



TUMAINI UNIVERSITY - MAKUMIRA

KILIMANJARO CHRISTIAN MEDICAL UNIVERSITY COLLEGE



**TUMAINI UNIVERSITY STUDENTS ORGANIZATION (TUSO) – KCMC
CONSTITUTION OF YEAR 2003**

*(This TUSO - KCMC constitution publication of 2003, has been published including
the amendments that has been done since its enactment till October/2012)*

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*Minister for Constitution
& Legal Affairs
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PREAMBLE:

Whereas the students body under umbrella of Tumaini University understands and believes that only a diligent, autonomous and independent student's organization run democratically by the students themselves will be completely responsible to students themselves and hence serve their interest its best level.

Whereas students at Tumaini University believe that an autonomous student organization will improve to a great extent, a cordial relationship based on mutual understanding between the students, other students organizations, management and Administration of the University, staff of KCMC and youths inside and outside Tanzania.

Whereas Universities have shown that students individually and several have successfully and collectively accomplished their responsibilities given to them by the nation as citizen and future leaders of Tanzania.

Therefore:

- i) We the students of the Kilimanjaro Christian Medical College of Tumaini University, resolved to establish a student organization of the Tumaini University to be known as Kilimanjaro Christian Medical College students Organization (TUSO-KCMC) which shall have all such power as stated in this constitution as approved by Council following the approval by the Board of Trustee.
- ii) TUSO-KCMC will always be ready to join any umbrella Organization catering for students at the National or International level, and will make sure that it participates effectively in all students activities as it deems fit to the interest of its members.
- iii) TUSO-KCMC bears no relationship with KCMC –SO name.

CHAPTER ONE

THE TUSO-KCMC STATUS AND POLICIES

PART ONE

NAME, HEADQUARTERS, LANGUAGE AND INTERPRETATION

- 1.** The name of the organization will be, the Tumaini University Students Organization-Kilimanjaro Christian Medical College (TUSO-KCMC)
- 2.** The headquarters of the organization will be at the campus of the Kilimanjaro Christian Medical College.
- 3.** Unless otherwise defined in the constitution, the following words will have the meanings assigned to them as follows.

KCMUCo

Kilimanjaro Christian Medical University College

Academic Association

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

Annual Handing over reports

Means the reports which are prepared submitted and presented as established under this constitution and which contain the plans, implementations, successes, failures and recommendations of the outgoing office bearers of TUSO-KCMC.

Budget Session

Means a meeting in which TUSO-KCMC RC must discuss and endorse an annual budget proposal as established under the constitution.

By-Election(s)

Means Election(s) held to fill a post which has been vacant after the general election(s) established by the constitution.

Cabinet/Executive Arm

Means the President, Vice president, Prime Minister, General Secretary, Ministers, Deputy Ministers and Secretaries of the ministries

Candidates Observers or Agents

Means TUSO-KCMC members appointed by any TUSO-KCMC candidate for the purpose of overseeing the process of counting votes on his behalf, at the polling station and counting room respectively as established by the constitution.

Defaulter

Means a person who violates the provisions of the constitution and /or by-laws provided by authority.

He

Is used to express both male and female gender

A non-partisan

Means not affiliated to any political party and this always acts impartially and in a non aligned manner.

Officer Bearer

Refers to the president, Vice president, the prime Minister, the minister of any ministry and Deputy Ministers.

Polling Station

Means a place where TUSO-KCMC members go to cast the election votes basing on polling rules established by the electoral committee and the constitution.

Returning Officer

Means Dean of Students.

Signatory

Means any of the TUSO-KCMC office bearer(s) who has authority to sign any official agreement or document basing on the level of their authority.

Special Resolution

Means a resolution of students Baraza supported by two third of the members president at the student Baraza.

Status

Refers to the legal position of TUSO-KCMC as prescribed under this constitution.

University Students Baraza

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

Students organization

Means students organization as established under Article 1.

Constitution

Means the body of rules and principles which governs the TUSO-KCMC members(s)

University Almanac

Refers to as special University publication, which is prepared at the beginning of every academic year and which lists dates of special University meetings and events.

TUSO-KCMC RC/USRC

Refers to the Tumaini University Student's Organization Kilimanjaro Christian Medical College Representative Council.

PGSG

Postgraduate Students Group

4. TUSO-KCMC shall be an autonomous non-governmental student body and shall be capable in law of suing and being sued in its own name of purchasing, holding, alienating, managing and disposing of any property whatsoever movable or immovable and whether by way of investment or other wise and entering into such contact as may be necessary or expedient for the performance of its functions under this Constitution.
5. The official language of TUSO-KCMC will be English and Kiswahili.
6. TUSO - KCMC shall be vested with:
 - (1) Financial powers in terms of economic viability and the power to control its financial resources.
 - (2) Power to purchase, hold alienate under its management, and dispose of any property whatsoever that is under its authority. Whether movable and whether by way of investment or otherwise and entering into such contracts as may be necessary or expedient for the performance of its functions under the constitution.
 - (3) Power to reinforce disciplinary matters of students through the Students' Disciplinary Council in consultation with the college administration.
 - (4) Power to join any umbrella organization catering for student as it deems fit to the interest of its members.
 - (5) Power to establish and reinforce implementation of it's by laws and regulations within members as established by this constitution.
 - (6) Power to defend interest of the students under established laws, by laws and regulation.
7. All authority in the organization of student's government shall be exercised and controlled by the student Baraza, the TUSO-KCMC RC and the Executive.

