

THE MWALIMU NYERERE MEMORIAL ACADEMY

STUDENTS' ORGANIZATION

(MASO)



CONSTITUTION

(2008)

AS AMENDED IN MARCH, 2015

Issued by: MASO Government

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Komanya, Elias David
MASO – President

Approved by the Governing Board on 26th March, 2015

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Secretary - Governing Board

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ABBREVIATIONS

AEC	-	Ad-hoc Electoral Committee
AGM	-	Annual General Meeting
CSR	-	Class Students' Representative
DSR	-	Department Students' Representative
DoS	-	Dean of Students
EDES	-	Ethics, Discipline and Enquiry Secretariat
EOGM	-	Extra Ordinary General Meeting
GPA	-	Grade Point Aggregate
HSR	-	Hall Students' Representative
MASO	-	Mwalimu Nyerere Memorial Academy Students' Organization.
MNMA	-	Mwalimu Nyerere Memorial Academy
OSR	-	Off-Campus Students' Representative
PM	-	Prime Minister
SRP	-	Students' Representative Parliament
VP	-	Vice President

PREAMBLE

Whereas the students of The Mwalimu Nyerere Memorial Academy understand and believe that this Academy was established by an Act of Parliament No 6 of 2005. The Act became operational on 1st October 2005 by Publication of Government Notice No. 433 of 23rd December 2005.

Whereas the students understand that only a diligent student's organization run democratically by the students will be completely responsible to the students themselves and hence serve their interests to the best of its ability, and

Whereas history has shown that a credible Students Organization will improve to a great extent a cordial relationship based on mutual understanding between the students of this Academy its Management and other legitimate organizations, and

Whereas the students' organization has been efficaciously in operation and existence, duly accepted and recognized by the members of the Academy and the society at large both within and outside Tanzania.

THEREFORE.

This Constitution is enacted by the constituent Assembly of the students of The Mwalimu Nyerere Memorial Academy (formerly Kivukoni Academy of Social Sciences) on behalf of all MNMA students, for the purpose of enhancing prosperity, good governance, democracy and human rights observance, hence MASO will always cherish, cooperate and associate itself in all civil society activities as it deems fit the interests of its members.

CHAPTER ONE

MASO ESTABLISHMENT, OBJECTIVES AND FUNCTIONS

PART I

ARTICLE 1: NAME, HEADQUARTERS AND ADDRESS.

I) The name of the students' organization shall be The Mwalimu Nyerere Memorial Academy Students' Organisation, which may be referred to by its acronym of MASO.

II) The Headquarters of MASO shall be at The Mwalimu Nyerere Memorial Academy at Dar es salaam.

III) Address

The MwalimuNyerere Memorial Academy Students' Organization
P.O. Box 9193,

Dar es Salaam, Tanzania.

Tel: +255 222820041, 2820613

E-mail: masomnma@yahoo.com or

The Mwalimu Nyerere Memorial Academy Students' Organization,

The Mwalimu Nyerere Memorial Academy-Zanzibar Campus,

P.o.Box 347,

Bububu- Zanzibar.

ARTICLE 2: DEFINITIONS AND INTERPRETATIONS

(1)The following words shall be defined and interpreted to mean:

“Academy” means the Mwalimu Nyerere Memorial Academy established under Section 3 of Act No. 6 of 2005 of the MNMA.

“Academic Committee” means a Committee established under section 9 of part 4 of the Act.

“Academic staff” means the staff engaged by the Academy for the purposes of teaching, research and consultancy.

Act; means Act No. 6 of 2005 of the Mwalimu Nyerere Memorial Academy.

“Annual General Meeting”; means a meeting of all students held once a year.

“Award” includes certificates, diplomas, degrees, postgraduate diplomas, post graduate degrees, honorary degrees and any other award as may be determined by the Governing Board and approved by the National Council for Technical Education.

“Course” includes a planned series of instruction periods based on an approved syllabus and forming part of a curriculum or a programme designed for award.

“Chairman” means the Chairman of the Governing Board appointed under section 6 of the Act.

