



WATER INSTITUTE STUDENTS' BY-LAWS

PREAMBLE

Whereas the Institute was established and exists to develop knowledge and generate potential specialists in the world of work;

AND

Whereas the Institute's vital perseverance can be reached only if its training/teaching and learning setting is secure and embrace freedom of thought and expression within a framework of respect for the rights of other persons and the Institute authorities;

NOW THEREFORE

These By-Laws pertain to actions that are obligatory and those that are forbidden for the purpose of maintaining harmony, respect and order at the Institute, as well as protect the Institute's image to the general public and its members.

The By-Laws are applicable to all students at the Institute.

1.0 PART I: PRELIMINARY PROVISIONS

1.1 Short Title

These By-Laws shall be cited as the Water Institute Student's By-Laws 2024.

1.2 Definitions

In these By-Laws, unless the context otherwise requires:-

- a) "Dean of students" is the WI staff who is responsible for students' affairs within the Institute
- b) "Disciplinary Actions" includes actions provided under Section B of these By-Laws;
- c) "Disciplinary Committee" is the committee established under Section D of these By-Laws;
- d) "Halls of Residence" shall mean and include hostels and blocks of residence supervised by the Institute;
- e) "The Institute" means the Water Institute (WI) established by the Government Notice (GN) Order No. 138 of 2008 as amended by GN No.216 of 2016.
- f) "Institute property" means any property movable or immovable belonging to WI;
- g) "Ministerial Advisory Board (MAB)" is the board established under Section 6 of the Executive Agencies Act Cap 245 with its amendments;

- h) “Natural Justice” shall include the right to be heard by an impartial body; the right to be informed of the specific offence alleged to have been committed and the specified law alleged to have been violated; the right to tender defense and the right to appeal;
- i) “Student” means any person duly registered by the Institute as a candidate for masters, degree, diploma, certificate or other award of the Institute including short term and occasional students, and shall include any person authorized to pursue programmes of study at the Institute pending registration;
- j) “**WISO**” means Water Institute Students’ Organization;
- k) “**WI staff**” refers to the employees of the WI and any other person working in the WI premises;

1.3 Wherever it appears in these By-Laws, a singular shall include a plural form and vice-versa;

1.4 Wherever it appears in these By-Laws, “He” shall include both feminine and masculine gender.

2.0 PART II: DISCIPLINARY ACTIONS

2.1 Upon breach of any of the disciplinary actions specified in these By-Laws, the Disciplinary Committee may impose penalties including including warning, reprimand, fine, compensation, exclusion from Halls of Residence, suspension and dismissal as herein under provided;

- a) When exercising the powers vested upon them, the Disciplinary Committee shall have to comply with the principles of Natural Justice;
- b) Before passing any penalty, the Disciplinary Committee shall look at the gravity and circumstances of each case on deciding on the type of penalty to be given.
- c) Where any member of the committee has a conflict of interest in a particular case such member shall not participate in the proceedings of the committee.

2.2 For the purpose of these By-Laws, general disciplinary actions shall include the following;

- a) Disobedience of any orders, directions or instructions issued by Competent Authority in the superintendence of the students of the Institute;
- b) Breach of any By-Laws, Regulations, Rules and established procedures at the Institute;
- c) Conduct that is likely to put the Institute into disrepute or erode or otherwise undermine the administration of the students or Institute affairs; and
- d) Any act that is against the laws of the country.

2.3 Without prejudice to the generality of Rule 2.2 of these By-Laws the following shall constitute disciplinary actions;

- a) Conduct which does or is likely to cause damage, defacement or violence to person or property within the Institute provided that such conduct is that of a student towards another student, member or members

of the WI Staff or any other employee or employees of the Institute, provided further that the conduct in question occurred on the Institute premises shall lead to a penalty of:

