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PREAMBLE

WHEREAS, We students government have firmly and solemnly received to build our students Government as a society founded on the principles of freedom, justice, fraternity and concord.

AND WHERE, AS, the students understand and believe that only a diligent autonomous and independent student' organization runs democratically' and having competent leaders is capable of taking care of students' affairs and problems.

CONSIDERING ALSO, the fact that student under their leaders are expected to uphold good morals and appropriate educational standard so as to be useful and respected future leaders.

TAKEN INTO CONSIDERATION THAT, all students' laws and By- laws should take into consideration and should not contravene the constitution, Trust Deed and Trust Rules, 2005 and any other existing laws.

NOW THEREFORE THIS CONSTITUTION IS ENACTED BY THE TUMASO – SMMUCo REPRESENTATIVE BOARD, on behalf of the students for the purpose of building such a society and ensuring sensually that Tumaini University Makumira, Stefano Moshi Memorial University College students are governed by a student's government that adheres to the principles of democracy and which is strong, solid and concord.

CHAPTER ONE

TUMASO – SMMUCo, ITS STATUS AND POLICIES

PART ONE

NAME, HEADQUARTERS, LANGUAGE, AND INTERPRETATION

ARTICLE 1; NAME

The name of the Organization will be, the Tumaini University Makumira students organization Stefano Moshi Memorial University College (TUMASO-SMMUCo)

ARTICLE 2; STATUS

The Organization will have the status described hereunder.

1. TUMASO-SMMUCo will be a non partisan Organization.
2. TUMASO-SMMUCo will be an autonomous non-government student body.

ARTICLE 3; HEADQUARTERS

The headquarters of the organization will be at the head quarter of Stefano Moshi Memorial University College.

ARTICLE 4; LANGUAGE

The official language of TUMASO-SMMUCo will be both English and Swahili

ARTICLE 5; POWER

TUMASO-SMMUCo shall be vested with:-

- (i) Financial powers in terms of economic viability and the power to control its financial resources
- (ii) Powers to purchase, hold, alternate under its management, and dispose of any property whatsoever which is under its authority, whether movable and whether by way of

investment or otherwise and entering any such contracts as may be necessary or expedient for the performance of its functions under this constitution.

- (iii) Power to reinforce disciplinary matters of students through the TUMASO SMMUCo Board in consultation with the college administration.

ARTICLE 6; EXERCISE OF THE ORGANIZATION GOVERNMENT

All authority in the organization of student's government shall be exercised and controlled by one executive organ, one legislative organ, student baraza and disciplinary affairs committee

ARTICLE 7; INTERPRETATION

Unless otherwise defined in this constitution, the following words shall have the meaning assigned to them as follows.

"Academic Association"

Means an association formed by TUMASO-SMMUCo members who belong to the relevant academic department, faculty or any discipline of the University.

"Annual Handing over report"

Means the reports, which are prepared, submitted and presented as established under this constitution and which contain the plans, implementation, success, failure and commendations of the outgoing office bearers.

"Budget Session"

Means a session in which parliament may discuss and endorse an annual budget proposal as established under this constitution.

"By Elections"

Means elections held to fill a post, which been kept vacant immediately after the elections period or several months before the elections established under this constitution

“Candidate’s Observers or Agents”

Means TUMASO-SMMUCo Observer of agent appointed by any TUMASO-SMMUCo election candidate for the purpose of overseeing on his/her behalf the polling and counting room respectively as established by this constitution.

“Chief Executive”

Means a TUMASO - SMMUCo office bearer who is responsible in carrying out all TUMASO-SMMUCo organs’ day-to-day functions

“Constitution”

Means a set of rules and bylaws governing TUMASO-SMMUCo government and all other students of SMMUCo

“Defaulter”

Means a person who violates the constitution and / or other rules

“Executive member”

Means a member of any ministry established by this constitution and who is an office bearer.

“He or him”

It’s assed to include the feminine gender.

“A Non-Partisan”

Means not affiliated to any political party and this always action impartially and in a no-aligned member.

“Office Bearer”

Refer to the president, the vice president; the secretary general, the minister of any ministry and principal secretaries.

“President”

Means the head of TUMASO-SMMUCo

“Polling station”

Means a place where TUMASO-SMMUCo members go to cast the election votes basing on polling rules established by the Electoral committee and this constitution.

“Prime Minister”

“Signatory”

Refers to the TUMASO-SMMUCo Treasurer

“Speaker”

Means the person who chairs and presides over the meetings of USRC as the case may be and will be elected as provided for in this constitution

“Special Resolution”

Means a resolution of students Baraza supported by two thirds of the members present through voting

“Status”

Refers to the status of TUMASO-SMMUCo prescribed under the constitution.

“Student”

Means all members of the University community who are registered, and undertaking courses at the Stefano Moshi Memorial University College

“Student Baraza”

Means the general meeting of all students constituted as provided for under this constitution

“Student’s Organization”

Means the Executive organ of the University students Representative Council (USRC) as established by this constitution

“TUMASO SMMUCo board”

Refer to a special university publication, which is prepared at the beginning of every academic year and which lists dates of special University meetings and events conducted by the students, their government under the guidance of the Dean of student’s administration.

“USRC”

Refer to the University Student’s Representative Council.

“Vice President”

Refers to the TUMASO-SMMUCo vice president as provided for in this constitution

Year of Election

The year in which the elected government is on power

PART TWO

MEMBERSHIP, RIGHTS AND OBLIGATION

ARTICLE 8; MEMBERSHIP

The members of TUMASO-SMMUCo will be registered Student pursuing available courses at the University referred as ordinary members and part of the students associations.