“Dean of Students” means the overseer of students’ welfare and liaison officer between MASO and the Management of the Academy. He/she is responsible for general administration of students’ welfare (practical and strategic gender needs), accommodation, discipline, social services, cultural, recreational and religious activities.

“Deputy Principal” means a Deputy Principal appointed under section 12 of the Act.

“Extraordinary General Meeting” means very unusual, surprising or emergency meeting conducted in addition to the normal general meeting.

“Financial year” means the financial year of the Academy as determined under section 16 of the Act.

“Former Academy” means the Kivukoni Academy of Social Sciences incorporated in 1992 under the Companies Ordinance.

“Governing Board” means the Board established under section 6 of the Act.

“Member” in relation to the MASO means a member of Students’ Organisation of Mwalimu Nyerere Memorial Academy.

“Misconduct” means any form of immoral, unethical and unprofessional behaviour.

“Minister” means the head of Ministerial activities who is also a member of cabinet.

“Office Bearers” means the President, Vice President, Prime Minister, and Ministers.

“Principal” means the Principal of the Academy appointed under section 11 of the Act.

“Publications” means items in printed form that include leaflets, newspapers, magazines, newsletters or any other documents

“Registrar” means the Registrar appointed under section 13 of the Act.

“Special Resolution” means any formal expression of the Students’ Representative Council which is supported by the two-thirds of the members’ present and voting or any other resolution that shall be reached by consensus.

“Staff” includes academic, technical and administrative staff employed by the Academy.

“Status” means the prestige and legal standing of MASO as defined in this Constitution.

“Student” means any person duly registered by the Academy as a candidate for any award of the MNMA and studying under any of its programmes including distance or short term students.

(2) Words, phrases, expressions and other grammatical signs not expressly or explicitly defined herein shall be given an ordinary interpretation as assigned to them depending on the context and technical and legal expressions shall be given their technical or statutory meanings as the technical or legal practice allows.

ARTICLE 3: OFFICIAL LANGUAGES

The official languages of MASO shall be English and Kiswahili and each shall be used as deemed appropriate.

ARTICLE 4: STATUS

MASO shall be an autonomous and independent Students' Organization at the Academy as defined in this Constitution and as recognized by the Academy and, under the trusteeship of all its members shall be capable of purchasing, holding, alienating and disposing of any property whatsoever, whether movable or otherwise entering into such contracts as may be necessary or expedient for the performance of its functions under this constitution.

ARTICLE 5: OBJECTIVES

The objectives of MASO shall be as provided hereunder:

- (1) To protect and promote students' interests in all aspects of their lives during their stay/period of study at the Academy.
- (2) To establish a proper organization basis for communication between the Academy authorities and students, as well as maintaining peaceful relations between the students and the staff and the Academy's community in general.
- (3) To promote love and respect for learning, the pursuit for truth, and to ensure that every student understands his/her responsibility to educate himself/herself to the best of his/her capabilities and to search for knowledge for the betterment of mankind and in so doing, cherish and promote academic freedom as an individual right of every student at the Academy.

- (4) To stimulate and promote all valuable aspects of cultural development which inculcate the spirit and love for sports, music and art in order to keep the Academy a fertile ground from which exceptional and best talents are yielded.
- (5) To form, maintain and develop fraternal relations with students of other learning institutions in Tanzania, Africa and the world over.
- (6) To act as an intermediary between the students and the Academy Management, or the Government of the United Republic of Tanzania and all other student bodies whenever necessary.
- (7) To seek the advancement of every student as a member of a free national and democratic society based on principles of social equity and justice, which uphold the fundamental human rights, freedom and liberties of the individual and the society as a whole.
- (8) To do all such other things as may be conducive to the attainment of the foregoing objectives or any one of them and to question any other thing whatsoever which may appear to compromise or tarnish the status and image of MASO or the well-being of any of its members.

ARTICLE 6: FUNCTIONS

MASO in pursuit of its objectives as stated in Article 5 herein may carry out any or all of the following functions:

- (1) To promote academic excellence to its members.
- (2) To initiate, sponsor or undertake activities for the benefit of the students of the Academy.

