

(ANNEX III)

THE UNIVERSITIES (CHARTERING, REGISTRATION AND
ACCREDITATION PROCEDURES) REGULATIONS, 2006

(GN 39 OF 2006)

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THE UNIVERSITIES (CHARTERING, REGISTRATION AND
ACCREDITATION PROCEDURES) REGULATIONS, 2005

PART I
PRELIMINARY PROVISIONS

Citation **1.** These Regulations may be cited as the Universities
(Chartering, Registration and Accreditation Procedures) Regulations,
2005 and shall come into operation effect on the date of publication.

Interpretation **2.** In these Regulations unless the context otherwise requires-

“Act” means the Universities Act, 2005;

“Charter” has the meaning ascribed to it under the Act;

“Commission” means the Commission established under section 4 of the
Act;

“Committee” means a committee established by the Commission
pursuance to section 9(4) of the Act;

“Executive Secretary” means the Executive Secretary of the Commission
appointed under section 13 of the Act;

“Minister” means the Minister responsible for higher education;

“President” means the President of the United Republic

“University” has the meaning ascribed to it under the Act and includes a

constituent or associate.

PART II

APPLICATION FOR AND GRANT OR APPROVAL OF CHARTER

Establishment
of a university
by charter

3.-(1) Subject to the provisions of Part IV of the Act, no person shall establish or provide university education unless that person has been granted a charter or approval of the charter in respect of the intended university.

(2) A person seeking a charter or approval of a charter for a university, shall submit his application for grant or approval of charter to the Executive Secretary

Eligibility to
apply for grant
of charter

4. An application for grant of charter may be made by the following:-

- (a) Existing public universities whose establishing legal instruments were repealed under the Act;
- (b) Existing public and private universities whose current legal instruments must be replaced by charters;
- (c) Foreign universities operating in Tanzania;
- (d) A university which is a holder of a certificate of provisional registration for a period of not less than three years from the date of grant of such certificate.

Application for
grant of charter

5.-(1) An application for grant of charter shall be made to the Commission-

- (a) in English;
- (b) in duplicate;
- (c) in the form prescribed in the First Schedule to these Regulations;

(2) The application referred to in sub-regulation(1) shall be accompanied by -

- (a) a resolution of the university council/ college governing board of the university or college, as prescribed in the Second Schedule indicating its intent to apply for grant of charter;
- (b) a draft of the university's charter; provided that legal instruments of existing universities which have been modified so as to comply with the provisions of the

Universities Act, 2005 may be accepted by the Commission as draft charters of such universities;

- (c) a list and academic qualifications of the academic staff and senior administrative staff of the university;
- (d) a list of the total number of students that have been enrolled in each programme of instruction being offered at the university;
- (e) precise information on availability of library facilities, including the size, quality and quantity of the equipment provided in each programme of instruction by the university;
- (f) a statement of the financial resources available for the exclusive use of the university certified by a qualified accountant;
- (g) an inventory of the physical facilities including land available for the exclusive use of the university;
- (h) the names, addresses and status of the proprietors or owners or, as the case may be, sponsors of the university; and
- (i) such other information as the Commission may require in writing.

Highlights of the application

6. The Executive Secretary shall prepare highlights of the application for consideration by the Commission.

Meetings with applicant

7. The Commission may, before determining the matter referred to it under regulation 5(1), organize a meeting or a series of meetings with the applicant to verify the resources and information as contained in the application form and other documents.

Technical Evaluation Committee

8.-(1) The Commission shall appoint a committee to be known as Technical Evaluation Committee to verify the information required under regulation 5.

- (2) The committee appointed under sub-regulation (1) shall-
 - (a) study the relevant information;
 - (b) visit the university for the purpose of carrying out on the spot verification, inspection and assessment; and
 - (c) Prepare a report containing recommendations for the Commission in respect of the evaluated university.

Consideration of application by Commission

9. The Commission shall, after receiving the report and recommendations of the Technical Evaluation Committee, consider the application and may-

- (a) Where it is satisfied with the veracity of the information required under paragraphs (b) and (i) of sub- regulation (2) of regulation 5, to forward to the Minister its recommendation for granting of charter to the applicant;
- (b) Where it is not satisfied with the veracity of the information required under paragraphs (b) and (l) of sub- regulation (2) of regulation 5, to direct the applicant to take the necessary remedial measures and resubmit the application.

Recommendation for grant of charter subject to eligibility for accreditation

10. The Commission shall not recommend to the Minister for grant of charter to an applicant unless such applicant has fulfilled all conditions for and is eligible for accreditation.

Minister's recommendation for grant of charter

11. The Minister, after receipt of the application for grant of charter together with the recommendations submitted to him by the Commission, shall refer the matter to the President of the United Republic of Tanzania who shall consider granting the charter.

Charter to be granted by the President of the United Republic

12. The President may grant the charter either in the form submitted to him or in such modified form as he may consider appropriate.

Publication of charter in Gazette

13. The Minister shall, after the granting of the charter by the President under regulations 12, cause such charter to be published in the *Gazette*.