ARTICLE 9; RIGHTS OF MEMBERS

All members of TUMASO-SMMUCo will be all registered students who have paid TUMASO-SMMUCo fee. These students will have rights to.

1. Every member has a right to audience and freedom of expression before all organs of TUMASO-SMMUCo subject to the rules guiding the respective organ.
2. All students shall be treated equally.
3. All students have equal opportunity to contest for any students' government and or be elected to the posts if he/she has the qualifications required.
4. He/she has the right to elect or to be elected nominated in all TUMASO-SMMUCo general election of students' government, if he/she has the required qualification. However the rights stipulated under this article will be pursued provided that in the course of enjoyment of these rights, nothing will be construed to entitle any members enjoyment of the same.
5. To participate in all activities pertaining to TUMASO-SMMUCo objectives and goals.
6. Receive all publications of TUMASO-SMMUCo as determined by the University students' Representative council.
7. Form any association and clubs upon approval from the governing board upon the recommendation of the management of the university college.
8. Receive proposals and motions for discussion at the student Baraza and USRC through the secretary general.

However, the rights stipulated under this article shall be pursued provided that in the course of enjoyment of these rights, nothing shall be construed to entitle any member of TUMASO-SMMUCo to hinder in any way other member(s) enjoyment of the same.

ARTICLE 10; OBLIGATION

All TUMASO-SMMUCo members will be obliged to fulfill the following duties pertaining to their membership.

1. To uphold this constitution as legal document and any decision, activity, exercise of power or otherwise that contravenes this constitution will be null and void. Legal measures may be taken to redress such default depending on the damage caused.
2. To pay their annual subscription fees as will be determined from time to time by the USRC in its budget sessions, which shall be subject to the University's Governing Boards. And shall be paid at the beginning of the first semester within the academic year.
3. To exercise their rights with responsibilities without prejudice to the rights of other and the need of our society.
4. To be responsible in fulfilling their academic roles and functions with competence, integrity and to the best of their abilities. In so doing they should show an example of self-discipline industriousness and ethical pursuit of academic excellence.
5. To refrain from influencing all organs of TUMASO-SMMUCo or its office bearers in any way or manner that may appear to prejudice the status of TUMASO-SMMUCo.
6. To inculcate and perpetuate the spirit of tolerance toward differing views and opinions and enhance democratic views and pinions.
7. To feel responsible in contribution toward redrawing historical and contemporary inequalities in our society based on difference of class, gender, race, nationality, region, campuses, economic and material condition.
8. To avoid misuse and misappropriation of the organizations premises, fund or any other property that would be contrary to the interests and regulations of the organization especially the responsible organ.

PART THREE

AIMS AND OBJECTIVES MEANS AND ACTIONS

ARTICLE 11; AIMS AND OBJECTIVES

1. The fundamental aim of the organization is to represent all students in matters that affect their interests and welfare both as individuals and as a community by establishing an effective channel of communication between the students' bodies worldwide.
2. To promote respect for the interest of student in the University Community, to defend students' rights especially the students' right to organize themselves and the right to participate freely in all related decision making process.
3. To promote and facilitate communication and exchange of information between its members, the University community, the public and all other academic organizations.
4. To promote love and respect to learning, pursuit of the truth and to ensure every student understands his/her responsibility to educate oneself to the best of her/his capacity and to search knowledge for the betterment of humankind, thus cherishing and promoting academic excellence and freedom as an invaluable right of a student at the University.
5. To unite all students of Stefano Moshi Memorial University College regardless or without prejudices based on race, colour, and gender in the pursuit of peace, democracy, progress and elimination of tribalism, religionalism, nepotism, and any forms of discrimination.
6. To promote national and international understanding and good will among students from other countries through debates conferences and other media at home and abroad.
7. To perform duties and exercise all powers and responsibilities vested in or conferred on the students' organization by or under any provision of the university constitution.
8. To support the needy and under privileged members of our society and where possible secure or influence the procurement of some means of support for needy students.
9. To inculcate the spirit of respect for human rights and promote all efforts attempting to sensitize and mobilize the University community, the public and the international community for the purpose of combating violations of human rights and the fundamental principle of democracy.
10. To promote research and consultancy to all University students.

ARTICLE 12; MEANS AND ACTION

To attain its objects TUMASO-SMMUCo shall involve itself in

1. Seminars, conferences, workshops, study-tours and symposia
2. Publication of documents (Written documents as well as Audio visual materials).
3. Mobilization of public opinion of civil society institutions toward developmental needs within the University, Tanzania and the World at large.
4. Secure necessary funds to help executing projects in its field of activities.
5. Counseling fellow students in academic and spiritual fields in order to promote reactivity, originality and intellectual curiosity between the scholarly community and the nation at large.
6. Upholding objectives similar to those of TUMASO-SMMUCo.
7. Peaceful or legal means of actions where necessary to achieve TUMASO-SMMUCo overall objectives

CHAPTER TWO

ARTICLE 13; TUMASO-SMMUCo ORGANIZATIONAL STRUCTURE

1) THE PRINCIPAL ORGANS OF TUMASO-SMMUCo

- i. University Students Baraza
 - ii. TUMASO-SMMUCo Arbitration Board
 - iii. The University' Representative Council (USRC)
 - iv. The cabinet
 - v. Electoral Committee
- 2) Every organ referred to under sub article (1) above shall be independent