- i. Two weeks suspension;
 - ii. One academic year suspension; and
 - iii. Dismissal
- b) Using force or offering violence or threats against or striking a fellow student, an officer or any member of the WI Staff provided that such violence occurs on the Institute premises may lead to:
 - i. A suspension for one academic year
 - ii. Dismissal
- c) Any student who maliciously damage, deface or destroys a wall, gate, fence, post or any other property of the Institute whether or not such property has been leased to any public or private company or person shall:
 - i. Pay compensation to the value of the damaged property or;
 - ii. Suspension of one Academic year; and
 - iii. Both compensation and suspension of one academic year
- d) Act or conduct which is likely to obstruct or obstructs or to frustrate or frustrates the holding of any academic or administrative activity (ies) or both academic and administrative activities authorized by the Institute may cause a student to be:
 - i. Suspended for a period of one academic year;
 - ii. Dismissal.
- e) A student who has been arraigned or who has a case to answer in a court of law shall be suspended from studies until the case is finalized. The following shall be done where a student is suspended under this rule:-
 - i. Shall not be reinstated as a student until he produces the judgement of the court that acquitted him.
 - ii. Where an appeal has been preferred against her in the same case she shall be resuspended until the final determination of the Appeal .
 - iii. Where a suspension under rule 2.3 (e) exceeds three consecutive academic years, the student shall cease to be the bonafied student of the institute .
- f) A student who is convicted of any criminal offence shall cease immediately upon such conviction to be a bonafied student of the Institute .
- g) Where a student is found with the key to Institute property without permission from the authority shall face a disciplinary action. The penalty to that shall be;
 - i. a written warning or
 - ii. Two weeks suspension
- h) Refusal or failure to comply with a lawful order or directive given by any officer of the Institute acting on her behalf or under an order from any competent organ or officer of the Institute shall lead to two weeks suspension;

- i) A student who Knowingly gives information known to be false or not believed to be true commits a disciplinary action and the penalty to that shall be;
 - i. Written warning or
 - ii. Two weeks suspension
- j) Use of slanderous, abusive, obscene or threatening language by any student against any other student or students or against any officer or employee of the Institute in the course of performance of such officer's or employee's duties is not allowed. The penalty for that is a maximum of two weeks suspension;
- k) A student who forges a document or utters a false document or perpetrating forgery with intent to cause loss to any person, Institute, or any other institution whether in cash or otherwise shall be;
 - i. suspended for a maximum of two academic year; or
 - ii. Dismissed
- l) Knowingly inviting or entertaining a student or students in the Institute whose name or names appear on the Institute notice board as having been barred or otherwise known to have been barred from the Institute premises by a competent authority is forbidden. Breach to the rule shall lead to:-
 - i. a written warning; or
 - ii. Two weeks suspension
- m) No students' organization shall engage in any political party's activities on the Institute premises, conduct its affairs or have a constitution which in any way or manner whatsoever offends or conflicts with the provisions of these By-Laws or of any other written law. Breach to this shall lead to:-
 - i. Two weeks' suspension;
 - ii. One academic year suspension; or
 - iii. Dismissal

"engaging in political parties' activity" includes regular recruitment, training, registering or enrollment of political party members, regular organization of meetings, seminars and conferences for a political party or political parties, operating a branch office or cell or the like of a political party or political parties and matters of a similar nature;
- n) Mismanagement and/or embezzlement of student's organization funds and/or of any other recognized student society established under the auspices of the students' organization in accordance with the relevant provisions of the students' organization's constitution for the time being in force attract a disciplinary action. Penalty to that shall be:-
 - i. Compensation for the money mismanaged/unaccounted for or embezzled or
 - ii. Suspension for a maximum of one academic year;
- o) Collecting or charging money from any student or student groups without prior permission of the Institute organs; namely the Dean of Students, the Students' organization, or in special cases, the Rector/Deputy Rector Academics, Research and Consultancy or the Head of the relevant Department, as the case may be is prohibited. Breach of this may lead to:-
 - i. Refund the money collected and unaccounted for