Effect of grant and publication of charter

14. The university to which a charter is granted and published in terms of regulations 12 and 13, respectively, shall with effect from the date of its publication –

- (a) be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name and may in connection with its objects and functions-
 - (i) purchase, hold, mortgage and dispose of any property whether movable or immovable;
 - (ii) enter into any contract or transaction as may be expedient; and do any other act or thing as bodies corporate may lawfully do; and
 - (iii) subject to the provisions of section 6 of the Act, be registered by the Commission as a fully accredited

institution;

- (b) subject to the provisions of these Regulations, have its certificates, diplomas, degrees and other academic awards recognized as of comparable and of equivalent merit with those of other accredited university institutions in Tanzania.

Application for approval of foreign charter

15- (1) The application for approval of charter shall be made to the Commission-

(2) A University associated, registered and authorized, in accordance with the relevant law, to carry on higher education operation, activities or functions outside the United Republic, shall apply to the Commission for approval of its foreign charter and for local registration in the Republic.

- (a) in English;
- (b) in a form prescribed in the Third Schedule to these Regulations;
- (c) in duplicate; and
- (d) upon payment of a fee which shall be set by the Commission from time to time.

(3) The application to the Commission under sub-regulation (2) shall be submitted with information on-

- (a) the charter, memorandum and articles of association or, as the case may be, the constitution of the applicant;
- (b) an outline of academic programmes or courses of study to be offered by the university;
- (c) a quality assurance system;
- (d) information on an established academic committee and administrative mechanism within Tanzania for the effective and efficient operationalisation of academic programmes or courses of study of the institution and the carrying out of the day-to-day administration of the programmes and related operations of the institution in Tanzania in accordance with the provisions of the Act;
- (e) the mechanism through which the academic and administrative affairs of the institution are to be conducted;
- (f) proposed human resources including academic and administrative staff;
- (g) existing or proposed physical infrastructure;
- (h) academic facilities including library and the size, quality

and quantity of the equipment provided for in quality and quantity of the equipment provided for in each programme of instructions by the university;

- (i) necessary policy documents as prescribed by the Commission; and
- (j) any other information which the Commission in the exercise of its powers under the Act, may require.

(4) The provisions stipulated under regulations 6, 7 and 8 shall apply, *mutatis mutandis*, to an application for approval of charter.

(5) The Commission after receiving the report and recommendations of the Technical Evaluation Committee, may consider the application and upon being satisfied that the applicant is capable of running a university institution in Tanzania shall-

- (a) advise the applicant to have its charter, memorandum of association or, as the case may be, constitution reflect or comply with the laws and practices of Tanzania;
- (b) cause or advise the applicant to obtain a certificate of compliance under the relevant law (where applicable); and
- (c) accredit the applicant institution in accordance with the regulations governing accreditation in Tanzania.

(6) The Commission, upon being satisfied that the applicant university has complied with the provisions of sub-regulation (5) of this regulation, shall submit the application for approval of a charter together with its own recommendations to the Minister.

Reference to
President and
approval of
charter

16.—(1) The Minister, after receipt of the application for approval of charter together with the recommendations submitted to him by the Commission, shall refer the matter to the President who shall consider the charter.

(2) The President may approve the charter either in the form in which it is submitted to him or in such modified form as he may consider appropriate.

University whose
foreign charter
has been
approved to be
registered

17. After the approval of a foreign charter by the President the Commission shall cause the applicant university to be duly registered as a private university in accordance with regulations governing registration of universities.

Revocation of
charter

18.-(1) A university whose accreditation status and registration status have been withdrawn by the Commission may have its charter revoked by the President of the United Republic of Tanzania.

(2) The President may, upon the recommendations of the Commission through the Minister, revoke a charter under the Act if –

- (a) it is evident that the university institution is not carrying on its functions in a proper manner;
- (b) the university is in breach of its charter;
- (c) it is in the interest of higher education to revoke the charter.

(3) The Commission, before making its recommendations to the Minister, shall-

appoint a committee to be known as Technical Evaluation Committee;

require the committee appointed under paragraph(a) to-

- (a) visit the university for the purpose of carrying out on the spot investigation, verification, inspection and assessment; and
- (b) prepare a report containing recommendations for the Commission in respect of the investigated university.

(4) The Commission shall, after receiving the report and recommendations of the Technical Evaluation Committee, consider the grounds for revoking the charter of the concerned university and may decide-

- (a) where it is satisfied that grounds for revoking the charter of a university have been established recommend to the Minister that the charter of the said university be revoked;
- (b) where it is not satisfied with the grounds it shall communicate to the Minister its recommendation that the charter of the concerned university should not be revoked;

(5) The Minister after receiving recommendations of the commission for revocation of a charter a university shall, refer the matter with his recommendations, to the President.

(6) If the President is satisfied that either the university is not carrying out its functions in a proper manner or that the university is in breach of its charter or that it is in the interest of higher education to revoke the charter, he may revoke the charter of the said university.

(7) Where a charter has been revoked under sub-regulation (6) –

- (a) the Minister shall, within 30 days, by notice, publish the revocation in the Gazette and thereafter the university shall cease to be a university at the expiry of one year from the

date of the publication of the notice;

- (b) such revocation shall not affect the validity of the awards previously granted or conferred by the university in question when still a recognized university;
- (c) the university whose charter has been revoked shall, under instructions of the Commission, arrange for re-admitting of existing students in some other universities.

(8) A university whose charter has been revoked may re-apply for chartering in accordance with the provisions of these Regulations after satisfying the Commission that it has remedied all the shortcomings that led to the revocation of the charter.