- (3) To organize debates, seminars, workshops, conferences, study tours and symposia to enhance intellectual, civic and political awareness of the students' community.
- (4) To invite at appropriate times any distinguished personalities such as political, social, academic and cultural personalities to interact with the students by way of lectures, panels or group discussions, workshop or any other means which will promote healthy interaction and understanding of all relevant economic, social, political and academic issues.
- (5) To correspond, communicate and/or promote relationship in other ways with other students' organizations which share and promote objectives similar to those of MASO within and outside Tanzania
- (6) To broadcast through radio, television and publish through journals, books, newspapers, newsletters, leaflets, magazine, recordings or otherwise through any other means for the purpose of presenting relevant information to the public.
- (7) To establish committees, secretariats and any other functional organs for the better discharge of the MASO activities aimed towards achieving its objectives.
- (8) To undertake any other activity or function in conformity with the status and objectives of the MNMA.
- (9) To receive and examine students' complaints/allegations and look for appropriate remedy.

PART II

ARTICLE 7: MEMBERSHIP AND TERMINATION

- 1) Every person admitted to The Mwalimu Nyerere Memorial Academy as a candidate for a course or training programme leading to a Certificate, Diploma, Higher Diploma, Degree or any other award attainable by covering either the short or the long courses of the Academy shall become a member of MASO upon the admittance as a student regardless of his/her age, tribe or race.
- 2) Every member shall pay an annual subscription fee which may be reviewed and changed from time to time by the MASO-SRP.
- 3) A member shall cease to be a member when,
 - a) Completes his/her studies.
 - b) His/her is terminated from studies for any other reasons.
 - c) When the member dies.
 - d) It is established that, she/he has committed a criminal offence.

ARTICLE 8: RIGHTS OF MEMBERS

Every MASO member shall be entitled to;

- 1) Participate in all general activities of MASO, vote or hold office when elected or appointed.
- 2) Request, receive and have access to all MASO publications.
- 3) The right to appeal and appear before any appropriate authorized organ that may determine the members' existence in MASO and henceforth in the Academy.
- 4) The right of audience and freedom of expression before all organs of MASO and its entire media.

- 5) To have access and use all facilities owned, possessed or entrusted to MASO. Provided that in the course of enjoyment of the rights stated in this constitution, nothing shall be construed to entitle a member of MASO to hinder in any way other members to enjoy ,the same.

ARTICLE 9: DUTIES AND OBLIGATIONS OF MEMBERS

All MASO members are duly bound to:

- 1) Promote and preserve the sanctity of this constitution.
- 2) Endeavor to educate oneself to the best of one's ability to better the reputation of the Academy and for the personal benefit of oneself and that of humanity.
- 3) Pay subscription and tuition fees when due
- 4) Attend meetings regularly and discharge assignments.
- 5) Exhibit high self discipline and ethics.
- 6) Promote academic excellence.
- 7) Participate in all MASO activities.
- 8) Refrain from influencing the MASO Government or any one of its individual members to act in any way or manner which may appear to prejudice or tarnish the image or status of MASO and the Academy.
- 9) To carry out lawful activities as may be delegated to him or her by MASO or any other MASO organ.

Every MASO member has the right to petition against any relevant MASO organ which may violate this constitution and/or any regulation or rules of MASO and MNMA if, and when necessary.

ARTICLE 10: GENERAL CONDUCT OF MASO MEMBERS

Every member shall be expected to oblige to preserve his/her own personal integrity, dignity and rights, as well as those of other MASO members.

In any event when it is proved that any MASO member has committed any form of misconduct he/she shall be deemed to have violated provisions of this constitution.