PART TWO
MEMBERSHIP, RIGHTS AND OBLIGATIONS

8. The members of TUSO-KCMC shall be the registered students at the Kilimanjaro Christian Medical University College to pursue different courses offered.
9. Members of TUSO-KCMC shall have rights as follows:
 - (1) All members shall be treated equally.
 - (2) To participate in all activities pertaining to TUSO - KCMC objectives and goals.
 - (3) Every member has a right of audience and freedom of expression before all or TUSO - KCMC subject to the rules guiding the respective organ.
 - (4) To elect and be elected or nominated in all TUSO - KCMC general elections(s) provided it does not interfere with article 26 of this constitution.
 - (5) To have this copy of constitution immediately after being registered at his own cost.
 - (6) To obtain and inspect copies of all documents of TUSO-KCMC upon consulting respective office bearer(s) under formalities provided under this constitution or its sister by laws.
 - (7) To receive all publications of TUSO-KCMC as determined by the TUSO-KCMC RC.
 - (8) To submit proposals and motions for discussion at the Students Baraza and TUSO-KCMC RC

However, the rights stipulated under this article will be pursued provide that in the course of enjoyment of these rights, nothing will be construed to entitle any member of TUSO-KCMC to hinder in any way other member(s) enjoyment of the same.

10. TUSO-KCMC members shall be obliged to fulfill the following duties pertaining to their membership:
 - (1) To uphold the Constitution as legal document, any decision, activity, exercise of power or otherwise that contravenes this constitution will be null and void. Serious legal measures shall 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 TUSO-KCMC RC in its budget session, which will be subject to the University Council's approval.
 - (3) To exercise their rights with responsibilities without prejudice to the rights of other(s) 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 doing so they should show an example of self-discipline, industriousness and ethnical pursuit of academic excellence.
 - (5) To refrain from influencing TUSO-KCMC its office bearers in any way or manner that may appear to prejudice the status of TUSO-KCMC.
 - (6) To inculcate and perpetuate the spirit of tolerance towards differing views and positions and enhance democratic views and positions.

- (7) To feel responsible in contributing towards redrawing historical and contemporary inequalities in our society based on difference of class, gender race, nationality, religion, economic status and material condition.
- (8) To avoid misuse and misappropriation of the organization's premises, funds of any other property that would be contrary to the interest and regulations of the organization.
- (9) To attend all the meetings.

PART THREE

AIMS AND OBJECTIVES, MEANS AND ACTIONS

11. Aims and Objectives

- (1) The fundamental aim of the organization is to present in matters that influence their interests and welfare both as individuals and as a community by establishing an effective channel of communication.
- (2) To promote respect for the interests of student's in the wide communicate, to defend students' rights especially the student's rights 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, college community, the ELCT and the public.
- (4) To promote love and respect to learning, persuit the truth and ensure every student understands his responsibility to educate oneself to the best of his capacity and to search knowledge for the betterment of humankind, thus cherishing and promoting academic excellence and freedom as an invaluable right of students at the University.
- (5) To unite all students of the KCMUCo without basing on race, colour, based on search for peace democracy progress and elimination of tribalism, regionalism, nepotism and all forms of discrimination.
- (6) To promote national and international understanding and goodwill among students from other countries through conferences and other media at home and abroad.
- (7) To support the needy and under privilege members of our society and where possible secure or influence the procurement of some means of support for needy students.
- (8) To inculcate the spirit of respect for human rights and promote all efforts attempting to sensitize and mobilize the college community, the public and the international community for the purpose of combating violations of rights and the fundamental principle of democracy.

12. To attain its objectives, TUSO-KCMC will undertake activities in the following

- (1) Seminars, conferences, workshops, study tours and symposia.
- (2) Publication (written document as well as audio, visual, material and students' website).
- (3) Mobilize public opinion of civil society institutions toward development needs within the college, Tanzania and world at large.
- (4) Secure necessary funds to help excite projects in its field activities.
- (5) Counsel all academic and spiritual fields in order to promote creativity, originality and intellectual curiosity between the scholarly community and to the nation at large.
- (6) Correspond and communicate so as to promote relationship between TUSO-KCMC and all students' organizations which uphold objectives similar to these of KCM College.
- (7) To use appropriate media to fulfill our objectives.
- (8) Where necessary, to resort to any legal activities that will enable the Achievement of TUSO-KCMC overall objectives.