PART III

REGISTRATION OF UNIVERSITIES

Commission
constituted
registrar
of
universities

19.-(1) The Commission shall be the registrar of universities and shall keep a register of all universities operating in Tanzania.

(2) Every university that is in the register of universities shall be liable to paying to the Commission an annual fee to be determined by the Commission from time to time.

Application
by
existing
universities
for
full registration

20. Universities which were in existence and operational when the Act became effective on 1st July, 2005, shall apply to the Commission for full registration pending being granted a charter.

Stages
of
registration

21. Subject to the provisions of regulation 20, registration of a university shall be done in two stages, namely.

- (a) provisional registration;
- (b) full registration.

Application
for
provisional
registration

22.-(1) Any individual, group of persons or organization, intending to establish and manage a university shall submit to the Commission an application for grant of a Certificate of Provisional Registration such application shall be made-

- (a) in English;
- (b) in a form prescribed in the third Schedule to these regulations;
- (c) in duplicate; and
- (d) upon payment of a fee which shall be set by the Commission

from time to time.

(2) An application for provisional registration made under sub-regulation (1) of this regulation shall be accompanied by-

- (a) a time table or action plan indicating steps to be taken over a period of three years from the date of establishing the institution towards the realization of the objects of the institution;
- (b) a draft of the charter;
- (c) information on.
 - (i) gender mainstreamed draft curricula of the academic programmes intended to be conducted by the institution;
 - (ii) the academic facilities including library and equipment proposed for the academic programmes and the manner in which they are to be maintained with express provision for people with common physical disabilities of sight, hearing and movement;
 - (iii) existing or proposed human resources, including academic and senior administrative staff, indicating provision for promotion of gender balance and equality; and
 - (iv) existing or proposed physical infrastructure, indicating special consideration for gender and persons with common physical disabilities of sight, hearing and movement.

(3) The Executive Secretary of the Commission shall prepare highlights of the application for consideration by the Commission.

(4) The Commission may, on receipt of the application for provisional registration made under sub-regulation (1), organize a meeting or series of meetings with the applicant to verify the resources and information given with the application.

(5) The Commission shall appoint a committee to be known as Technical Evaluation Committee to evaluate and verify the information required under sub-regulation (2).

- (6) The committee appointed under sub-regulation (5) shall-
- (a) study the relevant information, the spot verification, inspection and assessment;
 - (b) visit the university for the purpose of carrying out on the spot verification, inspection and assessment; and

- (c) prepare a report containing recommendations for the Commission in respect of the evaluated university.

23.-(1) A University may be granted a Certificate of Provisional Registration if it satisfies the Commission that it has-

- (a) submitted its proposed draft charter to the Commission;
- (b) a strategic plan in place to guide the development of the planned university;
- (c) furnished and equipped required buildings in accordance with the university's approved strategic plan;
- (d) appointed a fulltime, qualified, competent and experienced Chief Executive;
- (e) established a system, and appointed an adequate number of qualified, fulltime or contractual competent and experienced academic staff, for carrying out the initial and planned future programmes and courses;
- (f) systematically set up the university's initial facilities for sustaining academic and administrative functions;
- (g) prepared a prospectus defining, among other things, students admission requirements and procedures, including fees and available welfare facilities and services;
- (h) submitted draft curricula for initial courses, students progress and performance assessment procedures and examination regulations for the Commission's approval;
- (i) established clear and transparent procedures for the recruitment, employment and promotion of academic and administrative staff;
- (j) submitted to the Commission for approval a framework for sustainable capital and recurrent financing of the development and running costs for the proposed institution;
- (k) submitted quarterly progress reports for verification by the Commission of the results, of the actions taken and achievement realized for the furtherance of the university's objectives as stipulated in the strategic plan; and
- (l) carried out any other activities as directed by the Commission.

(2) The Commission shall, after receiving the report and recommendations of the Technical Evaluation Committee, consider the application and may, upon being satisfied as to the contents of the draft charter, action plan and that the proposed university has fulfilled the

conditions stipulated in sub-regulation (1) of this regulation, grant a Certificate of Provisional Registration (CPR) to such university.

(3) The Commission may refuse to issue a Certificate of Provisional Registration if it is satisfied that the applicant does not meet satisfactorily the requirements for academic, physical and other resources necessary for the establishment and sustenance of a viable and creditable university.

Effect of
Certificate
Provisional
Registration

24. The Certificate of Provisional Registration shall constitute a provisional license to such university to the following-

- (a) refine its draft charter and apply to the Commission for grant of charter in accordance with the provisions of the Universities and these Regulations; provided that in processing an application for grant of charter the Commission may use relevant information submitted in the application for grant of provisional registration;
- (b) advertise for and appoint academic, administrative, technical and other support staff;
- (c) advertise courses and select students for initial academic programmes which may commence, at the earliest, during the second year of the license period;
- (d) embark on teaching/learning, research and public expert service functions and other academic and related activities during the period specified in paragraph (c) of this regulation;
- (e) publish the prospectus of the university;
- (f) initiate the establishment of departments, faculties, schools, institutes, constituent colleges, campus colleges and related organs;
- (g) confirm senior and other academic and administrative staff in their posts;
- (h) furnish the Commission with bi-annual progress reports on the results of implementation of the strategic plan of the university and adherence to the standard conditions and criteria for grant of full registration of the university as per recommendations of the Commission.