Misconducts include:

- (i) Conduct which does or is likely to cause damage, violence to person or property within the Academy.
- (ii) Using force or violence against or striking a fellow student, an officer or any member of the Academy's community regardless such violence occurs in the Academy or not.
- (iii) Maliciously damaging, defacing or destroying a wall, gate, fence or any other property of the Academy's campus.
- (iv) When a student is charged with any crime e.g. theft.
- (v) Unauthorized possession of a key (s) to Academy's property.
- (vi) Use of slanderous, abusive, obscene or threatening language by any student against any other officer or employee of the Academy in the course or performance of such officer's or employee's duties.
- (vii) Inviting outsiders such as police, guest speakers/or social entertainers without the permission of the relevant organs of the Academy.
- (viii) Forming and or establishing unauthorized students' groups which are likely to cause disunity and disorder at the Academy.
- (ix) Wearing clothes that believed culturally not decent.
- (x) Unauthorized possession of library property like books, and others.
- (xi) Unauthorized carrying of lethal weapons within the campus.
- (xii) For the purpose of this article, any member deemed to have violated the article shall be subjected to enquiry by the Ethics, Disciplinary and Enquiry Secretariat and shall further be sued to the Student's Welfare and Disciplinary Committee for further actions.
- (xiii) Instigating or inciting students/workers to boycott/strike.

- (xiv) Knowingly giving information known to be false, or not believed to be true personally or by another person on one's behalf.
- (xv) Knowingly giving out confidential information of the Academy without authority.

CHAPTER TWO

MASO ORGANS AND THEIR FUNCTIONS

PART I

ARTICLE 11: MASO ORGANS.

In accordance to this article the MASO principal organs shall be;

- (i) The Students' Representative Parliament (SRP)
- (ii) The Ethics, Disciplinary and Enquiry Secretariat (EDES)
- (iii) The Students' Baraza
- (iv) The Cabinet –The MASO cabinet shall together form the MASO governing body and therefore shall be called the Mwalimu Nyerere Memorial Academy Students Organization's Government. In short the MASO Government.

ARTICLE 12: THE STUDENTS' REPRESENTATIVE PARLIAMENT (SRP)

- (1) There shall be and is hereby established the students representative parliament (MASO-SRP).
- (2) The SRP shall seat within 14 working days after the general elections.
- (3) The composition of the SRP
 - (a) The Speaker of SRP
 - (b) The Deputy Speaker of SRP
 - (c) The Clerk
 - (d) The MASO cabinet members who shall not exceed 12.
 - (e) The members of SRP shall be elected from the following constituencies.

- (i) Two representatives from each Academic Department who shall be elected by the respective members of the department and shall be known as (DSR).
- (ii) One representative (A Chairperson) from every Residential Hall who shall be elected by the respective members and shall be known as (HSR)
- (iv) Two representative (a Chairperson & one secretary) from off-campus residents who shall be elected by the respective members and shall be known as (OSR).

ARTICLE 13 A: THE SPEAKER OF THE SRP

- (1) There shall be the Speaker of the SRP who shall be elected from amongst the SRP representatives by the members of the SRP, and take the oath of allegiance before the Dean of Students within 14 days after the election.
- (2) The Speaker of the SRP shall not be a MASO Cabinet member.
- (3) Shall hold the office of MASO government once the President and Cabinet have removed in the office.
- (4) The Speaker shall convene and preside over the SRP meetings in accordance with the SRP rules and give the oath of allegiance to all members of SRP.
- (5) The Speaker shall cease to hold office if is removed from office by a resolution of the SRP members by votes of not less than two thirds of all SRP members attended the meeting or by his or her electorate as prescribed in article 12 and 15.
- (6) The Speaker shall be representative and spokesperson of the SRP.

ARTICLE 13 B. THE DEPUTY SPEAKERS

- (1) There shall be the Deputy Speaker of the SRP who shall be elected from amongst the SRP members and shall be the principal assistant to the Speaker.

- (2) The Deputy Speaker shall convene and preside over SRP meetings in the absence of the Speaker and shall not be a member of the MASO Cabinet

ARTICLE 13 C: THE CLERK

1. There shall be the clerk of the Student' Representative Parliament who shall be appointed by the MASO-President and shall not be the member SRP.
2. The clerk will assist to get the interim chairperson to supervise the election of the speaker of the SRP.
3. The clerk will be responsible for keeping records and ensure the proper functioning of the SRP proceedings as provided for by the SRP rules.

ARTICLE 14: THE FUNCTIONS OF STUDENTS' REPRESENTATIVE PARLIAMENT (SRP)

The SRP shall have the following functions and shall convene at least twice per semester according to dates set in the Academy' Almanac.

