of the Judiciary shall preside over that particular meeting.

13.6 The quorum of the meeting shall be two thirds (2/3) of the members and where the meeting lacks such quorum the meeting shall be postponed to

another date and/or time as will be determined jointly by the Chairperson, Deputy Chairperson and the Secretary.

13.7 Unless otherwise stipulated in this Constitution, decisions of the Judiciary shall be arrived at by consensus of members or by voting

13.8 Each member eligible for voting shall have one vote at all meetings, except the Chairperson who shall have an additional or casting vote in case of a tie

13.9 The functions of Judiciary of MUSTSO:

- i. To interpret By-Laws and Regulations of MUSTSO governs day to day MUSTSO activities.
- ii. To supervise good conduct of MUSTSO leaders including the Cabinet, the USRC and other MUSTSO leaders.
- iii. To receive, discuss and make decision on all matters regarding students cases and petition/complaints pertaining to University students life and report decisions made to the Director of Students Affairs within three (3) days.
- iv. To receive, discuss, and make all decisions on all cases concerning MUSTSO leaders and report the decisions made to the Director of Students Affairs within three (3) days.
- v. To forward all misconducts which require further decision to the Director of Students Affairs.
- vi. Receive grievances raised by the decision of the Cabinet and the USRC
- vii. To initiate and organize swearing in activities to the incoming MUSTSO President and his/her running mate.
- viii. Receive, discuss and ruling to all MUSTSO election appeals raised by dissatisfied candidate(s).

13.10 The decision of the Judiciary made under sub-article 13.9 (iii), (iv) and (viii) shall be final and conclusive.

13.11 Director of Students Affairs and Head of Students Government Judicial and Control Services shall be invited to attend the Judiciary meetings and have approval of the meeting but shall have no voting right.

## **ARTICLE 14**

### **STUDENTS' BARAZA**

14.1 There shall be a Students' Baraza which shall be constituted by all members of MUSTSO as per article 7.1 of this Constitution. It shall be

- the supreme organ of MUSTSO on matters of policy and all other organs established there under shall be subordinate and accountable to it.
- 14.2 The Students' Baraza shall meet at least once in every academic semester as provided for in the University almanac and shall be convened by the Prime Minister in consultation with the President of MUSTSO
- 14.3 An extra-ordinary meeting of the Students' Baraza shall be convened at any time by the President chaired by him/her under the following factors:-
- i. By the discretion of the President of MUSTSO; or
  - ii. Upon receiving a petition for the said meeting signed by two thirds (2/3) of the University Students Representative Council or
  - iii. Upon the two factors (i) and (ii) above.
- 14.4 All meetings of the Students' Baraza shall be held at the University Campus upon receiving permission from the University authority through the Director of Students Affairs showing a specified place, time and approved agenda.
- 14.5 All Students' Baraza meetings (except for dissolving MUSTSO government) shall be convened by the President and chaired by him/her upon issuing a three (3) days public notice.
- 14.6 The President of MUSTSO shall preside at all the meetings of the Students' Baraza and in his/her absence; the Vice President shall preside over that particular meeting.
- 14.7 The quorum for the meetings shall be at least fifty percent (50%) of all the members and where the meeting lacks such quorum the meeting shall be postponed to another date or time to be determined jointly by the MUSTSO President, Vice President and the Prime Minister.
- 14.8 Unless otherwise stipulated in this Constitution, decisions of the Students' Baraza shall be arrived at by consensus of members or by voting.
- 14.9 Each member eligible for voting shall have one vote at all meetings, except the President who shall have an additional or casting vote in case of a tie.
- 14.10 The functions of the Students' Baraza shall be to; -
- i. oversee and monitor the discharge of functions by its subordinate organs

- ii. establish and or revise policies, carry out business and take such other appropriate actions or measures as may be deemed necessary for the furtherance of the MUSTSO objectives
- iii. discuss all matters of interest to members
- iv. approve a vote of no confidence against the President and his entire Cabinet as recommended by the USRC. The quorum of such meeting shall be at least two thirds (2/3) of all MUSTSO members.
- v. carry out any other functions that would facilitate the discharge of the MUSTSO objectives
- vi. receive and note the annual budget, strategic plans, annual report, and the audited accounts of MUSTSO
- vii. note amendments of this Constitution as proposed by the USRC
- viii. note the legal action proposed by USRC against a student's leader/ member found to have misused, stolen or embezzled the funds of MUSTSO before forwarded to the University authority
- ix. carry out any decision requiring referendum. A referendum shall be called to make decision which is likely to:-
  - a. Affect delivery of students services
  - b. Interrupt academic affairs and
  - c. Cause breach of peaceProvided that the Director of Students Affairs shall ensure that the referendum is conducted in a manner which guarantees every student the right of free expression.
- x. carry out any other functions and perform any other legitimate things which would facilitate the proper discharge of the MUSTSO objectives.

14.11 The Director of Student Affairs and/or Students' Counselor shall attend students BARAZA meetings and have approval of the meeting to proceed but shall have no voting right.

## **ARTICLE 15**

### **ELECTORAL COMMITTEE**

- 15.1
- i. There shall be an Electoral Committee which shall be responsible for organizing, overseeing and supervising MUSTSO general elections at all levels.
  - ii. There shall be a Chairperson, Deputy Chairperson and Secretary of the Electoral Committee who shall be elected from amongst the members of the Electoral Committee except the member of staff.
  - iii. The election of the Chairperson, Deputy Chairperson and the Secretary of the Electoral Committee shall be supervised by the Head of Students Government Judiciary and Control Services.