Restrictions
under a
Certificate of

25. A Certificate of Provisional Registration shall be subject to the following restrictions-

Provisional
Registration

- (a) a period of three years;
- (b) shall be valid for a university may apply for extension of time after expiry of the three year period and the Commission may grant the application and extend the period referred to in paragraph (a) by a period not exceeding one and a half years to enable a holder of the provisional license to comply with requisite conditions stipulated in these regulations or as may be directed by the Commission;
- (c) the Commission may cancel a Certificate of Provisional Registration of a university which fails to comply with the conditions under a provisional license.
- (d) unless and until it acquires full registration status, a university with a Certificate of Provisional Registration shall not be allowed to confer academic and other awards.

Eligibility for
grant of full
registration

26. A university may apply for full registration status if-

- (a) it has attained legal personality through chartering;
- (b) it is a holder of a provisional license, for not less than three years and not more than four and a half years and has fulfilled all the conditions required under such license.;

Application for
grant of full
registration

27.-(1) An application for grant of full registration shall be made-

- (a) in English;
- (b) in a form prescribed in the Third Schedule to these Regulations;
- (c) in duplicate; and
- (d) upon payment of a prescribed fee as shall be set by the Commission from time to time.

(2) The application referred to in sub-regulation (1) shall be accompanied by information required under paragraphs (a), (c) to (i) of sub-regulation (2) of regulation 5 of these Regulations as well as a certified copy of the charter of the university.

(3) The provisions of regulations 6, 7 and 8 of these Regulations shall, subject to necessary changes, apply in the processing of an application for full registration.

Grant of full
registration
status

28.-(1) The Commission, after receiving the report and recommendations of the Technical Evaluation Committee, shall consider the application and may, upon being satisfied that the university has attained legal personality by being chartered, it has complied with all the requirements stipulated in sub-regulation (2) of regulation 27, grant the

applicant university full registration status.

(2) The Commission may refuse to grant full registration status to an applicant university which has not met all the conditions/ requirements stipulated in these regulations.

Effect of
certificate of
Provisional
Registration

29.-(1) Where the Commission grants full registration status to a university the Executive Secretary shall-

- (a) issue a Certificate of Full Registration to such university;
- (b) cause such university to be entered in the register of universities which have attained the status of full registration; and
- (c) cause the full registration status be published in the *Gazette*

(2) A university which has secured a Certificate of Full Registration-

- (a) shall have all its academic, administrative and other services in full operation; provided that it shall not confer any academic and other awards before being granted a Certificate of Accreditation in accordance with the provisions of these Regulations; and
- (b) may-
 - (i) recruit more academic, administrative, technical and operational staff to meet defined needs;
 - (ii) have courses, research and public services in full progress;
 - (iii) design the emblem, the official seal and other instruments and mechanisms for the institution's awards;
 - (iv) prepare for final evaluation and award of the Certificate of Accreditation

Eligibility to
apply for grant of
accreditation

30. A university which has met the following conditions shall be eligible to apply for accreditation:

- (a) attained full registration status granted by the Commission;
- (b) conducted an internal self-evaluation in accordance with institutional self-assessment and quality assurance guidelines issues by the Commission and prescribed as Fourth Schedule to these Regulations.

Application for
grant of
accreditation

31.-(1) A university that has met the conditions stipulated under regulation 30 shall apply to the Commission for accreditation status.

(2) The application referred to in sub-regulation (1) shall be made-

- (a) in English
- (b) in duplicate,
- (c) upon payment of a prescribed fee as shall be set by the Commission from time to time.

(3) An application for accreditation shall be accompanied by:-

- (a) a report of internal self-evaluation; and
- (b) such other information which the Commission may require.

The Technical
Evaluation
Committee

32.-(1) After receiving the application the Commission shall appoint a committee, to be known as Technical Evaluation Committee for the purpose of carrying out technical evaluation of the applicant university in terms of adequacy and quality of academic courses and research programmes, administrative and technical activities as well as welfare services of the university.

(2) The Technical Evaluation Committee shall make a thorough review and assessment of the following-

- (a) adequacy and quality of existing academic, administrative and technical support facilities, programmes, services and procedures;
- (b) conditions, criteria and procedures used to select and admit students;
- (c) the adequacy and quality of curricula, instructional and learning environment, materials, equipment, methods and related support services;
- (d) adequacy of the ratio of facilities and services such as staff student ratio, students: facility ratio;
- (e) adequacy of numbers, qualifications, and experience of academic, administrative and technical support staff;
- (f) conditions for course completion, students assessment and grading system and procedures, examinations regulation and the credibility of external examination; and
- (g) conditions for the institution's academic awards and graduation.

(3) The Technical Evaluation Committee shall prepare a report containing recommendations for the Commission in respect of the evaluated university.

Consideration
and grant of
accreditation

33.-(1) After receiving the report of the Technical Evaluation Committee the Commission shall consider the application for grant of accreditation status.

(2) If the Commission is satisfied that the evaluated university is operating in a manner-

- (a) typical of a creditable institution of higher education; and
- (b) reflecting internationally acceptable standards in its programmes, operations; and performance,

it will grant to the institution its Certificate of Accreditation.

(3) The Commission shall cause the accreditation status granted to a university to be published in the *Gazette*.

(4) If the Commission is satisfied that the evaluated applicant university is not operating in a manner specified in paragraph (2) of this regulation it shall communicate to the applicant its refusal to grant the applied for accreditation status.