- ii. Two weeks suspension.
- p) Instigating or inciting students to boycott classes is forbidden. A student who instigates or incites others to boycott classes shall lead to:-
 - i. a suspension for a maximum of one academic year;
 - ii. Dismissal
- q) For the avoidance of doubt, instigating or inciting shall mean and include persuasion, pressure, threats or encouragement with the intention that the student or students persuaded, pressured, threatened or encouraged commit(s) the offence in question.
- r) Planning or participating in an unlawful demonstration which shall include planning the route for the demonstration, encouraging the organizers of the demonstration and providing banners or posters for the demonstration shall amount to a disciplinary action and the penalty thereto may lead to:-
 - i. a suspension for a maximum of one academic year;
 - ii. Dismissal
- s) A student who refuses or fails to obey any lawful order issued under the Institute regulations or rules promulgated by a competent organ of the Institute shall be suspended for a maximum of two weeks;
- t) Failure or refusal to attend a meeting called or authorized by the Disciplinary Committee or any other competent organ of the Institute when summoned to do so by a proper written notice by such Committee or organ commits a disciplinary action and shall be suspended for a maximum of two weeks.
- u) Willful obstruction of the work of or proceedings conducted by the Disciplinary Committee, Appeals Committee or any other competent organ of the Institute or interference with witnesses in disciplinary proceedings conducted under these By-Laws amounts to a disciplinary action and the penalty thereto shall be suspension for a maximum of one academic year.
- v) If a student, having been called upon to give evidence before the Disciplinary Committee, turns hostile or refuses without lawful excuse to give evidence or to answer a question or to produce a document or any other thing required by such a panel may be suspended for a maximum of one academic year.
- w) A student who refuses or fails to abide by the ruling, decision and/or penalty made or imposed by the Disciplinary Committee or any other competent authority of the Institute shall be suspended for a maximum of two weeks;

2.4. Accommodation Service in Halls of Residence

The following shall be mandatory rules relating to residence the breach of which shall constitute disciplinary actions:-

- (a) Students are expected to take good care of the rooms they occupy in halls of residence. They are themselves responsible for the cleanliness of their rooms. Breach of this rule shall lead to:-
 - i. Written warning or
 - ii. Deprivation of accommodation

- (b) Students must report to the Dean of Students without delay, any damage to equipment or furniture in their rooms, whether accidental or otherwise. Failure to do so shall result in all occupants of that room or hostel to compensate for the damage or loss.
- (c) Off campus students are not allowed to spend a night in the Halls of Residence. Breach of this rule shall lead to punishment for both the invitee and the room resident.
 - i. Written warning or
 - ii. Evict from the room in which he/she is residing for the resident student or
 - iii. Two weeks suspension for the off-campus student
- (d) Students are not allowed to move furniture and other equipment from other areas of the Institute into their rooms or vice-versa. Breach of this rule shall lead to;
 - i. Written warning or
 - ii. Deprived of accommodation for the room occupant and pay for any damage or loss caused.
- (e) Loss of keys by a student must be immediately reported to the Dean of Students. The key will be replaced on payment of the cost of a new lock by the student responsible for its loss or for its safe custody.
- (f) At the end of each semester students must return all Institute property and room keys. Failure to do so shall involve the paying of full residential charges from the beginning of vacation to the time the key is returned.
- (g) Each key holder must ensure that he has signed in the key book when the key is returned to the Dean of Students.
- (h) All students shall be required to vacate the Halls of Residence at the end of each semester when the Institute closes for vacation.
- (i) Students may, under special circumstances not specified above, be permitted to live in Halls of residence during the vacation with recommendation of the Dean of Students.
- (j) A student shall not be allowed to live in the Halls of Residence without permission from the Dean of students. Breach of this Rule shall attract a penalty of TZS 50,000 (Fifty Thousand). However the alleged student shall be required to pay accommodation fee for the time spent in the Hall of Residence according to specified rates.
- (k) Students are not allowed to change rooms without the permission of the Dean of Students. Breach of this rule will lead to:
 - i. Written warning or
 - ii. Deprived of the accommodation
- (l) Students are expected to be in their own Halls of Residence by 2300-hours. Beyond this time, the guards shall refuse entry to that student, and shall report the incidence to the Dean of students.