CHAPTER TWO

TUSO-KCMC ORGANIZATIONAL STRUCTURE (THE PRINCIPLE ORGANS OF TUSO-KCMC)

PART ONE

- 13.** (1) There shall be the university students Baraza with status listed below:
- a) Supreme organ of TUSO- KCMC.
 - b) Composed of all students.
 - c) Dean of student or his/her representative who have no power to vote. His/her absence shall not affect the convening of the university students baraza
- (2)
- a) It shall meet at least twice per academic year, the sitting shall be according to provision of the TUSO-KCMC annual almanac
 - b) Upon request by the president or a petition signed by two-third of the TUSO-KCMC RC the university students baraza shall convene as emergence
 - c) The quorum for meetings shall be one third of students.
 - d) Special resolutions shall be executed through voting on the basis of two third of members present at the students Baraza.
 - e) (i) Provided the meeting convene according to the provision of the TUSO-KCMC annual almanac and such a meeting is not involving election or under request made by the President, the president or his/her deligate in case of absence shall chair such a meeting. The general secretary shall be the secretary of that meeting.

- (ii) Provided the meeting convene under a petition signed by two-third of the TUSO-KCMC RC, the speaker or his/her deputy in case of absence shall chair such a meeting. The TUSO-KCMC RC secretary shall be the secretary of that meeting
 - (iii) Provided the meeting convene according to the provision of the TUSO-KCMC annual almanac and/ or such a meeting is involving election, the chairperson of electoral committee or his/her deligate in case of absence shall chair such a meeting. The secretary of the electoral comittee shall be the secretary of that meeting.
- (3) In line with this, the University Students Baraza has authority:
- a) To oversee all other TUSO-KCMC subordinate and if necessary, may formulating committee as deemed fit.
 - b) To discuss all matters of interests to students derived from recommendations made by the TUSO-KCMC RC or otherwise.
 - c) To elect the President and Vice President of TUSO-KCMC.
 - d) To make proposals and ratify the amendments of the constitution and other rules there to without prejudice to the general proposals 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 deliberate and take legitimate decisions as soon as it is in session.
 - f) Subject to other provisions of this constitution the decisions made by the university students 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

14. There shall be the University Students Representative Council of TUSO-KCMC governed by this constitution and /or any other by-law:

- (1) TUSO-KCMC RC
 - a) The speaker who shall be its chairperson.
 - b) The Deputy speaker who shall assist the Speaker and acting Speaker in absence of the Speaker.
 - c) TUSO-KCMC RC secretary, who shall be secretary of the house.
 - d) TUSO-KCMC prime Minister who shall be the head of the government business in the house, who shall not have power to vote.
 - e) One representative from each class who is a class representative (CR).
 - f) One representative from the office of the Dean of Students who shall not have power to vote.
 - g) The General Secretary of TUSO-KCMC who shall not have power to vote.
- (2) Being the students Representative council, the TUSO-KCMC RC shall perform the following duties:

- a) To elect the Speaker, the Deputy Speaker and the house secretary from among the TUSO-KCMC RC members
 - b) To endorse the office bearers appointed by the President
 - c) Review and approve or disapprove policies, regulations, by laws and actions of TUSO-KCMC government.
 - d) Review, discuss and approve the annual general handling over reports on activities of TUSO-KCMC submitted to it by TUSO-KCMC government.
 - e) To approve or disapprove budget estimates and financial statements prepared by TUSO-KCMC government which must have been recommended by the final committee of TUSO-KCMC RC.
 - f) Make provisions in any appropriate manner for regular auditing of books of account of all organs of TUSO-KCMC.
 - g) Investigate and propose or take appropriate disciplinary and legal measures against any of the office bearers of TUSO-KCMC in case of malpractices, corruption and any misconduct.
 - h) To approve or disapprove bills of policies, regulations or by laws formulated by the government
 - i) Establish committees as maybe found necessary for the execution of its functions.
 - j) To remove from office the speaker and Deputy speaker on the ground of inefficiency, malpractice and any other misconduct.
 - k) Power to remove the prime minister by vote of no confidence on the ground inefficiency, malpractice and any other misconduct.
 - l) Any decision in TUSO-KCMC shall be by major vote.
- (3) (a) The TUSO-KCMC RC shall convene at least twice in each ordinary academic semester and the meeting shall be according to dates set in the tuso annual almanac.
- (b) The quorum for meetings shall be one half of the members of the TUSO-KCMC RC.
- (c) The decision of the TUSO-KCMC shall be by simple majority.
- (d) The speaker after consultation with the Deputy Speaker and House secretary shall have power to convene TUSO-KCMC RC emergence meeting at any time to discuss matters he considers to be of interest to TUSO-KCMC members and after that shall have power to convene an emergence student Baraza for final determination of the matters discussed if such a matter deems so.
- (4) TUSO-KCMC RC shall have power to make rules for the proper conduct of its day to day activities.
- (5) (a) The government shall have no power to dissolve the TUSO-KCMC RC before the leadership period ends. When the two organs are in conflict, the matters shall be referred to the students Baraza for final decision.