Rights and
obligations of an
accredited
university

34. An accredited and full registered university shall-

- (a) have full autonomy in the administration of its academic affairs;
- (b) award in its name certificates, diplomas, degrees, postgraduate degrees and honorary degrees in accordance with its programmes of study and the enabling legal instrument made in accordance with the provisions of the Act and or any other written law;
- (c) ensure that the standards and procedures prescribed by the Commission are, at all times, maintained;
- (d) ensure that no new procedures or programmes of instructions are mounted and regulations in respect thereof are made without the prior knowledge of the Commission;
- (e) be subject to periodic external quality audit and technical evaluation after every four or five years;
- (f) have, subject to the provisions of the Act, the following designations for its academic staff, signifying their order of seniority in rank as follows:
 - (i) Professor or Research Professor;
 - (ii) Associate Professor or Associate Research Professor;

- (iii) Library Professor;
- (iv) Associate Library Professor;
- (v) Senior Lecturer or Senior Research Fellow;
- (vi) Lecturer or Research Fellow;
- (vii) Assistant Lecturer or Assistant Research Fellow;
- (viii) Tutorial Assistant
- (ix) Senior Librarian;
- (x) Librarian;
- (xi) Assistant Librarian;

(g) make provision for the position of Professor Emeritus.

Cancellation of
Certificate of
Accreditation

35. –(1) Where a university is not making any measurable progress or does not live up to its mission, public expectations and internationally accepted standards, the Commission may give such university a three months written notice requiring it to remedy the shortcomings which will have been identified by the Commission and brought to the attention of the university.

(2) If the university does not remedy the shortcomings within the notice period, the Commission shall give the university a one month written notice of intention to withdraw the university's accreditation status and cancel the Certificate of Accreditation.

(3) The concerned university may make presentations before the Commission within the notice period as to why it has not remedied the shortcomings.

(4) If the Commission is not satisfied with the reasons advanced and in the case where there is no presentation at all from the concerned university, the Commission shall withdraw the accreditation status from the university and cancel the Certificate of Accreditation.

(5) A university whose accreditation status has been withdrawn and Certificate of Accreditation cancelled shall be published in the Gazette and any other national.

(6) A university whose Certificate of Accreditation has been cancelled-

- (a) shall not continue with the programmes for student's admission, graduation and conferment of academic and other awards;
- (b) shall make arrangements for re-admitting its existing students in some other universities;
- (c) shall be published in the *Gazette* and other popular newspapers;

- (d) may re-apply for accreditation in accordance with the provisions of these Regulations upon satisfying the Commission that it has complied with the conditions for accreditation.

PART V

MISCELLANEOUS PROVISIONS

Offences

36.—(1) No person shall contrary to the provisions of these regulations—

- (a) establish and operate any university;
- (b) admit or continue to admit students;
- (c) initiate courses;
- (d) confer any academic or other award.

(2) Any person who contravenes the provisions of sub-regulation (1) commits an offence and shall be liable on conviction to a fine not exceeding shillings 1,500,000/= and cancellation by the Commission of provisional registration or full registration, as the case may be, of such university and striking it out of the register of universities.

(3) Cancellation of registration of a university shall be published in the *Gazette* and in other daily papers with a country-wide circulation.

(4) A university whose registration has been cancelled by the Commission—

- (a) shall maintain its legal status, if it has already acquired it;
- (b) shall not continue with programmes of students admission, graduation and conferment of academic and other awards and any attempts to do any of these acts shall render the owner or founder or manager of the university liable to pay a fine of not exceeding shillings 1,500,000/=, and, in addition, the academic and other awards conferred by the university shall not be recognized by the Commission as such awards;
- (c) shall maintain its legal status, if it has already acquired it;
- (d) shall make arrangements of re-admitting its existing students in some other universities; and
- (e) may, after satisfying the Commission that it has complied with all the conditions for registration, apply to the Commission for reinstatement of registration.

(5) A university whose accreditation status has been withdrawn by the Commission—

- (a) shall maintain its legal status;

- (b) shall not continue with the programmes for student's admission, graduation and conferment of academic awards and any attempt to do any of these acts shall render the owner or founder or manager, as the case may be, of the university liable on conviction to a penalty of a fine of not exceeding shillings 1,500,000/= and, in addition, the academic and other awards conferred by the university shall not be recognized by the Commission as such awards;
- (c) shall make arrangements of re-admitting its existing students in some other universities; and
- (d) may, after satisfying the Commission that it has complied with all the requirements for accreditation, apply to the Commission for reinstatement of the accreditation status.

Right of appeal

37.-(1) Any person who is aggrieved by the decision of the Commission for-

- (a) refusal to grant registration;
- (b) refusal to recommend for grant of charter;
- (c) cancellation of registration; and
- (d) cancellation of accreditation,

may within 30 days from the date of the decision of the Commission appeal to the Minister against such decision.

(2) The appellant shall state his grounds of the appeal.

(3) The Minister shall, after receiving the appeal filed under sub-regulation (1), appoint an Appeals Committee composed of three members.

(4) The Appeals Committee appointed under sub-regulation (3) shall be guided by-

- (a) standard appeals procedures; and
- (b) principles of natural justice.

(5) The Appeals Committee shall scrutinize the grounds of appeal, prepare a report which must contain the Committee's recommendations and advice and submit it to the Minister.