- (m) Off campus students are supposed to leave the Institute premises by 2300-hours. Beyond this time, the guards shall require them to leave, and shall report the incidence to the Dean of students.
- (n) A student who consistently spends night outside his/her room may be deemed not to need the room and therefore be deprived of the same.
- (o) It is forbidden for a resident student to allow any person/student to be in his/her room or spend a night therein. All guests shall be entertained at the Institute cafeterias or any other public place within the Institute. Breach of this rule shall result in the resident student being deprived of the accommodation forthwith.
- (p) Students may use the following electrical appliances; reading lamps, radio receiver/radio- cassette player, table fan, electric iron, electric razor, electric hair dryer, radio, record player, computer, computer adapter, mobile phone charger, TV and an iron. Other electrical appliances are not allowed. Student insisting on having such un-allowed electrical appliances are breaching the rule and shall be deprived of the accommodation.
- (q) Musical appliances and equipment, such as record player, radio, TV, VCR, computer and other noise making equipment may be used provided that music shall not be played at noise levels that are a nuisance and annoyance to other residents of the hall; breach to that shall lead to:-
 - i. Written warning or
 - ii. Two weeks suspension or deprived from resident halls for resident students or both
- (r) Students shall not use electric appliances which exceed the maximum current of 13 amps at wall power points;
- (s) Students are prohibited from;
 - i. Bringing into the Institute premises and hostel any substances that are forbidden by law for anyone to possess or use firearms, sticks, knives, machetes, clubs, illicit drugs and ammunition,
 - ii. Possessing, using, administering, distributing or otherwise offering to any person or dealing in any prohibited drugs, narcotics or any other illicit intoxicating substances,
 - iii. Bringing alcoholic/intoxicating drinks into the halls of residence or lecture halls;
 - iv. Intoxicating themselves by alcohol while they are in the Institute premises; and
 - v. Smoking in classrooms, the library, laboratories, cafeteria, hostels, in workshops or at any other public place within the Institute.
 Breach of this rule shall lead to:-
 - i. Written warning or
 - ii. Two weeks suspension
 - iii. One academic year suspension or
 - iv. Dismissal
- (t) Resident students shall be responsible for any damage or loss of property in their halls of residence rooms as well as in the corridors and stairs;

- i. If the person who caused the damage or loss cannot be identified, the cost of replacement or damage shall be compensated by residents of the entire floor or block;
 - ii. Where the person who caused loss or damage is known, that person shall be made to compensate for the whole damage within fourteen days. Failure to that shall lead to Suspension for one academic year or Dismissal.
- (u) Students shall be expected to live peacefully with one another in their allocated rooms. If at all one student is found to be misbehaving towards his/her roommate the misbehaving student shall be evicted from the room; Failure to that shall lead to:-
 - i. Written warning or
 - ii. Suspension for one academic year or
 - iii. Dismissal

For avoidance of any doubt misbehavior includes but is not limited to being drunk, smoking and/or drug abuse inside the room, bringing unauthorized guests into the room, immoral acts in the presence of roommates in the room and/or within the hall/hostel premises;
- (v) Male students are strictly prohibited from entering female dormitories and vice versa, unless authorized by responsible organs. Failure to comply shall lead to:-
 - i. Written warning or
 - ii. Two (2) weeks suspension

2.5 Permission to Leave Campus

- a) No student shall travel during semester time outside Dar es Salaam Region without permission;
- b) Permission for travel for a weekend outside Dar es Salaam Region may be granted by the Dean of Students;
- c) Permission for travel for less than a week and involving missing lectures, seminars and/or laboratory work may be obtained in writing from the Deputy Rector Academic Research and Consultancy (DR-ARC)/Head of the relevant Department and notified to the Dean of Students;
- d) Permission to travel for more than a week shall be obtained from the Rector.

2.6 Nuisances, Violence, Theft and Damage or Loss of Institute Property

- a) Noise and Disorderly Conduct

Any noise or disorderly conduct by a student that annoys or inconveniences people (other students included) is not allowed. Breach of this rule shall lead to:

 - i. Written warning or
 - ii. Two weeks suspension or
 - iii. Dismissal
- b) Violence

It is prohibited for a student to insult or cause grievous bodily harm or bodily harm to WI staff or another student, whether due to anger or in a fight or other form of violence. Breach of this rule shall result in:-

 - i. A maximum of three weeks suspension or

- ii. A maximum of nine months or one academic year or
- iii. Dismissal

c) Theft

It is prohibited to any student fraudulently and without claim of right to take anything capable of being stolen or fraudulently convert to the use of any person other than the general or special owner thereof anything capable of being stolen. Breach of this rule shall result in:-

- i. Suspension up to three years;
- ii. Compensation of the stolen property; or
- iii. Dismissal.