- (b) The students Baraza is hereby empowered to dissolve the TUSO-KCMC RC upon being satisfied that the TUSO-KCMC RC is inefficient in the performance of its day to day activities.
 - (c) The president shall have power to dissolve the TUSO-KCMC RC upon completion the period of tenure of office.
- (6) (a) There shall be a TUSO-KCMC RC Speaker
- (b) The Speaker shall be elected by and among RC
 - (c) Shall be the head of TUSO-KCMC RC, chairperson of the TUSO-KCMC RC meetings, shall be the chief spokes man of the TUSO-KCMC RC, and shall supervise all affairs of TUSO-KCMC RC
- (7) (a) There shall be a Deputy speaker
- (b) Shall be elected by and among RC
 - (c) The deputy speaker shall be the acting speaker in case of absence, shall perform all day to day activities of the TUSO-KCMC RC and other duties that the speaker assigns him/her
- (8) (a) There shall be the TUSO-KCMC RC secretary
- (b) Shall be elected by and among RC
 - (c) He shall be the secretary TUSO-KCMC RC meetings, shall keep all the TUSO-KCMC RC document, shall cause the implementation of the TUSO-KCMC RC annual almanac.
- (9) (a) There shall be TUSO-KCMC RC central committee
- (b) The TUSO-KCMC RC central committee shall comprise the TUSO-KCMC RC Speaker, deputy speaker and the secretary, one faculty representative from each faculty who shall be elected by the speaker among the class representatives of the respective faculties
 - (c) The central committee shall be responsible for approval of the government emergencies that the provisions of this constitution requires approval by the TUSO-KCMC RC

PART THREE

15. (1) There shall be the executive arm of the government
- (2) The executive arm shall comprise the following official bearers
 - a) The President who shall be the head of government
 - b) Vice president who shall be a person next to the president in the government
 - c) General Secretary who shall be the general secretary of the government
 - d) Prime minister who shall be responsible for the day to day activities of the government
 - e) Ministers, Deputy Minister and Ministerial secretaries.
 - (2) The executive arm shall be obligated to
 - a) Advise the president on matters pertaining to the government

- b) Plan, implement and assess progress of government activities, project and other responsibilities
- c) Discuss bills prior to be discussed by USRC.
- (3) The executive arm shall be entitled the following power
 - a) Power to plan, implement and assess progress of government projects approved by parliament.
 - b) Power to propose and form bills
 - c) Power to perform daily activities of the government
- (4) The executive shall be dissolved where the office of the president become vacant by reason stated under article 25 of this constitution.

- 16.** (1) There shall be a President elected by students Baraza
- (2) The President shall have power to perform the following functions:
- a) Shall be head of TUSO-KCMC and its Chief spokesman of all TUSO-KCMC matters.
 - b) Shall be the student representative in all Tumaini Makumira Universities and KCMC College 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.
 - c) Shall in consultation and with the advice of the Vice President appoint or terminate the appointment of members of the TUSO-KCMC government.
 - d) Shall appoint Ministers basing on equal balance from each Faculty within 14 days after being sworn in.
 - e) Shall have the responsibility of defending the TUSO-KCMC government resolutions and proposals when questioned to do so by any or all of the members attending at any of the TUSO-KCMC RC or University Students Baraza.
 - f) Shall in consultation and the advice of Vice President and the Prime Minister, take power to establish departments or committees for the purpose of effectively preparing meetings of TUSO-KCMC academic, social economic programs.
 - g) All presidential appointments shall be communicated to all TUSO-KCMC members and have to be approved by TUSO-KCMC RC provided that once the president appoints any member from TUSO-KCMC RC to become a Minister or Deputy Minister, such person shall cease to be a member of TUSO-KCMC as a representative.
 - h) To ensure the dispute arising between students and administration or between students and the faculty members are reported to the appropriate authorities and resolved amicably as quickly as possible.
 - i) To seek dialogue and represent all members of TUSO-KCMC and to defend their interests in appropriate administrative forums either alone or in cooperation with his working team.
 - j) Chief signatory of TUSO-KCMC expenditure
 - k) This power shall be entitled to the vice president in absence of the president

(2) Dismissal of the Cabinet:

The president shall have power to terminate any or all of the members of his cabinet where he is not satisfied with his his/her performance, in consultation with the vice president.

17. (1) There shall be a Vice President of TUSO-KCMC who shall be the Principal Assistant to the president in respect to all matters pertaining to the Students' organization.

(2) The Vice President shall be elected in the same election together with the President, after being nominated by his presidential candidate at the same time during the election and being voted for together on the same ticket. When the Presidential candidate is elected the Vice-President shall have been elected.

(3) A person shall be nominated to contest for the office of Vice-President on the basis of the principle that where the President comes from a certain class, then the Vice-President shall be a person who comes from a different class.