(6) The Minister shall, after receiving the report under sub-regulation (5) consider the appeal and may decide to either-

- (a) uphold the decision of the Commission; or
- (b) vary the decision of the Commission; or
- (c) require the Commission to revise or review its decision; or
- (d) require the Commission to inquire for specific information

from the university.

(7) The Commission, after receiving a direction of the Minister under any of paragraphs (b) to (d) of sub-regulation (6), shall comply accordingly.

Review of a
Commission's
decision

38. Where the Minister has directed the Commission to review its decision under sub-regulation (6) of regulation 30, in the reviewing exercise the Commission may take into consideration the following matters, among others.

- (a) there may have been omissions of factual information;
- (b) additional information may have been provided as part of the appeal;
- (c) false information was provided upon which earlier decision was made;
- (d) there may have been dishonesty, or misinterpretation in the evaluation process for which the Commission bears responsibility; or
- (e) proper procedure was not fully observed.

Commission's
decision after
review

39.-(1) The Commission may, after the review exercise, decide to either-

- (a) vary or modify its original decision; or
- (b) uphold its original decision; or
- (c) direct the Executive Secretary to present more information within a given period of time before a final decision is taken.

(2) Where the Commission has made its decision under sub-regulation (1), the Executive Secretary shall inform in writing the university concerned the decision of the Commission.

Appeal after
review

40.-(1) Where, after receipt of the decision of the Commission under sub-regulation (2) of regulation 32, the university concerned is still aggrieved, it may appeal to the Minister against the decision of the Commission, stating its grounds of appeal.

(2) After receiving the appeal, the procedure for determining an appeal stipulated under sub-regulations (3), (4) and (5) of regulation 30 shall apply, *mutatis mutandis*, under this regulation.

(3) The Minister shall, after receiving the report with recommendations and advice from the Appeals Committee consider and determine the matter and his decision shall be final and conclusive.

Mechanism for
continuous
monitoring
of
universities

41. The Commission shall establish a mechanism for the purpose of carrying out evaluation, assessment and monitoring of universities on a continuous basis.

Amendment of Regulations

FIRST SCHEDULES

Under regulation 5(1)

TANZANIA COMMISSION FOR UNIVERSITIES (TCU)
P.O. Box 6562 Dar es Salaam,
Tanzania

APPLICATION FOR GRANT OF CHARTER

Fees paid (i) Bank draft/Pay order No.....Dated.....
(ii) Cash Receipt No..... Dated.....
(iii) (NB All payments to be made to the Tanzania Commission for Universities)

1. Name of university/University College.....

2. Name of Founder/Owner

3. Location and postal address of the University.....

4. Name and title of existing or designated Chief Executive Officer

5. Strategic Plan with defined vision, mission, object and timetable :

Attached Yes No

6. Main sources of funding

7. Governance and Management structure

(a) **Top leadership positions: Name of:**

- Chancellor (or equivalent).....
Highest academic qualificationnot filled

- Chairman of Council/Governing Board.....not filled

- Vice Chancellor/Principal/Provost (or equivalent designation) ..
• Highest academic qualification.....not filled

- Deputy Vice Chancellors/Deputy Principal/Provosts (or equivalent designation).....
Highest academic qualification..... Not filled

- Registrar/Deputy Vice Chancellor/Deputy Principals/Provost (or equivalent designation) (Administration).....
Highest academic qualification..... Not filled

- Legal Counsel..... Not filled

(b) **Governance organs**

- University Council/Governing Board:
Established? Yes No If established, Number of members M F

- Senate/Academic Committee:
Established? Yes No If established, Number of members M F

(c) **Statutory Committees of Council/Governing Board:**

- Executive/Management Committee:
Established? Yes No If established, Number of members M F

- Finance and Planning Committee:
Established? Yes No If established, Number of members M F

- Staff Appointments Development and Promotions Committee:
Established? Yes No If established, Number of members M F

- Committee of Deans and Directors:

Established? Yes No If established, Number of members M F

- Research and Publications Committee:

Established? Yes No If established, Number of members M F

- Senate Library and Documentation Committee:

Established? Yes No If established, Number of members M F

- Admission and Examinations Committee:

Established? Yes No If established, Number of members M F

- Undergraduate Studies Committee:

Established? Yes No If established, Number of members M F

- Higher Degrees Committee:

Established? Yes No If established, Number of members M F

Convocation Committee:

Established? Yes No If established, Number of members M F

- Any other Committee (Specify)

Established? Yes No If established, Number of members M F

(d) **Other organs and Committees:**

- Workers' Council

Established? Yes No If established, Number of members M F

- Students' Organization:

Established? Yes No If established, Number of members M F

- Academic Staff Assembly:

Established? Yes No If established, Number of members M F

- Students' Affairs Committee:
Established? Yes No If established, Number of members M F

(e) **Financial Control and Management System:**

- Bursar: Appointed yes No
- Chief Internal Auditor: Appointed yes No
- University/College External Auditors: Appointed yes No
- University/College Bankers: Appointed yes No
- Financial Regulations: Established yes No
- Procurement and Stores Regulations: Established yes No
- Accounting Manual and Stores Manual: Established yes No

(f) Proposed/Existing/Planned academic programmes (List or attach current Prospectus)
.....
.....

(g) Current and projected numbers of students over next three years.

Current Next three year

(h) Facilities and infrastructure for academic and administrative functions.