(d) Damage and Loss of Institute Property

A student who causes loss or damage to Institute property shall be made to pay for the loss or damage he has caused. If she does not pay within a given time:-

- i. shall be suspended for two weeks or
- ii. shall have her course completion certificate and transcript withheld until he clears the debt or;
- iii. both. (i) and (ii)

2.7 Use of Institute Facilities

(a) The facilities meant for the use by the Institute teaching staff, and other employees are out of bounds for the students unless prior permission is obtained from the officer-in-charge of that facility. Breach of this Institute Rule shall lead to:-

- i. Written warning or
- ii. Two weeks suspension

(b) Students are not allowed to use telephone and fax facilities of the Institute for outgoing calls. They should first seek and obtain permission from the Dean of students. Breach of this rule shall lead to:-

- i. Written warning or
- ii. Two weeks' suspension

2.8 Student-Staff Relationship

It is an offence for students to rebuke any member of the staff. Any complaints by students concerning a member of staff must be addressed to the officer in-charge of the section. In case of failure to settle differences at that level, the matter should be referred to the Dean of Students who will forward it to the Chairman of the Institute's Disciplinary Committee. Breach of this Institute Rule shall lead to:-

- i. Written warning or
- ii. Two weeks suspension

2.9 Correspondence

a) It is a disciplinary action for a student to invite outsiders as guest speakers and/or social entertainers without the permission of the relevant organs of the Institute namely, Dean of Students, Rector/Head of relevant Department, or Students' Organization, as the case may be depending on the intended audience and status of the guest speaker/social entertainers;

- b) Forming and/or establishing unauthorized students' groups which are likely to cause disunity and disorder at the Institute or in the wider Community is disallowed;
- c) Any student or group of students wishing to send Letters or other forms of communication to the press or any organization including any Government Office must route such correspondence through the office of the Rector.
- d) The Rector (or the person to whom this power has been delegated to by him) is the only spokesman for the Institute. It is an offence for a student or students association or club to communicate to institution or organizations on behalf of the Institute.

Breach of this Rule shall lead to:

- i. Written warning or
- ii. Two weeks suspension or
- iii. Dismissal from the Institute

2.10 Kitchen and Dining Hall

- a) Food shall be taken in the dining hall and not elsewhere, unless the Dean of students has assented. Any student in breach of this rule shall be punished as follows:-
 - i. Written warning or
 - ii. Two weeks suspension
- b) Suggestions, comments or complaints about food, should only be made to the Dean of Students through the relevant Students' Association representatives, and not directly to the service provider.

Breach of this rule shall lead to:

- i. Written warning or
- ii. Two weeks suspension

- c) Students are expected to be properly dressed and well behaved in the dining hall. Dressing or behaving otherwise is an offence.

Breach of this rule shall lead to:

- i. Written warning or
- ii. Two weeks suspension

2.11 Institute Dressing Code

Students are required; at all times, to be tidy and to wear nationally accepted kinds of dress (as approved by the Ministry responsible for Education):-

- a) Female students are not allowed to wear mini and micro skirts or clothes which do not cover fully the groins and the abdomen or transparent clothes and too tight clothes;
- b) Male students are prohibited from wearing capes, too tight trousers, shorts, plaiting, dyeing, undesirable haircut and wearing of ear rings;
- c) The wearing of sandals, tracksuits during office or class hours and in the dining hall at all times is prohibited;

Breach of this Institute Rule shall lead to:

- i. Written warning or
- ii. Two weeks suspension

2.12 Meetings

- a) Before any students' meeting is held, a prior notification of the agenda shall have to be given to the Dean of Students at least two days before meeting day for the Dean to approve the meeting. Any meeting held without approval from the Dean of Students will cause those who conducted the meeting to face a disciplinary action;
- (b) No unauthorized holding of Institute general meeting. For avoidance of doubt, such meetings scheduled in the Institute Almanac currently in force shall be deemed to be authorized. Emergency meetings may be held only after the Rector has approved provided that the same have the effect of obstructing or frustrating the holding of any lecture, class or laboratory work given or authorized by the Institute, provided further that in any other case three days' notice be given to the Dean of Students prior to the holding of such emergency meeting;
- (c) All students' meetings will be conducted during day time in the students' cafeteria or in classrooms depending on the size of the audience. Meetings conducted anywhere else during night time will be considered illegal, and those concerned shall face disciplinary action;
- (d) All students' meetings must be chaired by a recognized student leader (from WISO) who has to appoint a secretary to take minutes of the meeting. A copy of these minutes must be submitted to the Dean of Students within 24 hours from the time the meeting ended;
- (e) Meetings without a recognized chairman shall be considered illegal, and those concerned will be taken to be rioters.
- (f) For meetings chaired by a recognized chairman, but whose minutes are not submitted to the Dean of Students within 24 hours as required; the chairman of the meeting shall face disciplinary action;

Breach of this rule shall lead to the following:-

- i. a maximum of one academic year suspension and/or
- ii. Dismissal from the Institute.

2.13 Illness

- a) An ill student shall fill a sick sheet which must be handed over to the Dean of Students as soon as the ill student returns from the dispensary. Breach of this rule shall lead to:
 - i. Written warning or
 - ii. Two weeks suspension

- b) Ill students, who are exempted from duty and cannot attend classes, or students with special leave from the Institute must not leave the Institute premises without the written permission of the Dean of Students.

Breach of this rule shall lead to:

- i. Written warning or
- ii. Expulsion from hostel for a student who stays in Hostel

2.14 Wall Literature/ Posting of Announcements

Announcements on Notice Boards or elsewhere within the Institute, whether from the Students' Association or from individual students must be composed in clean language. Posting of caricatures/ cartoons or other graphic or textual material intended for annoying, defaming or offending any person or group is prohibited.

Breach of any this Institute rule shall lead to:-

- i. Written warning, or
- ii. Two weeks suspension; or
- iii. Dismissal.

2.15 Sexual Harassment

- a) Relationship between female and male students or staff shall be of respect.

The following shall be acts of sexual harassment and shall constitute disciplinary actions:-

- i. Sexual jokes, innuendoes, noises, lewd suggestions, foul language, obscene gestures;
- ii. Belittling comments on a person's anatomy, persistent demands for dates;
- iii. Pressuring for sexual activity or favours;
- iv. Asking about personal sex life, explicit sexual suggestions in return for reward;
- v. Telling lies or spreading rumours about
- vi. a person's sex life with the purpose assassinating the character of the victim;
- vii. Unwanted physical contact of any sort which is sexual in nature including touching of sensitive body parts, brushing against another's body, hair or clothes, kissing, pinching, patting, grabbing, or cornering;
- viii. Displaying of pornographic and sexually suggestive pictures and/or sexual objects;
- ix. Transmitting offensive written, telephone or electronic communications of sexual nature;
- x. Indecent exposure;
- xi. The use of one's authority or power, either explicitly or implicitly, or coerce another into unwanted sexual relations or to punish another for his or her refusal;
- xii. The creation by a member or a group of people of an intimidating, hostile or offensive working or educational environment through verbal or physical conduct of a sexual nature;
- xiii. The creation by a member or a group of people of an intimidating, hostile or offensive working or educational environment through verbal or physical conduct of a sexual nature;
- xiv. Rape or Indecent assault;
- xv. Public and/or group sex;

Breach of this Rule shall lead to:-

- i. Written warning or
- ii. A maximum of three weeks suspension or
- iii. A maximum of one academic year suspension or

- iv. Dismissal

2.16 Garbage throwing

All garbage shall be placed in respective dustbin provided in the Institute. Throwing garbage anywhere else is prohibited. Breach of this rule shall lead to:-

- i. Written warning or
- ii. Two weeks suspension
- iii. Removal from the Institute Halls of Residence where the occurrence is in the Institute Halls of Residence.

2.17 Security Guards

The Institute's security guards are among enforcers of the regulations and must therefore be obeyed. Disobedient to security guards shall lead to written warning, two weeks suspension or dismissal.