(4) The Vice President shall perform the following duties:

- a) Shall perform all duties assigned to him or her by the president.
- b) Shall assist president in making a follow up of the day to day activities of TUSO-KCMC.
- c) Shall perform all his duties under the direction and supervision of the president and shall provide leadership and be answerable to the president in respect of any matters of functions assigned to him/her by the president.
- d) Shall in the absence of president act on behalf of the president by carrying out all duties and functions of the president.
- e) Shall be the chief advisor to the president of TUSO-KCMC in appointing or terminating members of TUSO-KCMC executive establishing boards, departments or committees.

18. (1) There shall be a Prime Minister of TUSO-KCMC.

(2) Shall be appointed by the President and approved by the TUSO-KCMC.

(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 function:

- a) Shall supervise the daily progress of ministerial activities.
- b) Shall in collaboration with the TUSO-KCMC Minister for Finance and economic affairs prepare and submit before the TUSO-KCMC RC the TUSO-KCMC budget.
- c) Shall in consultation with the President, Vice president, General Secretary and Ministers prepare agenda for meeting convened by the government within a reasonable time.
- d) Shall act as Acting GS in his absence.
- e) Shall prepare and submit or may assign any Minister concerned to prepare submit before the TUSO-KCMC RC a brief report of any representation by TUSO-KCMC to any tour, symposium, seminar, conference or congress.
- f) Shall be the Acting President in the absence of the President and the Vice President.

- g) Shall be responsible to present and defend government affairs to the TUSO-KCMC RC

19. (1) There shall be a General Secretary who shall be appointed by the TUSO-KCMC president and approved by the TUSO-KCMC RC.

- (2) The General secretary will perform the following duties:
 - a) Shall prepare and supervise TUSO-KCMC almanac.
 - b) Shall keep all TUSO-KCMC records, reports and documents
 - c) Shall be the secretary to cabinet meeting
 - d) Shall be the secretary to the university students baraza as provided under article
 - e) To assume the duties of the president in the absence of the President, Vice president, Prime - Minister and the speaker.
 - f) To perform other duties as maybe assigned by the President.

20. Ministries

1. The President shall have power of form a government that consists of maximum number of ten (10) Ministers and the cabinet shall be composed President, Vice President, Prime-minister, General Secretary, Ministers, Deputy Ministers and Ministerial secretaries.
2. The entire cabinet members will meet at least twice in each semester as prescribed in the University Almanac and the quorum for the meetings shall be two third of the entire government members.
3. Each ministry shall hold a meeting at least once in each month

21. (1) Ministers

- a) Shall be appointed by the president
- b) Shall be the head of the ministry
- c) Shall be the chief spokesman of the ministry
- d) Shall chair all the ministerial meetings
- e) Shall present and defend ministerial plan and budget in the executive

(2) Deputy Ministers

- a) Shall be appointed by the president
- b) Shall be the principal advicer of the minister
- c) Shall be the acting in absence of the minister
- d) Shall be the acting secretary in absence of the ministerial secretary
- e) Shall perform all other duties assigned by the minister

(3) Ministerial Secretary

- a) Shall be appointed by the President
- b) Shall cause the implementation of the ministerial annual almanac
- c) Shall keep the ministerial records, reports and documents
- d) Shall be the secretary in all ministerial meetings

e) Shall perform all other duties assigned by the minister

- 22.** (1) There shall be ministerial committees composed of five members with the following functions and the committees shall have their secretaries appointed by the President (article 21(3)a):
- a) To assist in drafting ministerial annual plans budget and almanac.
 - b) To attend all ministerial sittings within their respective ministries.
 - c) To be advisor to the ministers on ministerial matters.
 - d) To perform any other duty as may be assigned to them by their respective ministries.
2. Without prejudice to the generality, the functions of the committee responsible for financial matters shall be performed by the TUSO-KCMC Financial Committee as established under Article 31 of this constitution.

PART FOUR

- 23.** (1) There shall be a KCMUCo Postgraduate Students Group known by such name established in this constitution under this article.
- (2) It shall perform its duties guided by its constitution which is under the TUSO constitution.
- (3) Without prejudice (2) of this part, the following leaders of the group shall act as follows in the TUSO government:
- (i) Chairman shall be the Minister of Postgraduate affairs
 - (ii) Vice Chairman shall be the deputy Minister of the same ministry
 - (iii) Executive Secretary shall hold the same name in the same ministry.