PART ONE

UNIVERSITY STUDENTS BARAZA

1. There shall be the University Students Baraza in each campus which shall be constituted by all students studying at TUMA-SMMUCo and the Dean of Student or his/her representative with no power to vote.
2. The Student Baraza shall be the supreme Organ of TUMASO-SMMUCo on matters of policy and any other organ established under this constitution shall be subordinate and accountable to it.
3.
 - a) It shall meet at least twice per academic semester, one sitting at the beginning of the semester, and the other at the end of the semester provided that these meetings shall be according to dates set in the University Almanac.
 - b) Upon requested by the president or a petition signed by two-third of the USRC members or a petition signed by one-third of all students in the care of which the Dean of Students shall give notice for the convening of such meeting.
 - c) The quorum for meetings shall be one third of the students' body, meeting as ordinary members per campus.
 - d) Special resolution shall be executed through voting on the basis of two-third of the members present at the students Baraza.
 - e) The chairmanship of the meeting in the absence of the TUMASO-SMMUCo government shall be determined by students' Baraza

4. The students Baraza has authority,
- a) To oversee all other TUMASO-SMMUCo subordinate organs and if necessary, may formulate committee as deemed fit.
 - b) To discuss all matters of interests to students derived from recommendations made by the USRC or otherwise.
 - c) To elect the president and vice president of TUMASO-SMMUCo
 - d) To make proposals and ratify the amendments of the constitution and other rules thereto without prejudice to the general proposal for the constitutional amendment or other rules may be derived from the USRC or an independent competent commission established by the student Baraza
 - e) To build the capacity of elites for good governance and management in consultation with others.
 - f) To deliberate and take legitimate decision on its session
 - g) Subject to other provisions of this constitution, the decisions made by the University Student Baraza Shall be final and conclusive.
- Provided that, nothing in this provision shall be construed as a bar to the students Baraza to review its previous decision(s)

PART TWO

ARTICLE 14; THE UNIVERSITY STUDENTS' REPRESENTATIVE COUNCIL (USRC)

There shall be the University Students' Representative Council of TUMASO-SMMUCo.

1. The USRC shall be composed of;-
- a) The speaker who shall be its chairperson
 - b) The deputy speaker who shall assist the speaker, and acting speaker in the absence of the speaker.
 - c) TUMASO-SMMUCo prime minister who shall be the head of the government business in the house
 - d) One representative from each class
 - e) The secretary of the house who shall not be a USRC member and who shall not have power to vote
 - f) One representative from women and men hostels for in campus students and two representatives (gender balance) from out campus students

- g) A representative from the office of the Dean of students who shall have no power to vote
- 3. Every member of the USRC shall be required to take and subscribe before the USRC meeting the oath of allegiance before commencing to take part in the business of the USRC save that he may take part in the election of Speaker and deputy Speaker
- 4. a) The USRC shall convene at least twice in each ordinary academic semester and these meetings shall according to dates set in the TUMASO-SMMUCo ALMANAC.
- b) The quorum for the meetings shall be two- third of the members.
- c) The decision of the USRC shall be by simple majority
- d) The secretary of the house after consultation with the speaker and /or the dean of students shall have power to convene the USRC meeting at any time to discuss matters he/she considers to be of interest to TUMASO-SMMUCo members and after that shall have power to convene an emergence student Baraza for final determination of the matters discussed
- 5. The USRC shall perform the following duties:
 - a) To elect the speaker and the deputy speaker from among the USRC members
 - b) Endorse the office bearers appointed by the president.
 - c) Propose rules and amendments of this constitution, review and approve or disapprove policies and actions of TUMASO-SMMUCo government when considers it necessary to do so.
 - d) Approve or disapprove the budget estimated and financial statements prepared by the TUMASO-SMMUCo government in general which must have been recommended by the final committee of the USRC.
 - e) Discuss and approve the annual general handing over reports on activities of TUMASO-SMMUCo submitted to it.
 - f) The USRC shall formulate/ Enact By laws under which it will be operated.
 - g) Investigate in consultation with Dean of students affairs and take appropriate disciplinary and legal measures against any of the office bearers of TUMASO-SMMUCo on any action of malpractices, corruption and any other misconduct.
 - h) Establish committees as may be found necessary for the execution of its functions.

- i) Perform any other duties as the college students Bazara may direct.
- j) To remove from office the speaker subject Article 31 sect. 1c (iv).
- k) Any decision in USRC shall be by majority vote

6. Dissolution of the University student representative council (USRC)

(a) None of the office bearers shall have power to dissolve the USRC. When the two organ are in conflict, the matter shall be referred to the student's Baraza for final decision
In matter of conflict between government and USRC, the matter shall be referred to student Baraza for resolution

(b) The students' Baraza is hereby empowered to dissolve the USRC upon being satisfied that the USRC is in efficient in the performance of its day to day activities.

Any decision against either of the two shall be resolved by majority vote of not less than 75% of the member of students in each compass.

(c) The president shall have power to dissolve the USRC upon completion the period of the tenure of office.

PART THREE

ARTICLE 14; THE CABINET

(1) The affairs of TUMASO- SMMUCo shall be managed and supervised by the cabinet headed by the President

(2) The Cabinet shall be composed of;-

- (i) President
- (ii) Vice president
- (iii) Prime minister
- (iv) Ministers
- (v) Deputy Ministers

(3) The cabinet shall perform all duties of the government in a manner articulated in the constitution and shall strive to perform all their duties and functions diligently in the interest of the organization as they shall be responsible collectively to the government .

- (4) The office of the minister or deputy minister shall become vacant where the office of the President and Vice President become vacant by reasons stated under Article 31 of this constitution.

ARTICLE 15; THE EXECUTIVE COMMITTEE OF TUMASO-SMMUCo

TUMASO-SMMUCo shall have the following committees with their compositions and functions:

- a) An executive committee
- b) A student representative council
- c) A disciplinary affairs committee.

Note; every committee shall be independent / free.