The functions are:-

- 1) To elect the Speaker and Deputy of the SRP.
- 2) To approve the Prime Minister after the nomination by the president.
- 3) To elect the 6 members of the EDES committee after the nomination of 10 members by the president.
- 4) To present MASO for any purpose as may be required from time to time provided that whenever it is expedient to do so, the MASO Government may discharge its functions under this paragraph subject to restrictions as the SRP may specify.
- 5) To review, approve policies and actions of the MASO Cabinet whenever it considered necessary to do so.

- 6) To evaluate and take appropriate action on the Annual General Report and activities of the MASO Cabinet submitted or ordered so to be submitted by or on behalf of the Office Bearers.
- 7) To make provisions for all matters related to MASO funds.
- 8) To discipline any member of SRP including suspension or expulsion from his/her office provided that more than two thirds of its members attending the meeting vote and resolve to do so.
- 9) To establish committees as may be found necessary for the execution of its functions.
- 10) To approve all MASO Publications.
- 11) To summon Cabinet Members either individually or collectively for the purpose of enhancing the accountability of the MASO Government.
- (11) To make rules and regulations of MASO.
- (12) To review the Code of Conduct covering all MASO Cabinet members.
- (13) To approve plans and budget of MASO.

ARTICLE 15: TERMINATION OF STUDENTS' REPRESENTATIVE OF PARLIAMENT (SRP) MEMBERS.

The SRP member shall lose or cease to be a member upon:-

- (1) Presentation of resolution by electorates signed by not less than half of the respective represented students. The resolution must be made at a meeting attended at least by $\frac{2}{3}$ (two third) of the represented students, and the SRP shall be entitled to approve.
- (2) Not attending two meetings without prior notice dully served-on by the Speaker of SRP.
- (3) Death, discontinuation, expulsion from the Academy and de-registration.
- (4) Expiration of his or her tenure (after one year)

ARTICLE 16: THE MASO CABINET

The functions of MASO cabinet

- (i) There shall be and hereby established the MASO Cabinet comprised of the President, Vice president, Prime Minister, Ministers and Deputy Ministers.
- (ii) The Ministries shall not exceed 8 while Deputy Ministers shall not exceed 4.
- (iii) The president shall preside all Cabinet meetings and in his/her absence the vice president shall preside the meeting. In case both are absent, the Prime Minister shall preside the meetings.
- (iv) Subject to other provisions of this constitution this cabinet shall be the principal organ for advising the president in all matters regarding the exercise of his power in accordance with the provisions of this constitution.
- (v) The President may make a cabinet reshuffle with/or without the consultation of Vice President and Prime Minister where necessary.

ARTICLE 17: THE PRESIDENT

- (i) There shall be the president of MASO, who will be the head of MASO Government and Cabinet
- (ii) The President shall be elected by students in accordance with the provisions of the constitution.
- (iii) The president shall before assuming his or her office take the oath of allegiance from the Principal of the Academy within 14 working days after the election.
- (iv) Subject to other provisions of this constitution, the office of the president shall fall vacant and the election of the president shall be held or that vacancy shall be filled otherwise in accordance with the provisions of this constitution as the case may be upon the occurrence of any of the following events:-
 - a. Resignation of the President
 - b. Death of the President

- c. Discontinuation or de-registration from studies
 - d. Any other event or occurrence that may lead to the office of the president being vacant.
 - e. Upon expiration of his or her tenure (after one year)
- (v) With the advice of the Vice President and Prime Minister, the President shall appoint other three members of SRP out of those elected, to become the full members of SRP.
 - (vi) The President with the advice of the Vice President shall have the mandate to appoint one member from the SRP members to be approved by the SRP to become a Prime Minister.
 - (vii) President shall appoint ministers and deputy ministers from among Student Representatives Parliament members (SRP) and upon appointment they shall take the oath from the President within 5 days from a date of appointment.
 - (viii) President shall appoint new Vice President within 10 working days after the required had not assumed the office.
 - (ix) The president can dissolved the cabinet as the situation shall necessitate. The new cabinet shall be formed within (7) seven working days.
 - (x) Shall be a chief spokesperson of MASO.
 - (xi) Shall approve MASO expenditure.
 - (xii) Shall be a chairperson of MASO Meetings.
 - (xiii) Shall make a Cabinet reshuffle where necessary.