PART FIVE

24. The TUSO-KCMC RC and the Exececutive shall tenure the office after one academic year.

25. Directive Principles Procedures and Privileges

- 3.** (a) There shall be the tuso almanac that shall be supreme organizational annual callendar. No organizational event shall be convined centrally to the provisions of such almanac unless satisfies requirements provided under subsection (d) of this section.
- (b) The almanac shall be established within a period of not more than 14 days from handing over. First the ministerial meetings shall convene to propose the ministerial annual almanac; the cabinet shall then convene to propose the general annual almanac basing on the policy of the new elected government. The proposed almanac shall soon be presented to the representative council for approval. As soon as possible, following the approval the president shall declare the new almanac. All these events shall have to be completed within 14 days since handing over.
- (c) The established almanac shall be effective in one leadership period, starting from the day it has been officially declared by the president to the day the next

- government president declares the other one. The almanac shall indicate the convening of the ministerial meetings, cabinet meetings, representative council meetings, presidential meetings, organizational events, election process, handing over and first cabinet and representative council of the next government and declaration of the next almanac
- (d) The event or activity not indicated in the almanac shall first have to be approved by the president as the urgent emergency. If such an event involves the spending of government's funds more than 50000, the central representative council committee shall have to approve first. In case the central committee fails to agree and yet still the president sees it urgent the whole representative council shall have to convene. The decision of the council shall be final.
2. (a) There shall be the tuso annual budget that shall be supreme expenditure guidelines. No expenditure contrary to the established budget shall be done unless qualifies requirements provided under subsection (e) under this section
- (b) The budget shall be established within a period of not more than 14 days since handing over. First, all the ministries shall convene ministerial meeting to propose their budget, then, the cabinet shall convene to propose the general budget that shall finally be presented to the representative council for approval. As soon as possible, following the approval the president shall officially declare the budget. All these events shall have to be accomplished within 14 days
- (c) The established budget shall be effective in one leadership period, starting from the day it has been officially declared by the president to the day the next government president declares the other one.
- (d) The budget shall indicate the estimated income and estimated expenditures. The estimated total expenditure shall not exceed $\frac{3}{4}$ of the estimated total income. The remaining amount shall be reserved for government emergency
- (e) The expenditure not indicated in the budget established shall first have to be approved by the president as the urgent emergency. If such an event involves the spending of government's funds more than 50000, the central representative council committee shall have to approve first. In case the central committee fails to agree and yet still the president sees it urgent the whole representative council shall have to convene. The decision of the council shall be final
- (f) The government expenditures shall be governed by financial regulation provided under article 32 of this constitution.
3. (a) There shall be tumaini university students organisation official meetings, all decisions pertaining to government's matters, except for case stated otherwise in this constitution, shall be reached through such meetings. Such meetings include, the school baraza, the tuso representative council, the cabinet and specific committee that are stated in this constitution or that shall be established according to the provisions of this constitution
- (b) Except for cases that according to the provision of this constitution qualifies to be referred as emergency cases, all the tuso official meeting shall convene according to the provision of the tuso annual almanac.

- (c) 14days prior to the convining day of such a meeting the scretary in charge of such a meeting shall submitt a paper indicating agenda and bugdet as indicated in the tuso annual bugdet to the chair person in charge whom shall then communicate with responceible ministries to provide allowances and other resorses as deemed by the bugdet in a period not more than 7 days. The secretary incharge of such a meeting shall communicate the information on the sitting of such a meeting to the members responsible in period not less than 7 days; this shall be after he/she has been ordered so by the chair person in charge of a particular meeting.
 - (d) The meeting not indicated in the almanac shall only convine after approval by the president. While allowances in meetings indicated in the almanac shall be mandatory, allowances in emergence meeting shall depend on the availability of the pet cash
4. (a) Whenever it deems fit with the students interests TUSO-KCMC shall have power to establish cooperation with any other organization cattaring for the students.
- (b) There shall be mutualy established article of cooperation that shall guide all the cooperation affairs No cooperative affair done contrary to such an article shall be valid.
- (c) The president after approval by the TUSO-KCMC RC shall sign the article of cooperation.
- (d) For the purpose insuring ethics, transparence, accountality, responsibilities and rule of law, the TUSO-KCMC RC shall make by laws to guide conducts and ethics of TUSO-KCMC officials.
- 26.** The President or Vice President may leave office either by way of vote of no confidence, by impeachment or voluntarily.
- (1) Vote of no confidence:**
- (a) An ordinary TUSO-KCMC member may move a motion of vote of no confidence to remove from office the President or/and the Vice President if it is alleged that:
 - (i) He/She has committed acts which generally violates the constitution, its sister by-law, college students by-law or the principle ethics guiding TUSO-KCMC leaders.
 - (ii) He / She has behaved in a manner which lowers the status of his/her office.
 - (b) The motion of moving a vote of no confidence shall be written and signed by one third of all the members of TUSO-KCMC for the case of President or Vice President or Prime Minister. and members of TUSO-KCMC for the case of President of Vice President or Prime Minister and members of TUSO-KCMC RC for the case of other executives.
 - (c) Any vote of no confidence shall be discussed by the TUSO-KCMC RC and decided, pending approval or disapproval by the student Baraza.

- (d) The affirmation of the vote of no confidence by the Student Baraza shall be through vote by two-third of the members present at the meeting and shall be conducted through secret ballot.
- (e) The speaker shall be responsible for calling the Student Baraza for purpose of confirming the TUSO-KCMC RC vote of no confidence against the President, Vice President and Prime Minister.
- (f) The affirmation of the vote of no confidence to the President and the Vice President by the Student Baraza would imply the dissolution of the entire government.