- 15.2 The Electoral Committee shall be composed of:
- i. Two members from each School/College/Institute in consideration of gender
  - ii. Outgoing Speaker, Deputy Speaker, and the Secretary of the USRC.
  - iii. Two staff from University administration; these shall be:
    - a. the legal officer of the University, and
    - b. the Head of Students Government Judicatory and Control Services
- 15.3 Members of the electoral committee mentioned under Article 15.2 (i) shall be endorsed by the USRC. Names of all Electoral Committee members shall be made public two weeks before the MUSTSO General Elections.
- 15.4 Members of the Electoral Committee shall not be allowed to contest or be appointed for any electoral post.
- 15.5 The Electoral Committee shall organize, supervise and monitor the general elections in collaboration with the Director of Students Affairs
- 15.6 Without prejudice to the general provisions of article 15.5, the Electoral Committee shall in particular:-
- i. Prescribe the forms to be used in the general elections;
  - ii. Short list the candidates aspiring for various electoral posts;
  - iii. Determine when and how campaigns should be conducted;
  - iv. Determine the procedures of voting and counting of votes;
  - v. Announce the posts to be contested, including Chairperson and Deputy Chairperson of the Judiciary
  - vi. Announce the election results;
  - vii. Create awareness to students on voting process and procedures;
  - viii. Perform such other functions as may be required in order to further the smooth running of the elections
- 15.7 The campaign period shall be restricted to five (5) days including the inauguration and debate day before the date of voting and there shall be no campaigns during the voting day.
- 15.8 Unless the Electoral Committee decides to the contrary, all elections shall be conducted through a secret ballot.
- 15.9 The general elections shall be conducted in the sixth week of the second semester of every academic year with respect to the group admitted later.

- 15.10A student who reasonably believes that the election has not been conducted freely and fairly may object to the Judiciary within forty eight (48) hours after announcement of results.
- 15.11 Save for the screening of candidates, any act or decision made by the Electoral Committee in the discharge of its functions under this Constitution shall remain valid unless an appeal has been lodged as per sub-article 15.10.
- 15.12A candidate disqualified by the electoral committee for contesting for any electoral post may appeal to the Judiciary within twenty four (24) hours after releasing the final candidates and the decision of the Judiciary shall be final and conclusive.
- 15.13 The Director of Students Affairs shall be the Chief Returning Officer in all MUSTSO elections and may provide to the electoral committee with advice, supply of facilities, and any other necessary requirements for the same, during the general elections proceedings.

## **ARTICLE 16**

### **QUALIFICATIONS FOR LEADERSHIP**

- 16.1 Any person aspiring for a leadership position in MUSTSO shall be required to possess the following qualifications;
- i. Be a member of MUSTSO,
  - ii. He/she should be a registered student of the University pursuing a course of a duration not less than one academic year,
  - iii. His/her character and behavior should be good, credible and trustworthy and capable of commanding respect of the MUSTSO students' community,
  - iv. He/she should be capable of inspiring harmony, unity, peace, stability and solidarity among the students community,
  - v. He/she should not have been convicted by a court of law or University machinery of any offence including but not involving dishonesty, corruption or moral turpitude,
  - vi. He/she should be committed to the aims and objectives of MUSTSO,
  - vii. He/she should possess a high academic performance with a GPA of not less than 2.5 from the previous academic year before the general elections except for first year students,
  - viii. He/she should have the ability to sustain leadership responsibilities without impairing academic performance,

- ix. He/she have a clean studentship record with no record of disorderliness and infraction of University rules and regulations;
- x. He/she should have no political or religious affiliation or allegiance;
- xi. He/she should be highly esteemed by members of the Organization and get positive recommendation from his/her Head of Department on academic progress and other attributes.

16.2 Any person aspiring for the President, Vice President, Prime Minister, Speaker, Deputy Speaker, Secretary to the USRC, Chairperson & Deputy Chairperson and Secretary of Judiciary positions shall be in addition to the aforementioned qualifications, having the following attributes;

- i. Be academically strong with a GPA of not less than 3.0 for Degree/ Postgraduate program aspirants and 2.5 for Ordinary Diploma aspirants in the academic year before the general elections;
- ii. Be fluent in both official languages namely, Kiswahili and English
- iii. Be mature enough and possess all qualities of students' leadership as stipulated under Article 16(1) of this Constitution
- iv. Having leadership experience especially at University/College level is an added advantage
- v. Should be a student who has never been suspended from studies

16.3 The Vice president shall be obtained through the system of running mate whereby the candidate aspiring for the Vice president position shall align with a candidate aspiring for MUSTSO President Position.

16.4 The Vice- President shall be elected on the basis of the principle that where the President hails from the Bachelor or Postgraduate students, the Vice President of MUSTSO shall hail from the Ordinary Diploma (OD) Students.

16.5 The President and Vice- President shall stand elected if the President and Vice President win more than 50% of the votes cast. In case no candidate attains at least 50% of the cast votes, the election will be repeated in the next day for the two top candidates.

For the other positions members shall stand elected if they win a bare majority of the votes cast.