ARTICLE 18: THE VICE PRESIDENT

- (i) There shall be the office of the Vice president. The bearer shall take an oath of allegiance from the Principal of the Academy.
- (ii) The Vice-president shall be the principal assistant to the President in all affairs of MASO.

The Vice-president shall exercise the functions of his/her office subject to the guidance of the constitution and shall be responsible to the president in respect to matters assigned to her or him by the president.

ARTICLE 19: IMPEACHMENT OF THE PRESIDENT

- (1) If the President's office will be vacant with accordance to this article the whole cabinet shall be presumed not to be in existence and in the duration of not exceeding twenty one days shall be conducted new presidential election as per article 25 B . In such event the Speaker shall preside the cabinet, until new president and vice president are sworn into office.
- (2) No motion to impeach the president shall be moved and passed only if it's alleged that the president has committed act(s) which generally violate(s) any provision of this constitution or has conducted himself or her in a manner which lowers the esteem of the office of the president.
- (3) Any allegation concerning the President shall be sent to the EDES by any eligible member of MASO for further considerations and conduct careful investigation within 7 days. If deems fit or necessary the EDES shall send allegation in a writing and Speaker shall call the session to inform the members of SRP as well as the President;
 - (a) Speaker will table the matter to the SRP members, who will give the President the right to be heard and then the President will be allowed to leave as matter will be discussed by the SRP members.
 - (b) The SRP will pass a resolution to remove the president from the office through a two third votes of the SRP members attending the session.
 - (c) The Speaker will notify the President and all members of MASO by writing against the decision taken by the SRP Members.

ARTICLE 20A: THE PRIME MINISTER (PM)

There shall be the PM who will be approved by the SRP after being appointed by the President in consultation with the Vice President.

- (i) PM shall be the head of activities of the MASO government in the SRP
- (ii) The PM shall be a secretary general of the cabinet and secretary of all MASO meetings.
- (iii) The PM shall be responsible to the President as a head of the Cabinet.
- (iv) The PM shall take an oath of allegiance from the Principal.

ARTICLE 20, B: TERMINATION OF THE PRIME MINISTER.

The SRP may pass a resolution to remove the PM from the office under the following circumstances;

- a) Any allegations concerning PM from any MASO member including the President shall be sent by writing to the EDES within 5 working days ,after the investigation the EDES shall table the petition to the speaker if the allegations have locus stand.
- b) The SRP may pass a resolution to remove the PM from office provided that a petition is supported by voting of ½ of the SRP members.

ARTICLE 21: ETHICS, DISCIPLINE AND ENQUIRY SECRETARIAT (EDES)

- (i) There shall be an Organ of Ethics, Discipline and Enquiry Secretariat for MASO. The EDES shall be composed of not more than 6 members. The President shall appoint 10 members who are non-SRP members who are wise and respectable **and** SRP shall approve 6 members out them.
- (ii) The President will send the 10 nominated names to the SRP Clerk for approval in the SRP first seating and the SRP will select only 6 Members to form EDES.

- (iii) The members of an organ shall elect any one of them to be a chairperson and one member to be the secretary and they have the discretion power to change their leaders if it deems fit.
- (iv) For the purpose of this sub article any member may be remove by a vote of simple majority by EDES members if he or she is proved that is conducting out of personal esteem or an ethical or is not committed. The report will be send to the President for appointing another member without being obliged to follow sub article (i) of this article.
- (v) Members of the Organ shall hold the office for one year but they should be eligible for reappointment to serve for the second term.
- (vi) The EDES shall meet depending on the matter brought before it.
- (vii) Member of an Organ shall not be entitled to receive salary except that they shall be reimbursed for the expenses so far incurred and such other allowances.
- (viii) The organ shall discharge the following functions:-
 - (a) To solve disputes relating to MASO between and/or among students as the case may be,
 - (b) To call and interrogate any MASO leader who is suspected to have malpractices and or embezzlement of MASO funds;
 - (c) Upon satisfaction, an organ may table its findings and recommendations before the SRP for approval and/or further actions.
- (ix) The organ shall act as appeal to complicated decisions made against allegations or any case.