(2) Impeachment by the Students 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 shall be removed from office because he/she has committed acts which generally violates the constitution. University students' by-laws or the principle ethics guiding TUSO-KCMC leader or he/she has behaved in a manner which lowers the status of his/her office:

- i. The President and /of the Vice President shall vacate the office and this shall be regarded 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.

(3) Voluntary Resignation:

The President, the Vice President, Prime Minister and any executives shall be deemed to have dully resigned from office upon tendering a sufficient notice of resignation to the body that appointed or elected him; such sufficient notice shall constitute a letter stating clearly the reason(s) for resignation.

- (a) For the case of president and Vice president, letters of resignation shall be addressed to all TUSO-KCMC members.

(4) Involuntary Termination:

- a) The President may with reasonable grounds after so approved by the TUSO KCMUCO RC terminate any executive member excluding the Vice president.
- b) 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.

CHAPTER THREE

PROVISIONS WITH REGARDS TO ELECTIONS

PART ONE

- 27. (1)** All ordinary members of TUSO-KCMC shall be eligible to contest for the Presidential post with his subordinate at Vice Presidential seat provided that:
- a) He /She shall not violate the constitution or any by-law that will be set by electoral committee.
 - b) He/She has good conduct.
 - c) He/She has paid the TUSO-KCMC annuals subscription.
 - d) He /She is not mentally berated.
 - e) He /She has clear vision, clear mission and strong will to serve tuso that shall be presented in writing to the electro comittee
- (2)** The TUSO-KCMUCo RC shall make by-laws to govern the the electoral committee and the whole election process for the purpose of insuring that TUSO gets strong leaders
- 28. (1)** There shall be an electoral committee composed of the Chairperson and other seven (7) members based on faculty proportional to be appointed by the President pending approval by TUSO-KCMC RC at the beginning of the first semester of each academic year and who shall not be cabinet or TUSO-KCMC RC.
- (2) Meetings:** The committee shall be conducting their meetings in the following manner:-
- a) The committee shall begin its work after it has been appointed with immediate effect in the first semester.
 - b) The quorum shall be at least one-half of the members provided that the Chairman and the Chief Returning officer or their representatives are physically present.
 - c) All decisions shall be by majority of the members and voting at the meetings.
 - d) All minutes of the meeting shall be kept for purpose of action as supporting evidence in future.
- (3) Duties:** The Electoral Committee shall perform the following functions:
- a) Elect the Secretary of the Committee among its members.
 - 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 Campaigns meeting.
 - f) Discuss and approve the election manifestos.
 - g) Supervise the entire election.
 - h) Hear and make judgments on matters pertaining to election.

- i) Make by-law governing the conduct of elections subject to TUSO-KCMC RC ratification thirty (30) days before elections.
- j) Supervise all by-elections, if any.
- k) The electoral committee should be neutral and not biased.

PART TWO

- 29.** (1) The general elections of TUSO-KCMC for the President, Vice President all the representatives shall be done between March and April each year. The election of class representatives, then speaker, deputy speaker and TUSO RC secretary shall convene first followed by the presidential election.
- (2) The posts to be contested shall be determined by the Electoral Committee provided that for the Presidential and Vice President Posts the number of contestants shall not be less than two and not more than three.
 - (3) Candidates contesting for any of the prescribed posts shall dully fill forms and in the manner articulated by the Electoral by-law.
 - (4) All nominations and manifestos shall be submitted to the returning offices according to the time set by the electoral committee.
 - (5) All nominations forms, ballot papers and manifestos shall contain no name name of any circumvent TUSO-KCMC leaders.
 - (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 maximum number of three questions.
 - (9) The electoral committee's members shall not be eligible to ask any questions during the campaigning meeting.
 - (10) The Chairperson of the electoral committee shall chair the election campaign meetings and may object any questions which he considers unnecessary, scandalous, vexatious, indecent, indent offensive, abuse or endangering the personality of candidates.
 - (11) Immediately after the inauguration of the campaigns, candidates shall be allowed by the chairperson to carry out their own campaigns provided that no candidates shall make use of money or use of abusive, or scandalous language against any of his adverse candidates; and no candidate or campaigner shall be allowed to destroy other candidate's publications.
 - (12) All elections shall be by secret ballot and shall be carried out after one full week of campaigns. The ballot papers shall be printed by the chief returning officer in manner and design decided by the electoral committee.
 - (13) Ballot boxes shall, during polling, be located at the previous determined polling stations unless otherwise stated by the Electoral Committee.
 - (14) No candidates whatsoever shall be allowed to withdraw from the elections after the delivery of his campaign speech, unless the advances sufficient grounds for his withdrawal to the satisfaction of the electoral committee.