1. **The executive committees** shall be comprised of the president, vice president, prime minister, ministers and deputies.
2. **The student representative council** shall be comprised of the executive committees, disciplinary affairs committee and university student representatives.
3. **Disciplinary** affairs committee shall comprise of dean of students, the dean faculty representatives and students representative.
4. Although there is a Disciplinary Affairs committee, but in case the issue is sensitive the procedure is done by the college / university disciplinary committee.

Decisions

1. Where there is a conflict between the decision made by executive committee and student representative council, disciplinary committee shall determine the conflict.
2. Where the executive committee or student representative council is aggrieved by the decision made by the judicial and disciplinary committee, the referendum shall be convened by Dean of student to obtain disciplinary opinion over the matter.
3. The Dean of student shall supervise the referendum proceeding

All office bearers of TUMASO-SMMUCo shall without prejudice strive to perform all their duties and carry out their functions diligently in the interest of the organization. They will be responsible to the government collectively.

The executive committee of TUMASO-SMMUCo shall perform all duties of the Government in the manner articulated in this constitution and shall be constituted by the following executive arms; The TUMASO-SMMUCo President, vice president, Prime minister, Ministers, assistance and other selected members of the government.

ARTICLE 16; THE PRESIDENT

1. There shall be a president of TUMASO-SMMUCo elected by all ordinary members of TUMASO-SMMUCo.
2. A student who wishes to contests for the post in election shall have the following qualifications;
 - a) Of high academic performance with G.P.A of not less than 3.0 in the semester examination prior to the election.
 - b) Of proven ability to keep going leadership without impairing academic performance.
 - c) Of clean studentships who has no bad record of disorder and misconduct.
 - d) Of no political party affiliation or allegiance within the college.
 - e) Highly esteemed by members of the organization.
 - f) Not charged with criminal or disciplinary offence.
 - g) Not been suspended from school.
 - h) Not been previously convicted of criminal or disciplinary offence.
3. The President shall have the following functions
 - i Shall be head of TUMASO-SMMUCo meetings
 - ii Shall be the student's representative in all TUMASO-SMMUCo meetings as articulated in the respective constitutions. In his absence, the Vice President or any other member in that order (hierarchy) will attend the meeting.
 - iii Shall, in consultation and with the advice of the vice president appoint or terminate the appointment of the members of the TUMASO-SMMUCo government.
 - iv Shall appoint ministers basing on equal balance within 14 days after being sworn.
 - v Shall have the responsibility of defending the TUMASO-SMMUCo government resolution and proposal when questioned by any or all of the USRC or Students' Baraza meetings.

- vi Shall in consultation and with the advice of vice president and the prime minister, have power to establish boards, departments or committees for the purpose of effectively preparing meetings of TUMASO-SMMUCo academic, social economic programs.
- vii Shall delegate his/her functions to his/her vice president or the secretary general to act on his/her behalf, and in the absence of the vice president and the prime minister, to delegate his/her powers to the any other minister.
- viii All presidential appointments shall be communicate to all TUMASO-SMMUCo members
- ix To seek dialogue and represent all members of TUMASO-SMMUCo and to defend their interests in appropriate administrative forms.
- x The office of the president shall prepare its budget at the beginning of each academic year and it shall be approved by the USRC.
- xi The president shall nominate three members of the USRC who will act as students' representatives, one from each campus based on gender balance.

ARTICLE 17; DISSOLUTION OF THE USRC

1. The president with consultation of the students' Baraza is empowered to dissolve the USRC if he/she is convinced that the USRC is inefficient in the performance of its duties.
2. In such occasions, the president shall, through the speaker, call the USRC Meeting before the intended dissolution for the purpose of informing the USRC the reason behind for the decision to dissolve.
3. Immediately after such dissolution the president, shall call the students Baraza, which may approve that decision and if the students agree on the decision, the president also has to resign.
 - i If the students' Baraza disagrees with the president's decision, the president must resign from the post and General elections shall be called and conducted in accordance with the Electoral committee proceedings.
 - ii However the president shall resign only if the decision on dissolution does not guarantee the benefit of the community.
 - iii If the student Baraza agrees with the president the election of the USRC and president shall be done within a period of seven days with effect from the day of such agreement.

ARTICLE 18; DISMISSAL OF CABINET MINISTERS

1. Where the president is not satisfied with the performance of any or all of the members of his cabinet, her/she may dismiss them. Provided that before invoking such decision, the President shall have strong reason for his/her decision.
2. In any other case, the president shall dissolve the USRC and the procedure in Article 17 shall apply.

ARTICLE 19; THE VICE PRESIDENT

1. There shall be one Vice President who will be the principal assistant to the president in respect of the matters in TUMASO-SMMUCo.
2. Shall be the running mate of the contender for a presidential post of TUMASO-SMMUCo.
3. Where the president is from campus A, Vice president from campus B, then the prime minister must come from campus C and vice versa
4. Must have a measured GPA of 3.0 subject to article 16(2) (a)
5. The Vice President shall have the following functions
 - i Shall be principal assistance to the president in respect of all matters pertaining to welfare of the organization.
 - ii Shall perform all duties assigned to him/her by the president.
 - iii Shall assist the president in making a follow up of the day to day activities of TUMASO-SMMUCo.
 - iv Shall, perform all his/her duties under the direction and supervision of the president and shall provide leadership and be answerable to the president.
 - v Shall, in the absence of the president, act on behalf of the president
 - vi Shall be the chief advisor to the president of TUMASO-SMMUCo in appointing or terminating members of TUMASO-SMMUCo executive arm, establishing boards, departments or committees.