	<u>Number Existing</u>	<u>Number planned in three years</u>
• Lecture Theatres		
• Seminar rooms.....		
• Laboratories		
• Special purpose rooms		
• Computer labs.....		
• Multipurpose Hall		
• Academic Staff offices.....		
• Students' Welfare offices		
• Library space		
➤ Seating capacity		
➤ No. of Shelves		
➤ Book Titles available		
➤ Types of Journals		
➤ Photocopy facilities.....		
➤ Use of online lending		

- Computers
- Virtual library service
- No. of Faculty/Departmental libraries
(if any)

(f) Facilities and infrastructure for students and staff welfare:

	<u>Number Existing</u>	<u>Number planned in three years</u>
• No. of Staff houses on campus
• Students' hostels (Total capacity)
• Dispensary/Health Clinic
• No. of Cafeteria/Dining Halls
• Facilities for religious functions
• Students' Çenter
• Facilities for the disabled

(j) Institutions' Human Resources (Number and Qualifications)

Category	Current qualifications	Existing number		Planned in the next three years		
		F	M	F	M	TOTAL
Academic Staff	Gender					
	Ph. D					
	Master's level					
	Bachelors degree					
	Advanced/Higher					
	Diploma					
	Ordinary Diploma					
	Certificate					
	Professional Certificates:					
	• (CPA (T))					
• (CPA (T))						
•						
Administrative and Technical Staff	Ph. D					
	Master's level					
	Advanced/Higher					
	Diploma					
	Ordinary Diploma					
	Certificate					
	Professional Certificates:					
	• (CPA (T))					
	• (CPS (T))					
	•					

9. Certification:

I certify that to the best of my knowledge and belief, all the details provided in this form are correct and valid at the time of submission.

(a) Signed for and on behalf of the institution's founders (for new institutions)

..... (Name: Chief Executive Officer) (Official position)
..... (Signature) (Date)

Seal/Official stamp

(b) Signed for and on behalf of the institution's top Management

..... (Name: Chief Executive Officer) (Official position)
..... (Signature) (Date)

Seal/Official stamp

SECOND SCHEDULE

Under Regulation 5(2)

TCU F.2

**RESOLUTION OF INTENTION TO APPLY FOR GRANT/APPROVAL OF CHARTER
PENDING REGISTRATION
(under Regulation 5(2)(a))**

Name of the
University/College.....
.....

Address:
.....
.....
.....
.....

Foreign Local (Please tick)

THIS RESOLUTION WAS MADE AT A MEETING OF THE UNIVERSITY
COUNCIL/COLLEGE GOVERNING BOARD HELD AT(PLACE) ON THE
..... DAY OF(MONTH) IN THE
YEAR.....

WHEREAS, the University/College is aware of the requirement of the Tanzania Commission for Universities for the Institution to apply for grant/approval of Charter and registration as required by the Universities Act, 2005 Act No. 7 and rules made there under;

WHEREAS, the University Council/College Governing Board is desirous and willing to apply for grant/approval of Charter of the University/College;

NOW THEREFORE, BE IT KNOWN THAT pursuant to the decision of the University Council/College Governing Board Minute No..... of20..... it has been RESOLVED that the University/College submit the intention to apply for grant/approval of Charter;

BE IT FURTHER RESOLVED THAT the University/College Management be and is hereby authorized to execute on behalf of the University/College all documents (with no limitation) as may be required by the Commission in connection with Chartering as required by the Universities Act, 2005 Act No. 7 and rules made thereunder.

This is a true and certified resolution of the university Council/College Governing Board.

Dated at(place) this theday of
.....month in the year.....

.....
CHAIRMAN

.....
SECRETARY

THIRD SCHEDULE

Under regulations 22(1) and 27(1)

The Tanzania Commission for Universities (TCU)

Application for Provisional/Full registration as a University Institution in Tanzania

- Fees paid
- (i) Bank draft/Pay order No..... Dated.....
 - (ii) Cash Receipt No. Dated.....
 - (iii) (NB. All payments to be made to the Tanzania Commission for Universities)

1. Name of applying institution.....
2. Particulars of the institution’s founders/owners

In Tanzania	Outside Tanzania (as applicable)
(a) Name of founders/owners/owning organization	
(b) Date and place of incorporation	
(c) Official title of Chief Executive Officer of the institution’s founding body	
(d) Name of current Chief Executive Officer of the Institution’s founding body	
(e) Physical and postal address	
(f) Telephone numbers	
(g) Fax numbers	
(h) e-mail address	
(i) website address	
(j) References of previous experience in establishing and or running a higher education institution	

3. Particulars of the applying institution (attach a copy of the TCU adopted Charter)
 - 3.1. Approved name of the institution.....
 - 3.2. Date of TCU approval of grant of Charter.....
 - 3.3. Date and number of Certificate of Provisional registration, CPR (applicable to institutions applying for full registration)

- (a) Number of CPR.....(b) Dated.....

- 3.4. Physical location and address of the Institution:
- (a) Temporary location/rented premises (attach copy of leas agreement or Memorandum of Understanding, MOU as applicable).
.....
 - (b) Planned or identified permanent location
.....
 - (c) Postal address of the instution’s CEO
.....
 - (d) Telephone numbers.....
 - (e) Fax numbers
 - (f) E-mail address.....
 - (g) Website.....