16.6 Without prejudice to Article 16.5 the aggregate voted for the candidates of the President shall be the votes for Vice president as a running mate

## **ARTICLE 17**

### **THE BLOCK ASSEMBLY**

- 17.1 A Block Assembly shall comprise the following:-
- i. All residents in the Block
  - ii. The Block Manager
  - iii. The Block Secretary
  - iv. The wing/floor leaders
  - v. Any member of the Cabinet residing in the Block and
  - vi. The Students Representative Council residing in the Block
- 17.2 The Block Manager shall be elected by the Block Assembly at the same time when Presidential elections are due and shall hold office for a same tenure.
- 17.3 The Block Secretary shall be appointed by the Block Manager and confirmed by the Block Assembly,
- 17.4 The Block Assembly shall meet at least twice in every academic semester. The Block Manager may call an additional meeting: -
- i. At any time he/she considers it necessary;
  - ii. When requested in writing by fifty percent (50%) of the members of the Block Assembly.
- 17.5 The quorum for the Block Assembly meetings shall be 50% of the members residing in the Block and where the meeting lacks a quorum, the meeting shall be postponed to another date and / or time to be determined by the Block Manager in consultation with the Block secretary
- 17.6 The Block Manager shall chair the meetings of the Block Assembly or in his/her absence; the members shall appoint any wing leader to chair that particular meeting.
- 17.7 All decisions in the Block Assembly shall be arrived at by consensus but where a vote is taken, each member shall have one vote and in the event of a tie, the Block Manager or the one who chaired that particular meeting shall have an extra vote
- 17.8 The Block Assembly shall have the following functions:-
- i. To discuss matters of interest to members residing in the Block and make recommendations thereupon to the Cabinet or as the case may be to the appropriate organ of MUSTSO or to the Block warden

- ii. To consider, adopt and/or approve MUSTSO activities pertaining to the Block as submitted to it by the Block Manager
- iii. To elect to and remove from office the Block Manager
- iv. To confirm the appointment of the Block secretary as provided for under article 17.3 of this Constitution

17.9 Matron/Wardens/Janitors shall attend the Block Assembly but will have no voting right

17.10 The permission to call the Block Assembly shall be obtained from the Director of Students Affairs through the Warden of the Block

## **ARTICLE 18**

### **OFFICE BEARERS AND THEIR DUTIES**

18.1 The office bearers of MUSTSO shall include the President and the Vice President of MUSTSO, the Prime Minister, General Secretary, the Speaker and Deputy Speaker of the USRC, Secretary to the USRC, Ministers, Deputy Ministers, PM office/Ministry Secretaries, Chairperson and Deputy Chairperson of Judiciary, Secretary of the Judiciary, Block Managers, Wing/Floor Leaders, Class Representatives and females Representatives.

#### **a. The President of MUSTSO**

18.2 There shall be a President of MUSTSO who shall be the head and principal leader of all MUSTSO members.

The MUSTSO President shall be vested with among others the following duties:

- i. To represent MUSTSO in the University occasions/meetings which require students representation
- ii. To head the President office and the Cabinet which shall be in charge of the day to day affairs of MUSTSO
- iii. To convene and chair the Cabinet's meetings
- iv. To be the chief spokesperson of MUSTSO
- v. To nominate, assign duties and dismiss Ministers and Deputy Ministers after consultation with the Vice president and the Prime Minister
- vi. To ensure that all MUSTSO objectives and functions are carried out by his or her government to the satisfaction of the students' community
- vii. To be accountable to the Students' Baraza and the University Administration in regarding the MUSTSO functions;

- viii. To appoint all Secretaries;
- ix. To supervise and monitor proper use of all MUSTSO funds
- x. To attend all meetings outside the University which require the representation of the students' community
- xi. To nominate the Prime Minister who shall be confirmed by the USRC
- xii. To mediate, reconcile and resolve petty misunderstandings or disputes which arise among members of the students community
- xiii. To convene in collaboration with the Speaker of USRC and chair all Students' Baraza meetings
- xiv. To appoint representatives of MUSTSO government into various University Committees in consultation with the Vice President and Prime Minister;
- xv. To attend University Council meetings; and
- xvi. To discharge any duty which will facilitate the realization of the objectives of MUSTSO in accordance with the provisions of this Constitution

18.3 The President may, where she/he considers it appropriate, delegate in writing any one or more of the duties and powers granted to him under this Constitution to the Vice President or to any Minister within his/her Cabinet

18.4 In the event that the President of MUSTSO is absent, the duties and functions of the President shall be discharged by one of the following in order of preference as specified below:

- i. The Vice President
- ii. The Chairperson of the Judiciary
- iii. The Speaker of the USRC

**b. The Vice President of MUSTSO**

18.5 The Vice President shall be the principal assistant to the President in respect of all matters of MUSTSO in general and in particular shall;

- i. Be the chief advisor to the President
- ii. Act as a Deputy spokesperson of MUSTSO
- iii. Collaborate with the President of MUSTSO in appointing ministers and deputy ministers and assigning them responsibilities and in dismissing them from office
- iv. Perform all duties and functions of the office of President when the President is absent from or is out of office for any cause which is not related with eviction from the office

**c. The Prime Minister**

- 18.6 The Prime Minister shall be entrusted with the following duties:-
- i. Shall be the Chief Executive Officer of the MUSTSO Cabinet and shall be the leader of government affairs in USRC
  - ii. To be secretary to the Cabinet and Students' Baraza meetings,
  - iii. To be a custodian of all records of MUSTSO
  - iv. To keep and maintain records of all properties owned, possessed, leased to or hired by MUSTSO
  - v. To be a signatory to MUSTSO bank Accounts
  - vi. To be Chief Accounting Officer, answerable to the President and USRC on all funds of MUSTSO
  - vii. Resolve, with the assistance of the Block Manager, minor conflicts, petitions/complaints, misunderstandings and disputes amongst students residing in the block
  - viii. To carry out such other duties and functions as may otherwise be delegated and/or assigned to him by the President or Students' Baraza

**d. The General Secretary**

- 18.7 There shall be a General Secretary of the organization who shall be appointed by the President from amongst members of the Organization. He/she shall be the assistant to the President in all such duties which the President is required to do in accordance with this Constitution and shall be accountable directly to the President.