- (15) Candidates or their supporters or observers may be present at the time of start voting at any of voting stations to satisfy themselves that no forgery or any irregularity could take place in any member.
 - (16) Candidates and their supporters shall not convince voters to/in the immediate vicinity of a ballot box.
 - (17) Election of officers shall advise voters on matters of voting procedures, but shall not influence voters to/in the immediate vicinity of a ballot box.
 - (18) Any candidate shall be disqualified at any stage of the election for breaking one of the constitution provisions.
 - (19) The case for disqualification 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 running provided that the portions and the defaulter shall be interviewed as well.
 - (21) Any part aggrieved by the electoral committee shall appeal to the Dean of Students seven (7) days before the electoral committee rectifies the election results.
 - (22) The Dean of student's office shall be the final appellate board on all matters related to the elections.
 - (23) The Chief Returning Officer shall examine the results of all candidates for every post and if there is a candidate who had polled the highest number of votes which count to on-third of total votes casts; such a candidate will be declared a winner and thus elected candidate.
- 30.** (1) If a post remains unfilled or falls vacant under any circumstance, a by –election shall be called.
- (2) By election shall be advertised a few days after the close of nomination.
 - (3) The electoral committee shall supervise the by-elections following the same procedure as provided in Article 29.
 - (4) Any candidate, TUSO-KCMC member or University staff who in the opinion of the electoral committee, negatively affects the election in one way or another shall be subjected to disciplinary measures by TU-KCMC.

31. Swearing in of TUSO-KCMC Leaders

1. The elected President and his subordinate Vice President shall be sworn in by the Provost or his appointee in presence of all students.
2. The elected President his subordinate Vice President shall be sworn in within fourteen (14) days from the day of final results.
3. All office bearers appointed by the President shall be sworn in by the President on the same day of the swearing ceremony.

CHAPTER FOUR

MISCELLENEOUS PROVISIONS

PART ONE

FINANCE, PROPERTY AND FINANCIAL CONTROL

ARTICLE 31: THE TUSO-KCMC FINANCIAL COMMITTEE

The funds of the organization shall comprise all students, activities fees, subscriptions payments from projects from the University and other contributions to TUSO-KCMC from members and other sources.

There shall be the TUSO-KCMC Financial Committee constituted by one elected member from each faculty.

The Committee shall be an independent body and shall be responsible for advising the TUSO-KCMC government on any financial matters as may be deemed fit.

There shall be made financial regulations to govern all day to day transactions involving TUSO-KCMC fund and to be revised from time to time by the TUSO-KCMC RC subject to the approval of the TU-KCMC governing body.

Subject to the Financial Regulations, for the purpose of withdrawal of funds any two of the following persons shall be authorized signatories:-

- a) The President
- b) The General Secretary
- c) The Minister of Finance
- d) Dean of Students

Provided that, in the absence of the president, other two signatories must have obtained express or implies consent of Dean of Students to withdraw funds.

PART TWO

ARTICLE 32: MANAGEMENT OF PROPERTY

The management of all property and duties of TUSO-KCMC shall be the responsibilities of TUSO-KCMC government.

PART THREE

ARTICLE 33: HANDING OVER OF OFFICIAL FUNCTIONS

The ongoing office bearers shall hand over power to incoming office bearers soon after respective election according to provision of the TUSO-KCMC annual almanac in operation during the last day of the relevant semester vacation and before the parliament meeting.

The president, Prime Minister and each of the members or deputies shall submit annual handover reports to their counterparts.

All reports shall be displayed before TUSO-KCMC RC for further scrutiny, discussion and approval.

All reports being handed over, shall be signed by the respective office bearer.

ARTICLE 34: AMENDMENTS OF THE CONSTITUTION

The constitution may 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 on the TUSO-KCMC RC provided that the notice of such a meeting and the proposed amendments have been communicated to the students body by the Prime Minister 30 (thirty) days prior to such meeting.

ARTICLE 35: DISSOLUTION OF TUSO-KCMC

TUSO-KCMC may be dissolved by a resolution passed by a special resolution of members of the University Students' Baraza, which shall direct the TUSO-KCMC RC appointed liquidator and shall make provisions for the final disposal of assets of tuso-kcmc.

ARTICLE 36: MISCELLANEOUS MATTERS

This constitution may be cited as the Constitution of the Tumaini University Students Organization-Kilimanjaro Christian Medical College and will operate in line with University Student By-laws.

This constitution shall come into operation on approval by TU-KCMC Board.

This constitution shall apply to the students' organization at KCM-College.

A record of all members of TUSO-KCMC including the census of where they reside shall be kept in TUSO-KCMC main office.

All records of TUSO-KCMC shall be kept as TUSO-KCMC official documents for future references.

No members or group of students shall use the title of TUSO-KCMC without the consent in writing of the Prime Minister.

No amendment shall be allowed before a period of 3 academic years since approval

This constitution of Tumaini University Students Organization-KCM College 2009/2010 incorporates and consolidates all amendments made in constitution since its enactment in 2003 up to 18th February, 2011.