ARTICLE 20; PRIME MINISTER

1. There shall be a prime minister of TUMASO-SMMUCo appointed by the president in consultation with the vice president and approved by the USRC.
2. Subject to article 16.2(a), the president has right and freedom to appoint any student for the post.
3. Subject to the provision of this constitution, Prime Minister shall be accountable to the President for the exercise of his or her duty assented.
4. **The prime minister shall perform the following functions**
 - i Shall be the chief executive officer of TUMASO-SMMUCo and shall be the secretary to the TUMASO-SMMUCo government and the University students' Baraza.
 - ii Shall in consultation with the TUMASO SMMUCo minister for finance and Economic Affairs prepare and submit before the USRC the whole budget of the government.
 - iii Shall supervise and operate TUMASO-SMMUCo organs, convene all government meetings within a reasonable time.
 - iv Shall, in consultation with the president, prepare agenda for and in collaboration with other TUMASO-SMMUCo organs, convene all government meetings within time.
 - v Shall keep all TUMASO-SMMUCo records, reports and documents except the USRC document and records.
 - vi Shall prepare and submit before the USRC a brief report of any representation by TUMASO-SMMUCo to any tour symposium workshop, conference or congress.
 - vii Shall supervise his/her deputies in other campuses.

ARTICLE 21; THE USRC SPEAKER

1. The USRC speaker is the chairperson of the USRC;
 - a) There shall be a TUMASO-SMMUCo USRC speaker who shall be elected by the USRC of TUMASO-SMMUCo from among the contesters for the post
 - b) Contesters shall come from within the members of the USRC and Subject to article 16.2(a) any member of the USRC is free and right to contest for the post
 - c) The one who scores more voters than the rest is announced the winner of the post.

2. The USRC speaker shall perform the following functions

- i The chairperson of the USRC
- ii Chair the meeting of the legislature, USRC
- iii Perform the role of moderator between conflicting interests of the students as a group and students Government.
- iv In consultation with the president, vice president and prime minister shall convene the USRC meetings.
- v Shall supervise USRC committees.
- vi Establish committees for the execution of its function

ARTICLE 22; DEPUTY SPEAKER

- 1. There shall be the deputy speaker of TUMASO – SMMUCo
 - a) The post shall be contested and elected from among members of USRC.
 - b) The post shall be contested considering gender bases
- 2. The deputy speaker shall perform the following;
 - a) To chair and act for the speaker in his/her absence
 - b) Carryout such duties as shall be assigned by the speaker

ARTICLE 24; MINISTERS

There shall be appointees of the president with the following functions;

- i To head respective ministries.
- ii To carry out all duties related to their respective ministries and other duties as may be assigned by the president, Vice-President, Prime minister and deputy prime minister from time to time.
- iii To prepare budget for various ministries in collaboration with their assistants

ARTICLE 25; DEPUTY MINISTERS

- 1. There shall be one deputy minister to each minister who shall be appointed by the president drawn from campus other than that of the minister concerned.
- 2. The president may appoint two Deputy Ministers as a maximum number if deemed necessary to do so.

3. The assistant ministers shall perform the following functions;
 - i To assist ministers in the performance of ministerial duties.
 - ii To assume responsibilities of their respective minister in case he/she is absence from duty.
 - iii To perform any other duty as may be assigned to them by their respective ministries.
 - iv Shall be responsible for proper keeping of ministry records and take minutes in every ministerial sitting.
 - v Shall be responsible and accountable to his minister in case of any misconduct.

ARTICLE 26; MINISTERIAL COMMITTEES

1. There shall be ministerial committees compose of five members with the following functions;
 - i To attend all ministerial sittings within their respective ministries.
 - ii To assist in drafting ministerial annual plans
 - iii To be advisor to the ministers on ministerial matters
 - iv To perform any other duty as may be assigned to them by their respective ministers

2. Ministerial responsibilities :

- i Every minister shall swear an oath office
- ii Every minister shall be answerable to USRC for his acts and the act of his office members.
- iii Shall seize being ministers and assistant ministers upon the dissolution of government or if found guilty of betraying the government.

ARTICLE 27; MINISTRIES

The president shall form a TUMASO-SMMUCo government that consists of the following ministries

1. MINISTER OF ACCADEMIC AFFARS

- i To advise the government on suitable academic systems.
- ii To organize and coordinate all academic and educational activities whose interest is to catalyze and promote the spirit of learning
- iii To improve the academic relationship with other Universities.

- iv To prepare academic calendar with the academics office.
- v Ensure the atmosphere is conducive for learning
- vi To form education committees.
- vii Ensure all students have identity cards

2. MINISTER OF FINANCE AND ECONOMIC PLANNING

There shall be minister of finance and planning with the following functions:

- i To plan on the income and expenditure of TUMASO-SMMUCo funds.
- ii To advise the government on all matters pertaining to finances and planning
- iii To present before the USRC an annual, budget of proposed expenditure by TUMASO-SMMUCo.
- iv To answer before the USRC any questions pertaining to the planning and expenditure of TUMASO-SMMUCo funds.
- v To create and promote income generating project of TUMASO-SMMUCo.
- vi Shall comply with financial regulations.
- vii The government shall give out financial report for every semester to students through student Baraza.

1. MINISTER OF CULTURAL AND SPORTS AFFAIRS

There shall be minister of sports with the following functions.

- i To promote and maintain development of sports by ensuring that all necessary facilities are available and utilized.
- ii To organize and supervise sports activities within the communities through sports.
- iii To organize and coordinate all sport activities whose intention is to promote and encourage friendship among the community members?
- iv To promote and maintain good relationship between the TUMASO-SMMUCo and other communities through sports.