The General Secretary in particular shall perform the following duties;

- i. Obtains and maintains records and storage appropriate facilities for the President's office activities
- ii. To be head of the organizational secretaries
- iii. To keep an up to date register of the members of the organization
- iv. Keeps a record of all activities of the organization performed by the President
- v. Maintains contact with MUSTSO's office bearers
- vi. Prepares organization calendar of events
- vii. Assists President prepares and files any organization report required
- viii. Assists a President on the preparation of handing over reports
- ix. To perform any other duties as may be assigned by the President

**e. Ministers**

- 18.8 Every MUSTSO Minister shall among other things discharge the following functions:-
- i. Be responsible for all policy matters relating to his/her Ministry
  - ii. Supervise and monitor the implementation of the ministerial functions and objectives of the Ministry;
  - iii. In consultation with the deputy ministers to establish committees, secretariats, commissions or any other functional organ for the better carrying out of the roles and objectives of the Ministry;
  - iv. Chair all meetings in his/her Ministry;
  - v. Be the chief spokes person of his/her respective Ministry;
  - vi. Be secretary in meetings chaired by the Prime Minister in his/her respective Ministry; and
  - vii. To perform any other functions and do all such other acts and things as may be required, desirable or expedient in furtherance of the functions and objectives of the Ministry, and MUSTSO in general

**f. Deputy Ministers**

- 18.9 Every Deputy Minister shall:
- i. Be the assistant and chief advisor to the Minister and responsible in respect of all matters relating to a particular Ministry
  - ii. Act as the Minister during Ministers' absent from office
  - iii. Have such powers as the minister after being delegated to him/her
  - iv. Perform such other functions as are conferred upon him/her by this Constitution

**g. PM Office/Ministry Secretaries**

- 18.10 Every Ministry secretary shall:
- i. Be the secretary of the respective office/Ministry.
  - ii. Be the secretary in proceedings of the office/Ministry meeting.
  - iii. Be the custodian of the records of the office/Ministry.
  - iv. Perform other duties as may be assigned to him/her by the superior.

**h. The Speaker of USRC**

- 18.11 The Speaker of USRC shall be entitled to discharge the following duties *inter alia*;
- i. To chair all meetings of the USRC

- ii. In collaboration with the Prime Minister, to convene where appropriate meetings of the USRC in accordance with the provisions of this Constitution and those postponed for lack of quorum or any other cause
- iii. To supervise election of two members (male and female) of MUSTSO Electoral Committee from each academic College, Institute and School;
- iv. To call, in collaboration with the Director of Students Affairs by-elections to fill in posts which fall vacant before the annual general elections
- v. In collaboration with the Prime Minister to ensure availability of copies of this Constitution to all MUSTSO members;
- vi. To receive any motion or agenda from members on any matter of interest to the student community and present the motion or agenda for discussion before the USRC
- vii. Without prejudice to Article 18.11(vi), any motion or agenda which requires response from the central government shall be communicated to Prime Minister in writing five (5) days before the date of the USRC meeting.
- viii. To appoint the secretary to the USRC and to be confirmed by the USRC.

**i. Deputy speaker of USRC**

18.12 The Deputy speaker of USRC shall perform the functions below:-

- i. Be assistant to the Speaker of the USRC
- ii. Be a chief advisor to the Speaker of USRC
- iii. Collaborate with the Speaker of the USRC in performing duties
- iv. Perform all duties and functions of the office of the USRC when the Speaker is absent from or out of office for any cause

**j. Secretary of the USRC**

18.13 The Secretary to the Speaker of USRC shall perform the functions below:

- i. To be the secretary to the USRC meetings
- ii. To take the minutes in proceedings of the USRC's meetings
- iii. To be the custodian of the records of the USRC
- iv. To perform any other duties as may be assigned to him/her by the Speaker of USRC

**k. Chairperson of the Judiciary**

18.14 The Chairperson of the Judiciary shall be vested with the following duties:-

- i. To call and chair the meetings of the Judiciary
- ii. To receive and handle accordingly, the complaints/petitions from students who feel aggrieved by MUSTSO performance
- iii. To call a meeting to handle appeals relating to the General Elections
- iv. To receive any motion or agenda from the Cabinet or USRC which seems dissatisfied with either of the decision made by and rule out
- v. To call Students Baraza for a referendum when the two organs feel aggrieved by the decision reached by the Judiciary
- vi. To perform other duties as may be assigned to him by the students Organization

**1. Deputy Chairperson of the Judiciary**

18.15 The Deputy Chairperson of the Judiciary shall perform the functions below:-

- i. Be assistant to the Chairperson of the Judiciary
- ii. Be a chief advisor to the Chairperson of the Judiciary
- iii. Collaborate with the Chairperson of the Judiciary in performing duties
- iv. Perform all duties and functions of the office of the Judiciary when the Chairperson is absent from or out of office for any cause