3.0 PART III: NON-DISCIPLINARY ACTIONS

3.1 Transport Service

- a) The Institute is not obliged to provide students with transport service. Students wishing to be offered transport service by the Institute should apply to the Institute's transport officer via the Dean of Students.
- b) Officials of the students' association (WISO), or of other students' societies or clubs, may, with prior written permission from the Transport Officer, make use of Institute transport in accordance with the conditions specified by the Transport Officer.
- c) Students shall meet the transport costs to and from their home for the end of semester leave (vacation). The Institute is not responsible for the cost of such travelling.
- d) The Institute shall not bear transport costs of students for private visits to their homes even if it is on emergency matter.
- e) The Institute shall provide transport service to students for educational tours arranged by the Institute

3.2 Damage or Loss of Student's Property

Students should take good care of their personal properties. The Institute is not responsible for any loss or damage to students' personal belongings.

3.3 Medical/ Dispensary

- a) The Institute has a Dispensary that provides medical consultation and treatment of common diseases. Every student is required to pay TZS Ten Thousands (10,000/=) at the beginning of each semester as a contribution to cost of medical services during his stay at the Institute. The medical capitation is not refundable.

- b) Any medical cases that cannot be attended by the Institute Dispensary shall be referred to municipal hospitals in the City of Dar es Salaam.
- c) In event the illness is too serious the officer in charge of Dispensary will issue a referral order and shall inform the Dean of Students of the referral order. The Dean of students shall inform the DR-ARC about the expected absence of the student from academic activities and how long the student is expected to be absent from studies, as recommended by the officer in charge of the Dispensary or the Medical Officer at the referral hospital.

Cost of medical services at the referral hospital shall be borne by the student.

- d) Each student is required to have a health insurance cover.

3.4 Pregnancy

A student who becomes pregnant may postpone studies to the next semester or academic year if she finds it difficult to manage studies with her condition.

4.0 PART IV: EXERCISE OF DISCIPLINARY POWERS

4.1 Disciplinary Committee

In the exercise of its functions, the Disciplinary Committee shall normally be composed of five Institute members of a senior cadre who will be appointed by the Rector from time to time.

4.2 Powers and Functions of the Committee

- a) To receive and deliberate any matter relating to the conduct of any student of the institute as may be referred to it by the dean of student or any other person;
- b) To summon and interview any student and demand any evidence relating to any alleged misconduct of such student or any other student;
- c) To impose an appropriate penalty to student for any offence committed under this regulation or any other laws of the Institute in which the conduct of the student is in issue;
- d) To determine and impose an appropriate penalty on any student and for any proven offence relating to the conduct and discipline of such student where the same is not provided for in this by laws
- e) To advise the institute on any matter in which the conduct and discipline of the student is in issue and propose, in appropriate cases, for measures to be taken, for any act of conduct or discipline by any student that occurs on or off the campus of the institute
- f) To do any other things not specifically provided for in this bylaws for the maintenance and promotion of the good discipline among the students, between students and the institute community and other communities outside the institute.

Notwithstanding the provision of sub rule (c) and (d) of rule 4.2 of these by laws, no penalty shall be imposed on any student without first providing her with the opportunity to be heard.

4.3 Preliminary Procedure

When a complaint is made to, and information is received by the Disciplinary Committee that a student has committed a disciplinary action, the Disciplinary Committee shall make preliminary investigation of the case;