2. MINISTER OF PUBLIC RELATION

There shall be minister of Public relation with the following functions.

- i Coordinating and arranging all social and home affairs budgeting
- ii To deal with all matters involving social and home affairs
- iii To improve and expand our social relations within and outside the college.
- iv Co-ordinate and arrange all social and home affairs functions

- v Provision of transport for representatives for the funeral ceremonies related to students.
- vi All matters involving students problems and relations outside the college.
- vii Creation of inter University relations
- viii Publicizing the college
- ix Provide information regarding acquisitions of foreign student pass and visa.
- x The ministry shall be responsible for all foreign affairs.
- xi To take care of students security matters.

3. MINISTER OF CONSTITUTION AND LEGAL AFFAIRS

There shall be minister of legal affairs and constitutions with the following functions.

- i To deal with all legal relations.
- ii To deal with the supervision and amendment of the constitution.
- iii To deal with all legal relations within the college and with other higher learning institutions.
- iv To provide students with information regarding their constitutional rights and duties.

4. MINISTER OF HEALTH AND ACCOMMODATION

There shall be minister of Health and accommodation with the following functions.

- i To oversee all students health matters within the college and hostels condition.
- ii To seek quick assistance for students attacked by sudden illness.
- iii To organize students' health insurance and seminars.
- iv To assist students in acquiring accommodation.

5. MINISTER OF LOANS AFFAIRS

There shall be minister of loans affairs with the following functions;

- i. To provide correct and current information regarding to loan beneficiaries
- ii. To make sure that if loan reaches the university, loan beneficiaries get it in time
- iii. To make sure he/she is available whenever there is an issue concerning Student's loan

PARTY THREE

ARTICLE 28; TENURE OF OFFICE

All three organs mentioned in **Article 6** shall have tenure of office of one academic year.

ARTICLE 29; REMUNERATION

All office bearers and USRC will not be entitled to receive any remuneration but shall be given allowances per sitting in a cabinet and in USRC as the budget may allow and may be reimbursed for any expense incurred in the performance of their respective duties as provided for in this constitution.

ARTICLE 30; OFF CAMPUS AND ON CAMPUS STUDENTS REPRESENTATIVES

- i All representatives shall be the heads of their respective and accountable to USRC
- ii The representatives, in cooperation with the TUMASO-SMMUCo government office bearers, shall ensure that the residence assembly resolutions and the directives from TUMASO-SMMUCo government are implemented in their respective constituency.
- iii The representatives shall convene meetings and prepare documents required by any office bearers of TUMASO-SMMUCo government
- iv The representatives shall work in collaboration with their respective ministry in executing the duties of the latter.
- v For each academic semester the representatives in collaboration with the respective ministry shall convene at least one meeting.

ARTICLE 31; TERMINATION FROM THE OFFICE

Any office bearers may leave the office either by impeachment, voluntarily or involuntarily. The president or vice president may leave office either by way of vote of no confidence, by impeachment or voluntarily.

1. Motion of no confidence

- i) An ordinary TUMASO-SMMUCo member may move a motion to impeach the president, Vice president if it is alleged that either one of them.
 - a) Has committed acts, which generally violate the TUMASO-SMMUCo constitution, and other by-laws, University students' by laws or the principle ethic guiding TUMASO-SMMUCo leader.
 - b) Has behaved in a manner, which discredits the office of TUMASO-SMMUCo
 - c) Has not followed procedures
- ii) The motion of no confidence shall be written and signed by one third of all members of TUMASO-SMMUCo for the case of president, Vice president or prime minister and members of the USRC for the case of other Executives.
- iii) Any motion of no confidence shall be discussed by the USRC and decided, pending approval or disapproval by the student Baraza.
- iv) The affirmation of motion of no confidence by the student Baraza shall be duly constituted by two thirds of all members present at the meeting otherwise the vote of no confidence shall be void. The vote must be by secret ballot only.
- v) The speaker shall be responsible for calling the student Baraza for purpose of confirming a USRC vote of no confidence against the president, Vice president and prime minister. Failure to do within FIVE (5) days after the USRC vote, it shall entitle two third of the USRC to convene a meeting and elect a new speaker who shall call the said Baraza.
- vi) The affirmation of the vote of no confidence to the minister(s) by the president shall constitute a letter stating clearly the reasons for terminating him or her. Such termination must be approved by Dean of Students.
- vii) The affirmation of the motion of no confidence to the president and vice president by students Baraza would imply the dissolution of the entire government.

1. Impeachment by Student Baraza

In any other case where the students Baraza is in session and that two-third of the members present at the Baraza are of the view that the president and/or the vice-president be removed from office because he/she has committed acts which generally violates the constitution,

University students by-laws or the principle ethics guiding TUMASO leader or he/she has behaved in a manner which lowers the status of his/her office.

- i. The President and/or the Vice-President shall vacate the office and this shall be regards as impeachment by students Baraza.
- ii. The impeachment of the president and the Vice President would imply the dissolution of the entire government.
- iii. This kind of impeachment shall be conducted through secret ballot.

Provided that upon the dissolution of the government there shall be established an interim government by the students Baraza and further that the interim government shall make sure that the election is conducted within fourteen (14) days.

2. Termination by voluntary resignation.

- a) Any office bearers shall be deemed to have dully resigned from office upon tendering a sufficient notice of resignation to the body that appointed or elected him/her such sufficient notice shall constitute a letter stating clearly the reason(s) for resignation.
- b) For the case of president, Vice president, letters of resignation shall be addressed to all TUMASO-SMMUCo members.