**m. Secretary of the Judiciary**

18.16 The Secretary of the Judiciary shall perform the functions below:

- i. To be the Secretary of the Judiciary
- ii. To be Secretary in proceedings of the Judiciary meetings
- iii. To supervise and monitor the implementation of the Judiciary functions
- iv. Perform such other functions as are conferred upon him/her by this Constitution

**n. School/College/Institute Chairpersons**

18.17 There shall be a Students Chairperson from each academic School, College, and Institute who shall be elected by members of the respective School, College, or Institute and shall have the following duties:-

- i. To convene students' meetings at the School/College/Institute level to discuss common interests related to academic matters
- ii. To collect complaints, views and opinions from students belonging to School/College/Institute and report to the respective Principal/Dean

- iii. To represent students in meetings of the respective School/College/Institute called by Principal/Dean when deemed necessary
- iv. To assist in the settling of conflicts, complaints and disputes among students arising in the School/College/Institute
- v. To be a member of the Judiciary
- vi. Perform such other functions and do such acts or things as may nurture academic issues in the School/College/Institute

**o. School/College/Institute Secretary**

18.18 There shall be a Students' Secretary from each School/College/Institute who shall be selected by all students from the respective College, Institute or School and shall have the following duties:-

- i. To be the Secretary to the Students' School/College/Institute meetings
- ii. To assist students with academic problems
- iii. To represent students in the School/College/Institute meetings called by Principal/Dean when deemed necessary
- iv. To represent students in all matters relating to day to day academic affairs in respective School/College/Institute
- v. To be a member of the Judiciary
- vi. Perform such other functions as are conferred upon him/her by this Constitution

**p. Female Representatives**

18.19 There shall be one Female Representative for each College, Institute and School elected by respective female students.

The Female Representatives shall;

- i. Be the custodian of the interests of female students and shall collect complaints, views and advices emanating from female students and refer them to their relevant organs of MUSTSO and where necessary, to the University Administration through the Director of Students Affairs
- ii. Be the chief spokespersons of female students' interests in the various organs of MUSTSO
- iii. Promote gender balance between the male and female students and the interest of female students in the student community and;
- iv. Perform such other functions and do such other acts or things as may be required in order to further the interests of the female students in the University

**q. Block Manager**

18.20 Block Managers shall have the following duties:

- i. Supervise and monitor the implementation of the MUSTSO objectives and functions in respect of his/her Block;
- ii. Chair the meetings of the Block Assembly;
- iii. Advise the responsible Minister on the general cleanliness, security and welfare of the Block;
- iv. Take up and or report to the relevant Minister any matter related to the general interest and welfare of students resident in the Block;
- v. Nominate the Block Secretary subject to confirmation by the Block Assembly;
- vi. Resolve, with the assistance of the Block Secretary, minor conflicts, complaints, misunderstandings and disputes amongst students resident in the Block;
- vii. Discuss matters related to caring for sick students, Block cleanliness and health, academic advice among themselves, report and discuss students' abnormal behaviour (e.g. Drug abuse, smoking of marijuana, prolonged students' absence in the hall of residence or failure to attend classes, etc); and
- viii. Perform such other functions and do all such other acts or things as may be required in furtherance of the functions and objectives of MUSTSO within the Block

**r. Block Secretary**

18.21 Block Secretary shall;

- i. Be responsible to the Block Manager
- ii. Be the secretary to the meetings of the Block Assembly
- iii. Keep records of matters transacted by students at Block level;
- iv. Convene meetings of the Block assembly
- v. Act as the Block Manager during the Manager's absence from office;
- vi. Perform such other functions as may be delegated and/ or assigned to him/her by the Block Assembly and the Block Manager

**s. Class Representative (CR);**

18.22 There shall be two class representatives for each course of specialization in any academic year elected by students pursuing the same course.

Class Representatives shall;

- i. Convene two meetings per semester to discuss matters of common interest at class level, and shall keep minutes/records of the said meetings;
- ii. To report cases of sick students to the class master/mistress and Head of Department once he/she receives such information from classmates;
- iii. Collect complaints, views, advice and recommendations from the class/ course students on matters relating to teaching and other academic affairs and shall report the same to the minister responsible for education;
- iv. Assist in the settling of conflicts, complaints, and disputes amongst students in his/her class;
- v. To collect condolence contributions from the class and submit them to the Ministry of Health whenever a student passes away, loses parents, spouse or children; and
- vi. Perform such other functions and do such acts or things as may further the academic interests and social welfare of his/her class/ course
- vii. To link between the respective class and the office of Heads of Department and module master especially in academic issues.

## **ARTICLE 19**

### **FUNCTIONS OF MINISTRIES**

Ministers shall prepare monthly reports and submit to Prime Minister. For any report which may need some clarification, the respective minister shall consult the Prime Minister.

#### **19.1 Ministry of Education.**

There shall be a Ministry of Education with the following functions:

- i. Deal with all matters involving academic affairs
- ii. Organize and coordinate all educational activities whose interest will be catalyst in promoting unity in academic matters
- iii. Deal with all matters relating to teaching facilities inter alia: computers, class-rooms, chairs, writing tables, books, printing services, Library Services and the like; and
- iv. To organize and coordinate students' academic clubs such as IET, study tours, debates, symposiums, etc.