- a) Where a complaint is made by any person or body charging a student with a disciplinary action, such action shall be formulated in writing and addressed to the Disciplinary Committee;
- b) For the avoidance of doubt, the Disciplinary Committee may summon the student or any other student or person who is conversant or supposed to be conversant with the information or facts of the complaint to appear before the Disciplinary Committee or an investigation officer for examination or interrogation;
- c) If the Disciplinary Committee is of the opinion that no prima facie case has been made out against the student, he shall inform both the student and the complainant of his decision not to hold any disciplinary proceedings, in which case, no further proceedings shall lie in respect of that complaint or information;
- d) Where the Disciplinary Committee is of the opinion that a prima facie case for a disciplinary action is disclosed, disciplinary proceedings shall be held so as to determine the case in dispute;
- e) The Disciplinary Committee shall serve upon the student and the complainant a proper notice. Such notice shall specify the charge or charges in respect of which the disciplinary proceedings are to be held, and shall inform the charged student (hereinafter referred to as “the student”) and the complainant of the time and place for holding the disciplinary proceedings;
- f) Either party shall, for the purpose of his defense or reply as the case may be and upon request in writing for that purpose to the Disciplinary Committee be entitled to be supplied with a copy of an explanation, answers or other documents given or sent to the Disciplinary Committee by or on behalf of the other party;
- g) Either the complainant or the student may at any time prior to the date of holding the disciplinary proceedings serve upon the other, notice in writing asking him to admit in writing any facts or produce any documents which are specified in such notice material to the complaint or information or defense, as the case may be.
- h) The Disciplinary Committee may summon any witness to attend the disciplinary proceedings at the prescribed time on the appointed day.
- i) Provided that the Disciplinary Committee may, if it thinks fit, at any stage of the disciplinary proceedings exclude the public generally or any particular person;
- j) At the opening of the disciplinary proceedings the charge or charges shall be read, and, if the student concerned is not present, the Disciplinary Committee shall satisfy itself that proper notice of the disciplinary proceedings was duly served on the student as prescribed in paragraph (e) of this sub-rule.

4.4 During Proceedings

- a) The complainant shall open the case and produce his evidence in support thereof;
- b) The Disciplinary Committee shall then give an opportunity to the student to state his case and produce evidence in support thereof;
- c) At the conclusion of the case by the student, the complainant shall not, without special leave of the Disciplinary Committee, make an address in reply;
- d) The Disciplinary Committee shall investigate and determine any dispute referred to it with due regard to the law of evidence and subject to these By-Laws, shall be entitled to determine his own procedure for any proceedings before him;

4.5 Adducing Evidence

- a) Evidence may be taken by the Disciplinary Committee by oral or written statement
- b) Where a witness is called by a party, he shall be first examined by the party which called him and then cross-examined by the other party and then if necessary, again by the party which called him.

4.6 Decision of Disciplinary Committee

- a) The decision of the Disciplinary Committee shall be arrived at consensus of the members.
- b) The decision shall be recorded and shall be announced by the Chairperson in any manner he may deem fit;

5.0 PART V: APPEALS

- 5.1 Appeal by an aggrieved party against a decision of the Disciplinary Committee shall lie to MAB within 14 days from the date of the decision by the DC.
- 5.2 Any appeal shall be in writing setting out the ground(s) of appeal.
- 5.3 For the appeal to be valid the student must pay a non-refundable fee of Tanzania Shillings One Hundred Thousand (100,000/=).
- 5.4 Any person who was or is involved in the investigation, hearing or decision of any matter connected or otherwise associated with any particular appeal to the committee in which such matter is directly or indirectly relevant prior to the commencement of the appeal process, shall not take part in the hearing of such appeal.
- 5.5 At the hearing of an appeal by MAB, the parties concerned shall be entitled to be heard. No other person in defense of or representative capacity for the aggrieved party shall be allowed to appear before the Appeal proceedings;

- 5.6 In determining an appeal MAB shall have powers to confirm, vary or set aside any decision reached by the Disciplinary Committee;
- 5.7 The Disciplinary Committee shall Institute all proceedings and may lodge or defend any appeal before MAB.
- 5.8 Where there is an emergency need for overt operations of security officials or policemen amidst students in student compounds, the students' organization will be informed as soon as possible of such presence.
- 5.9 These By-Laws are not exhaustive of rules and regulations governing students conduct at the Institute and do not exclude the application of special regulations applicable in specific organs of the Institute such as the Institute Library and Students Academic Assessment Regulations.

6.0 AMENDMENTS/REPEALS

These By-Laws may be amended or repealed by the Institute Management from time to time as deemed fit.

7.0 AVAILABILITY AND APPLICABILITY OF THESE BY-LAWS

- a) These By-Laws shall be made available to every student through SIMS on arrival at the Institute.
- b) Each student will be expected to know and follow the By-Laws throughout the time as a student of the Institute.
- c) For Continuing Education/ Professional Development Courses, there are no specific rules for conduct on general matters for participants of continuing education/professional development courses. However, they are required to obey the rules provided to them during induction period before training sessions begin.