3. Involuntary termination

- i. The president may with reasonable grounds terminate any office bearer.
- ii. Before the termination of any office bearer, a notice of that intention must be served to the office bearer whom is going to be terminated, at least seven (7) days before the day of termination.

4. Actions to be taken for the misuse of TUMASO-SMMUCo fund or properties.

If it will be proved that an office bearer has misused TUMASO-SMMUCo funds or properties, the following actions will be taken against him/her

- a) To be taken to the disciplinary committee
- b) Management to hold his or her transcript until he returns the fund or property.
- c) If he/she is a continuing student, he/she will not be allowed to contest or be appointed to any position
- d) The management shall be responsible to take those actions to those who are responsible.

PART FOUR

ARTICLE 32 THE TUMASO-SMMUCo ARBITRATION BOARD

- 1) There shall be a TUMASO-SMMUCo Arbitration Board
 - (a) It shall be composed of three (3) Arbitrators appointed by President through recommendation of TUMASO Arbitration Commission with approval by USRC.
 - (b) There shall be two clerk of the Arbitration Board who shall be appointed by the TUMASO Arbitration Commission.
 - (c) The members of the Arbitration Board shall elect any one of them to be a chief Arbitrator.
 - (d) The members of the board shall hold office for one (1) year but they shall be eligible for reappointment to serve for the second term.

CHAPTER THREE

PART ONE

ARTICLE 33: THE ELECTORAL COMMITTEE

1. There shall be an electoral committee:

- a) The out-going government with consultation of Dean of student shall form the electoral committee which operates throughout the electoral year.
- b) The USRC shall approve the electoral committee.
- c) It shall be composed of 9 members, three members from each campus
- d) Out-going office bearers and all finalists shall not be included in the committee.
- e) The committee shall work independently and freely.

2. The electoral committee shall perform the following duties:-

- a) Elect the chairperson and secretary of the committee among themselves.
- b) Inaugurate the beginning of the election period.
- c) Prepare and implement the Elections timetable.
- d) Scrutinize, interview and approve the qualifying candidates with respect to their respective posts.
- e) Introduce the qualifying candidates to the entire University community on the first campaign meeting.
- f) Discuss and approve the election manifestos.
- g) Supervise election and by election
- h) Hear and make judgments subject to USRC approval, on all appeals from any party aggrieved.
- i) To withdraw candidate for any misconduct
- j) Make by-laws governing the conduct of elections subject to USRC ratification before elections.
- k) Announce the election results to the entire college community.
- l) The electoral committee should be neutral and not biased.

3. MEETING

The committee shall conduct their meetings in the following manner.

- a) The committee shall meet two weeks before the proposed opening of the nominations, subject to the Electoral committee By-Laws
- b) The quorum shall be at least half of the members provided that the chairman and or their representatives are physically present.
- c) All decisions shall be by majority of the members through voting at the meeting.

PART TWO

PROVISIONS WITH REGARD TO ELECTIONS

ARTICLE 32: ELIGIBILITY OF CANDIDATES.

All ordinary members of TUMASO-SMMUCo shall be eligible to contest for the posts of president, Vice-president and Member of USRC provided that;

- i He/she shall not violate the constitution or any by-law that will be set by the electoral committee.
- ii He/she has good Conduct.
- iii He/she has paid the TUMASO-SMMUCo annual subscription
- iv He/she is not mentally berated.
- v He/she has the required academic qualifications for the post as per the constitution.

ARTICLE 34; ELECTORAL PROCEDURES

The general election of TUMASO-SMMUCo for president, vice president, and all the representatives shall be done between March and April each year.

- 1 The posts to be contested shall be determined by the Electoral Committee according to this constitution, for the presidential posts the number of contesters shall not be less than two and not more than three.
- 2 Candidates contesting for any of the prescribed posts shall dully fill forms and in the manner articulated by the electoral by-law
- 3 All nominations and manifestos shall be submitted to the electoral committee according to the time set by the Electoral committee.

- 4 All nominations forms, ballot papers and manifestos shall contain no name for any incumbent TUMASO-SMMUCo leaders
- 5 After nomination of the candidates, any person aggrieved by the electoral committee shall appeal to the Arbitration Board Within seven days
- 6 The campaign opening meeting shall be inaugurated by the Electoral committee one week before the Election Day.
- 7 All Electoral committee members and candidates shall attend the opening campaign meeting.
- 8 All candidates shall be given time to express themselves before the voters and shall be asked a reasonable number of questions.
- 9 The Electoral committee member shall not be eligible to ask any question to the candidates during the campaign meetings.
- 10 The representative from the electoral committee shall chair the election campaign meeting and may object to any questions, which he/she considers unnecessary scandalous, vexations, indecent, offensive, abusive or endangering the personality of the candidates.
- 11 Immediately after the inauguration of the campaigns, the candidates shall be allowed to carry out their own campaigns provided that candidate shall not make use of money or use of abusive or scandalous language against any of his/her adverse candidates, and no candidate or campaigner shall be allowed to destroy another candidates publications.
- 12 All elections shall be by secret ballot and shall be carried out after design decided by the electoral committee.
- 13 If it will be proved that a contestor of any position has used bribery, or any form of corruption he/she shall be disqualified from the post
- 14 Ballot boxes shall, during polling, be located at the previously determined polling stations unless otherwise stated by the Electoral committee.
- 15 No candidate whatsoever shall be allowed to withdraw from lections after delivery of his/her campaign speech unless he/she advances sufficient grounds for he/her withdrawal to the satisfaction of the electoral committee.
- 16 Candidates or their supporters or observers may be present at the time of starting at voting stations to satisfy themselves that no forgery or any irregularity could take place by any member.