## **19.2 Ministry of Health, Food and Environment.**

There shall be a Ministry of Health, Food and Environment with the following functions:

- i. To be responsible for all matters related to students' health, catering and environment cleanliness including in hostel Blocks, cafeteria, MUST Social Club, Mama/Babalische, classrooms, public toilets, etc.
- ii. To assist sick students as deemed appropriate and report to Director of Students Affairs for further assistance by ensuring that these students get medical assistance at the dispensary on time and report to Director of Students Affairs office for further assistance if required.
- iii. To make sure that the catering services provided in the University are of a good standard and adhere to hygienic principles.
- iv. To make follow up on students payments for health insurance services in consultation with the Director of Students Affairs and ensure that students receive their membership cards on time
- v. To promote the habit of environmental conservation in and off campus
- vi. To collect condolence contributions whenever a student has lost parents, spouse or children

## **19.3 Ministry of Constitution and Legal Affairs.**

There shall be a Ministry of Constitution and Legal Affairs with the following functions:

- i. To supervise and coordinate all activities linked with information and publicity, MUSTSO Laws, regulations, rules and By-Laws.
- ii. To promote and maintain relations between MUST students' community and other external communities through information exchange while adhering to University rules and regulations.
- iii. To oversee all matters pertaining to the MUSTSO Constitution and any other legal issues.
- iv. To consult the USRC on Constitutional amendments
- v. To advice the MUSTSO government on all constitutional and legal affairs
- vi. To assist in the interpretation of any laws that is applied in the day to day activities.
- vii. To assist in enforcing Students By-Laws and other Regulations made by the University

#### **19.4 Ministry of Gender, Religion and Ethical Affairs.**

There shall be a Ministry of Gender, Religious and Ethical Affairs with the following functions:

- i. To coordinate all gender and religious activities with the intention of promoting a peaceful religious atmosphere and social co-existence within the MUSTSO community
- ii. To provide advice in various gender and religious matters to the central government and community in general.
- iii. To promote decent dressing among students
- iv. To promote ethics and moral values embodied in the Constitution and Students By-Laws.

#### **19.5 Ministry of Finance and Planning.**

There shall be a Ministry of Finance and Planning with the following functions:

- i. Keeping of accounting records and for all financial matters, both revenues and expenditures, and for auditing of the accounts.
- ii. To interpret the Financial Regulations and shall ensure that are strictly adhered to.
- iii. Laying out plans, administer and supervise all economic projects of MUSTSO.
- iv. To coordinate all Ministries in preparing the annual budget before being approved by USRC.
- v. To advise the PM on all financial matters of the Organization.
- vi. To receive all MUSTSO funds in terms of cash, bank pay-in-slips or cheques from various sources.
- vii. To be the custodian of MUSTSO funds and shall keep up to date records of accounts indicating the income and expenditure of the organization

#### **19.6 Ministry of Sports, Entertainment and Culture.**

There shall be a Ministry of Sports, Entertainment and Culture with the following functions.

- i. To promote and maintain development of sports/games and culture by ensuring that all necessary facilities are available and utilized.
- ii. To plan, organize and supervise sports/games and cultural activities within the University community
- iii. To promote and maintain good relationship between the MUSTSO, employees and neighborhood communities through sports, games and cultural activities

- iv. To organize and co-ordinate all sports and cultural activities to promote and encourage physical fitness and spirit of comradeship

#### **19.7 Ministry of Information and Public Relations.**

There shall be a Ministry of Information and Public Relations with the following functions:

- i. To supervise and co-ordinate all activities linked with information and publicity.
- ii. To be in charge of the students notice board
- iii. To promote and maintain relations between MUST students' community and other external communities through information exchange.
- iv. To organize and co-ordinate all information activities whose intention is to educate and promote a spirit of awareness and to update the MUST students' community on current issues
- v. To approve, disapprove and censor any advertisement or notices put up on campus. All advertisements or notices should have the Ministry Stamp or signature. In the absence of the Minister or his Deputy, any student Government official may approve such materials.

#### **19.8 Ministry of Defense, Security and Disaster Management.**

There shall be a Ministry of Defense, Security and Disaster Management with the following functions.

- i. Shall be responsible in all matters pertaining to defense, security and disaster among members of MUST students community
- ii. To advice MUSTSO on all matters pertaining to Defense, Security and Disasters Management
- iii. To organize and coordinate all activities concerning Defense, Security and Disasters Management

#### **19.9 Ministry of Infrastructure and Accommodation.**

There shall be a Ministry of Infrastructure and Accommodation with the following functions:

- i. To supervise and coordinate all activities pertaining to accommodation services to MUSTSO members
- ii. To advise MUSTSO government on all issues pertaining to housing, repair/maintenance, electrical power, water services, etc.
- iii. To assist in enforcing students' accommodation rules and regulations.

- iv. To advise and follow up maintenance and renovation of MUST infrastructure (hostel blocks, playing grounds and classrooms).

#### **19.10 Ministry of Students Loans.**

There shall be a Ministry of Student Loans with the following functions:

- i. To organize, coordinate and inform student on loans from Higher Education Students Loans Board (HESLB) or other organs.
- ii. To ensure that all students who are beneficiaries of Loans from HESLB are registered for identification and follow up in case of any setback
- iii. To keep record of students that have received or not received loans
- iv. To establish a communication network between the students' representative and the Ministry to ensure that all issues of Loans are communicated to the respective students
- v. Solicit other sources of student loans in collaboration with the University management
- vi. To establish and maintain good relationship, channels of communication and information flow between MUSTSO and Higher Education Students Loans Board and Ministry of Communication, Science and Technology.