3.5. Status (tick) – Public (Government-owned Private

3.6 Particulars of land requirement/land acquired in the name of the institution

- (a) Number of acres needed
- (b) Number of acres already acquired
- (c) Location.....
- (d) Number of Title deed.....

3.7 (a) Status of the institution’s Development/Strategic Plan and timeline (please tick)

(i) Approved by internal organs (ii) Approved b the TCU

3.8 Institution’s Governance and Management system

- Official title of the institution’s Chief Executive Officer
.....
- Name of current Chief Executive Officer
.....
- Highest academic qualifications
.....
- Provision for other senior/leadership positions (please tick)
 - (i) Chief Academic Officer/Registrar or equivalent.
- Appointed Yes No M F

(ii) Chief Administrative Officer or equivalent:

- Appointed Yes No M F

(iii) Planning Officer/Director of Planning or equivalent:

- Appointed Yes No M F

(iv) Legal Counsel:

- Appointed Yes No M F

- Appointed Yes No M F

(e) Number of members of:-

(i) the University Council/College Board:

- Appointed Yes No M F

(ii) the University senate/College academic committee:

- Appointed Yes No M F

(iii) Finance and Planning Committee:

- Appointed Yes No M F

3.9 Main emphasis in Curricula Orientation:

(a) Secular education and training programmes Y N

(b) Research relevant to national research agenda and development vision Y N

(c) Narrow specialization (please specify) Y N

(d) Consultancy and public extension service

3.12 Exiting and planned future establishments under the university – affiliate colleges, schools, campuses, institutes etc.

SN	Existing affiliated institutions	Reference of TCU registration (as applicable)		Planned Affiliations (Next five tears)	Planned affiliations in ten years
		CPR	CFR		

3.13 Details of existing and planned facilities for academic activities

S/N	Facility/ties	Number of units	Existing capacity	Planned total capacity in five years	Planned total capacity in ten years
1.	Lecture theatres/rooms				
2.	Seminar rooms				
3.	Science Labs.				
4.	Language labs.				
5.	Computer labs				
6.	Other labs (specify)				
7.	Special purpose rooms				
8.	Library				
9.	Inter-library network				
10.	Internet service				
11.	Distance/virtual education				
12.					

3.14: Details of existing and planned facilities for administrative and technical support activities:

S/N	Facility/ties	Number of units	Existing capacity	Planned total capacity in five years	Planned total capacity in ten years
1.	Offices of the CEO				
2.	Seminar rooms				
3.	Planning Offices				
4.	Registrar's Office				
5.	Admission Office				
6.	Accounts offices				
7.	Security Offices				
8.	Students' cafeteria				
9.	Staff cafeteria				
10.	Health center				
11.	Students' accommodation				
12.	Staff housing				
13.	Transport services				
14.	Communications facilities				
15.	Games and sports facilities				
16.	Students' union offices				
17.	Estates department				
18.	Development/income generation office				

3.15 Students' selection and admission requirements and procedures

SN	Requirement/procedure	Current	In three years	In five years
1.	Targetted source of students			
2.	Estimated growth in student number			
3.	Minimum entry requirements general			
4.	Total annual fees (average)			
5.	Tuition fees (average)			
6.	Boarding fees (average)			
7.	Other fees (specify)			
8.				

3.16 Existing and planned human resource strength

S/N	Category	Current numbers	Numbers planned in next five years	Numbers planned in next ten years
1.	Academic staff – Professors			
2.	Academic staff – PhD			
3.	Academic staff Masters			
4.	Academic staff – Bachelors			
5.	Tutorial Assistants			
6.	Administrative staff			
7.	Technical support staff			
8.	Other (pls. Specify)			

3.17 Financial resources and sustainable financing

S/N	REVENUE		EXPENDITURE		
	Current and planned future sources of revenue	% allocated to Capital development	% allocated to core functions of the institution	% allocated to staff remunerations	% allocated to other charges
1.					
2.	Source of internal auditors				
3.	Source of external auditors				

3.18. Arrangements for the institution's integrity and public accountability

- (a) Prospectus – published and circulated Y N
- (b) Research and other publications Y N
- (c) Periodic public notices for students and staff Y N
- (d) Public lectures Y N
- (e) Exhibitions Y N
- (f) Extension services Y N
- (g) Consultancies Y N
- (h) Participation in public affairs Y N

Signed.....
(INSITITUTION'S CEO/AUTHORISED REPRESENTATIVE)

Name

Date

Official stamp or Seal, if available.

Dar es Salaam,
... March, 2006

PETER M. MSOLLA
Minister for Higher Education, Science and Technology

THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF JUSTICE AND CONSTITUTIONAL AFFAIRS



Telegraphic Address: "LEGAL "

Telephone: 111895

Fax: 255 022 113236

In reply please quote:

Ref. No.JC/A.130/66/109

P.O. Box 9050,

Dar es Salaam,

TANZANIA.

March 16, 2006

The Permanent Secretary,
Ministry Of Higher Education,
Science And Technology,
P.O. Box 2645,
Dar Es Salaam.

Re: UNIVERSITIES (CHARTERING, REGISTRATION AND
ACCREDITATION PROCEDURES) REGULATIONS

The above captioned Subject Refers.

We have vetted regulations attached herewith and submitting the same for your Ministers approval.

Please, after Minister's signature return to us the original copy and one copy for publication process.

R.F. Mbaruku
for Ag: CHIEF PARLIAMENTARY DRAFTSMAN