- 17 Election officers shall advise voters on matters of voting procedure, but shall not confront voters in the immediate vicinity of a ballot box.
- 18 Any candidate shall be disqualified at any stage of the elections for beading one or more of the constitution provisions.
- 19 The case for disqualified candidate shall be presented to the Electoral committee by the chief Returning officer.
- 20 The Electoral committee shall determine the disqualification claims and will make a ruling provided that the parties and the defaulter shall be interviewed as well.
- 21 Any part aggrieved by the Electoral Committee shall appeal to the USRC through the secretary general seven (7) days before the USRC rectifies the election results.
- 22 The USRC shall be the final appellate body on all matters related to elections.
- 23 The chief Returning officer shall examine the results of all candidates for every post and a candidate who had polled the highest number of votes which count to one third of the total votes cast, such a candidate will be declared a winner and thus elected candidate.

ARTICLEBY-ELECTION PROCEDURE

If a post remains unfilled or become vacant under any circumstance the position should be filled out as follows;

- (a) A by-election
- b) By-election shall be advertised a few days after the close of nomination.
- c) A maximum of twenty (20) days from the day the post fell vacant provided that form in filled posts candidates may be obtained before the campaign opening day.
 - d) The electoral committee shall supervise the by elections following procedures outlined provided under Article 29.
 - e) Any candidate, TUMASO-SMMUCo member or college staff who shall in the opinion of the Electoral committee has negatively affect the elections in any regular manner shall be subject to disciplinary action as the case may be.

ARTICLE 35; SWEARING IN OF TUMASO-SMMUCo LEADERS

1. The elected president and Vice-President shall be sworn in by the provost, college lawyer or his/her appointee in not more than twenty one days after being declared winner by the Electoral committee.
2. Office bearers shall swear to the president after being approved by the USRC.
3. All swearing shall be done within the college campuses in the presence of all students, dean of students and some representatives from the college administration.

PART THREE

ARTICLEHANDLING OVER OF OFFICIAL FUNCTIONS

The outgoing office bears shall hand over power to incoming office bearers during the last day of the relevant semester vacation and before the parliament meeting.

1. The president, prime minister and each of the members of deputies shall submit annual handover reports to their counterparts.
2. All reports shall be displayed before USRC to further scrutiny, discussion and approval.
3. All report being handed over, shall be signed by the respective office bearer.

CHAPTER FOUR

MISCELLANEOUS PROVISION

PART ONE

ARTICLE 36; PROPERTY AND FINANCIAL CONTROL

The funds of the organization shall comprise of all student activity fee, subscriptions payments from projects for the University, other contributions to TUMASO-SMMUCo from members and other sources.

1. There shall be TUMASO-SMMUCo financial Regulations to be revised from time to time by the USRC and approved by the University Governing Board. Those regulations shall be used concurrently with other financial rules of the Tumaini University Makumira-Stefano Moshi Memorial University College.
2. The TUMASO-SMMUCo finance minister and assistant will govern all matters of finance and planning and shall be responsible for all matters concerning planning, raising of funds initiation and execution of projects and shall be custodian of the proceeds there of.

3. The audited annual financial statement from any outgoing Government shall be available before inauguration of the incoming of the new TUMASO-SMMUCo.

4. WITHDRAWALS

For the purpose of withdrawal of funds, any of the following people shall be authorized to be signatories

- a) The president or the Vice president in his absence.
- b) Minister of finance or assistance in his absence
- c) Dean of students
- d) The college Bursar.

PART TWO

ARTICLE 37; MANAGEMENT OF PROPERTY

The management of all property and duties of TUMASO-SMMUCo shall be the responsibility of the TUMASO-SMMUCo government.

ARTICLE 38; POWER TO MAKE RULES

Every meeting of any TUMASO-SMMUCo organs shall, subject to the provision of this constitution, regulate its own proceedings. If any subject or matter shall not be covered by the position of the constitution, such matter shall be put before the USRC for decision. Whenever there is a vacancy in the membership of any TUMASO-SMMUCo organ an appointing authority shall fill it or as the case may be by election of another member who shall hold office for the remainder of the term of his/her predecessor.

ARTICLE 39; HANDING OVER OF OFFICIAL FUNCTIONS

Outgoing office bearers shall hand over power to in-coming office bearers during the last day of the relevant terms vacation and before the USRC meeting.

1. The president, Prime minister and each of the members of secretariat shall submit annual handover reports to their counterparts.
2. All reports shall be displayed before USRC further scrutiny, discussion and approval
3. All report being handed over, shall be signed by the respective office bearer.
4. The respective office bearers shall report and start their duties after being handed over

ARTICLE 40; AMENDMENTS OF THE CONSTITUTION

The constitution shall be amended by the one third of the students' body present and voting at a duly constituted meeting of the University Students' Baraza upon recommendation of the USRC.

Provided that the notice of such a meeting and the proposed amendments have to be communicated to the students USRC by the prime minister 30 (thirty) days prior to USRC meeting for approval.

ARTICLE 41; DISSOLUTION OF TUMASO-SMMUCo

TUMASO-SMMUCo may be dissolved by a resolution passed by a special resolution of members of the University student Baraza which shall direct the USRC to appoint, liquidate and shall make provision for the final disposal of assets of TUMASO-SMMUCo

ARTICLE 42; MISCELLANEOUS MATTERS

1. This constitution may be cited as the constitution of the Tumaini University Makumira Student Organization Stefano Moshi Memorial University College and will operate in line with the college student By-Laws and Prospectus.
2. This constitution shall come into operation on approval by the College/ University Governing Board

Passed in the student parliament on 14th day of June, 2012

.....
Speaker

Approved by College Governing Board

.....
Chairperson of the college/University Governing Board