### **ARTICLE 20**

#### **CEASATION FROM LEADERSHIP**

- 20.1 A leader elected or appointed in accordance with the provisions of this Constitution shall cease to hold office if;
  - i. He/she completes his studies;
  - ii. He/she is discontinued from studies on academic grounds or any other reasons or suspended from the University
  - iii. He/she is removed from office by the organ or person who elected or appointed him to that office;
  - iv. He/she is unable to discharge the functions of his/her office due to physical or mental incapacity
  - v. He/she submits a written notice of resignation
  - vi. He/she dies
  - vii. A majority vote of no confidence is cast for the President, and the Vice president
  
- 20.2 Any post which falls vacant shall be filled in accordance with the provisions of this Constitution and procedures.

## **ARTICLE 21**

### FINANCIAL PROVISIONS

21.1 The President and Vice President shall be responsible to the Students' Baraza for the management of the funds and all assets and properties, movable and immovable including the interest generated therein of MUSTSO

21.2 The source of funds for MUSTSO shall be:-

- i. Students Contributions (membership fees and subscriptions)
- ii. Gifts
- iii. Fund raising
- iv. Donations
- v. Any money appropriated by the University
- vi. Such sums as may in any manner become payable to or vested in MUSTSO

21.3 MUSTSO shall not be allowed to borrow money from outside the University.

21.4 MUSTSO shall establish and maintain proper financial rules related to the collection and disbursement of revenue

21.5 The MUSTSO Bank Account shall have two categories of Signatories as follows:

**Category A:** Shall bear the following signatories;

- i. MUSTSO Prime Minister
- ii. MUSTSO Minister for Finance

**Category B:** Shall constitute the following;

- i. Head of Students Government Judicatory and Control Services
- ii. Director of Students Affairs

21.6 No withdraws shall be made from the Bank Account without the signature of any one of the account bearers in category A and one of the signatures in category B concurrently referred to in article 21.5 of this Constitution after approval of the University management

21.7 The funds of MUSTSO shall be kept, recorded and maintained in accordance with the statutory financial regulations and directives as may be issued by the Students Representative Council from time to time

## **ARTICLE 22**

### AUDIT

- 22.1 The accounts of MUSTSO shall be audited annually by a competent auditor appointed by the University management
- 22.2 The accounts of MUSTSO shall be audited within and not later than the third week of the beginning of every academic year.
- 22.3 The auditor's report shall be submitted to the USRC for consideration before it is submitted to the University Management through the Director of Students Affairs.
- 22.4 The USRC may attach any comments on the auditors' report and both the comments and the auditor's report shall first be forwarded to the University Management before submitting them to the Students' Baraza for notification.
- 22.5 Without prejudice to the provisions of this constitution, the University Management has absolute discretion to take disciplinary and or legal action against any student leader (s) accused of embezzling MUSTSO funds.

## **ARTICLE 23**

### CAPACITY TO CONTRACT

- 23.1 All contracts for and on behalf of MUSTSO shall be entered into by the University Management which is capable of suing and being sued in its own name.

## **ARTICLE 24**

### AMENDMENTS

- 24.1 This Constitution shall be amended by two thirds (2/3) of all members of the University Students Representative Council. Members shall reach consensus by voting at a USRC meeting for such purpose.
- 24.2 The proposed amendments shall be submitted to the Students' Baraza by the Students Representative Council after they have been discussed and approved by the Students Representative Council

- 24.3 The meeting of the Students' Baraza to deliberate on the amendments shall be convened in accordance with the provisions of this Constitution, provided that the notice of such meeting and the proposed amendments shall be communicated to the members by the Prime minister fourteen (14) days prior to such meeting.
- 24.4 The amendment of the Constitution shall be approved and come into effects after the approval by the Governing Council of the University.
- 24.5 Any gap or omission in this Constitution, not requiring the amendment of the Constitution, shall be filled by decisions made by the Students Representative Council for attaining the intended objective or purpose.

## **ARTICLE 25**

### **RECOGNITION AND EXISTANCE OF MUSTSO BY UNIVERSITY COUNCIL**

- 25.1 MUSTSO's existence shall be recognized if its functions shall comply with the following requirements;
- i. MUSTSO written Constitution provides for functions of the Cabinet, Students Representative Council and Judicial and Disciplinary Affairs Committee
  - ii. MUSTSO does not engage in any activities which shall violate the laws of the United Republic of Tanzania and MUST Rules & Regulations
  - iii. MUSTSO abides to the University Rules and Regulations set by competent Authority from time to time.
- 25.2 Where MUSTSO fails to abide by the Article 25.1 (i) to (iii), MUSTSO shall be banned by the University Council.
- 25.3 The Council shall subject MUSTSO when found to have contravened the conditions of their recognition to an immediate review of the Constitution.
- 25.4 The Council shall issue any remedial instruction or direction and may prescribe new conditions for recognition for the activities of MUSTSO which are under review.
- 25.5 Where MUSTSO has been banned, the University Council shall put in place interim arrangement for the coordination of Students Affairs.

## **ARTICLE 26**

### DISSOLUTION

- 26.1 The existing government shall be dissolved in the fourth week, with respect to the group admitted later, of the second semester of every academic year for election purposes.
- 26.2 (i) MUSTSO government may be dissolved by a resolution passed to the effect by two thirds (2/3) majority of all voting members of the Students' Baraza, provided that notice of the proposed intention to dissolve MUSTSO government shall have been communicated to members fourteen (14) days prior to the meeting called for the purpose of the dissolution of MUSTSO government.
- (ii) In the event of the dissolution of MUSTSO government, the net assets of MUSTSO, after meeting all its liabilities in full, shall be held by the Students Representative Council until such time as an association with similar objectives is established and to which such net assets shall be transferred
- (iii) After dissolution of MUSTSO government, the government shall be under the interim committee until the election is done.

## **ARTICLE 27**

### PORTRAITS OF PAST OFFICE BEARERS

- 27.1 A record and portraits of past office bearers of MUSTSO shall be kept in respective MUSTSO office.

## **ARTICLE 28**

### OATH

- 28.1 There shall be an Oath of adherence to be taken by all MUSTSO leaders before assuming their offices.
- i. The following leaders:
- (a) The President of MUSTSO;
  - (b) The Vice President of MUSTSO;
  - (c) The Chairperson of Judiciary;
  - (d) The Deputy Chairperson; and
  - (e) The Secretary of Judiciary

- shall take an **Oath** before assuming their offices, within five (5) days after the election results have announced by the Electoral Committee.
- ii. The Oaths of the leaders in Article 28.1(i), shall be public and administered by a Commissioner of Oaths in the presence of the University Legal Officer and the Director of Students Affairs
  - iii. The USRC members shall take an Oath before the Speaker of USRC during its first meeting which shall be chaired by the Electoral Committee until the Speaker and Deputy Speaker of USRC is obtained.
  - iv. The Speaker and Deputy Speaker of USRC shall take an Oath before the USRC members under the chairmanship of the Commissioner of Oaths.
  - v. The Prime Minister after being confirmed by the USRC, Ministers, Deputy Ministers and Secretaries shall take Oaths before the MUSTSO President and Vice President.
- 28.2 The concerned persons shall be sworn-in as follow: -  
***“I (Name) I swear/ affirm in front of you that I shall work honestly and diligently with the powers vested on me as (Title) by the MUSTSO Constitution and regulations made there under in executing my daily duties and I shall never act against the guidelines provided to me by this Constitution. Help me God.*”**
- 28.3 When taking an Oath the concerned person shall hold the MUSTSO Constitution and either a Bible or Quran or any other holy book, depending on his/her belief or otherwise.

## **ARTICLE 29**

### **MORALS AND ETHICS OF MUSTSO**

- 29.1 MUSTSO shall maintain the freedom of any Religious group provided that they do not interfere with the main objectives of MUSTSO.
- 29.2 MUSTSO shall not allow any tribal group/association, racism or any other association that may intend or result into tribal or racial discrimination which may endanger unity/ peace and solidarity among the members of the students' community or the society at large.
- 29.3 MUSTSO members shall **wear decent clothes** as stipulated in the Students' By-Laws 2014
- 29.4 MUSTSO members shall obey all University's regulations and rules as promulgated from time to time.

- 29.5 MUSTSO members shall refrain from any political activism and associated activities within the campus.
- 29.6 No member or group of members shall use the name of MUSTSO in any activity or engagement without the prior written consent of the existing President of MUSTSO.

### **ARTICLE 30**

#### **BY-ELECTIONS**

- 30.1 There shall be by-elections which shall be conducted to fill in vacant positions. The by-elections shall be administered by the office of the Speaker of USRC.
- 30.2 The by-elections shall be conducted at,
- i. The beginning of every academic year, for the first year to elect the class representatives; and
  - ii. Any time due to death, resignation, termination or nullification of election results, discontinuation from studies of the representative.
- 30.3 The office of the Speaker of USRC shall conduct by-elections for vacant positions under article 30.2(i) at the beginning of the first or second semester of every academic year or as the case may be.

### **ARTICLE 31**

#### **MISCELLANEOUS**

- 31.1 MUSTSO in Collaboration with the Director of Students Affairs, shall have powers to:
- i. Prepare the Constitution of the organization
  - ii. Prepare the election rules
  - iii. Prepare Financial Regulations
  - iv. Prepare rules governing peer support services
  - v. Organize and implement outreach programmes
- 31.2 Without prejudice to Article 6 of this Constitution, MUSTSO in collaboration with the Director of Students Affairs shall;
- i. Set up a Code of Conducts for students within the students' community
  - ii. Set up mechanisms for enforcement of the Code of Conduct
  - iii. Set up procedures for taking complaints from aggrieved students

- 31.3 The Director of Students Affairs shall be the Administrative Head of the Students' Affairs
- 31.4 The Director of Students Affairs may after every three years instruct MUSTSO to review its Constitution
- 31.5 MUSTSO external affiliation to other organization(s)
- i. MUSTSO may affiliate or be affiliated to an external Organization(s).
  - ii. The decision to affiliate or be affiliated shall first be approved by the University Council and be published to the student community.
  - iii. The Director of students Affairs shall set down procedures to be approved by the Council for reviewing affiliation to or of external organization(s)
- 31.6 Wherever there are deficiencies in the Constitution the University Council shall subject MUSTSO to review of the Constitution.

### **APPROVAL**

According to the 9<sup>th</sup> Council meeting of Mbeya University of Science and Technology (MUST) held on 27<sup>th</sup> April 2017 item 6.2; this MUSTSO Constitution 2017 has been read and approved.

Prof. Penina Mlama

Ms. Saumu Mruke

**MUST COUNCIL CHAIRPERSON**

**COUNCIL SECRETARY**

Signature.....

Signature.....

Date.....

Date.....