PART II

ARTICLE: 22: THE AD-HOC ELECTORAL COMMITTEE (AEC)

- (i) There shall be MASO AD-HOC Electoral committee

- (ii) The committee shall be comprised of not less than 5 members and not more than 10 members.
- (iii) The members of AEC shall include
 - (a) The SRP Speaker or Deputy (in his or her absence) by virtue of his/her position shall be a Chairperson.
 - (b) Six members appointed by MASO President
 - (c) Two staff members appointed by the Principal
 - (d) The Dean of Students
- (iv) Members of AEC shall be appointed and become operational before the General Elections.
- (v) The committee will be responsible to the MASO President.
- (vi) The member of Ad-hoc Electoral Committee shall not include
 - (a) A candidate contesting for leadership position
 - (b) A member of Cabinet
 - (c) A member of SRP other than the Speaker.
- (vii) The office of the DoS is the chief supervisor of all MASO elections.

ARTICLE 23: DUTIES OF THE AD-HOC ELECTORAL COMMITTEE

- (i) To conduct all election activities
- (ii) To screen candidates contesting for leadership positions and shall retain less or not more than three candidates on each position.
- (iii) To solve any election misconduct and allegations during the elections.
- (iv) Receive and forward all election appeals to the Academy Students' Welfare and Disciplinary Committee or Students Appeals and Disciplinary Committee of the Governing Board as the case may be.
- (v) Shall make reasonable election By Laws, including election offences.

- (vi) To monitor the whole process of elections and take actions whenever necessary.
- (vii) To determine the number of Election constituencies and shall be endorsed by the DoS.

ARTICLE 24: POWERS OF THE AD-HOC ELECTORAL COMMITTEE

- (i) To nullify the election results if there are any major irregularities.
- (ii) To disqualify any contestant who does not meet election qualifications, or violates the rules and regulations of the election.
- (iii) To postpone the election if there is any necessary reason i.e death etc.
- (iv) The AEC shall have the mandate to make election by laws.
- (v) To announce the election results.

ARTICLE 25 A: GENERAL ELECTIONS.

There shall be a general election conducted in every academic year for the following posts:-

- (i) Presidential and Vice president.
- (ii) Departmental Students' Representatives.
- (iii) The Hall Representatives.
- (iv) Off-Campus Representatives

ARTICLE 25 B: ELECTION POSTS

(i) Presidential and Vice Presidential posts

There shall be the President and Vice President (the running mate), who will be voted together. Any presidential contestant shall name his or her running mate.

To avoid any gender bias in Elections and representation, where a contestant for a presidential post is a **male**, the running mate (vice president) shall be a **female** and

vice versa. Provided that where a voter votes for the president automatically votes for the vice president too.

(ii) **Departmental Students Representatives (DSR)**

There shall be a post of the Department Student's Representatives whereby every Academic department shall be represented by two students, and the contestants will be voted by the respective members of a particular department. They will be elected on the basis of simple majority votes.

(iii) **The Hall Students Representatives (HSR)**

a) There shall be Hall representatives where by every Hall will be represented and being voted by the respective members of the particular hall of residence. They will be elected on the basis of simple majority votes.

b) There shall be the Hall Chairperson, and one representative from each floor of the hall who shall be known as Secretary. The Chairperson shall be the one who scored many votes compared to the rest of other contestants and secretaries shall be the 2nd and 3rd winners.

(iv) **Off-campus Students' Representatives (OSR)**

There shall be the off-campus representatives who will be voted by the respective members of the off-campus residence. They shall be elected on the basis of simple majority votes. The post shall include Chairperson and two secretaries. The Chairperson shall be the one who scored many votes compared to the rest of other contestants followed by 2nd and 3rd winners who shall be representatives (secretaries).

ARTICLE 26: PROCEDURES OF ELECTIONS

- (i) Elections of all post shall be supervised by the electoral committee
- (ii) The AEC will screen the names of candidates.
- (iii) a) Election shall be by secret ballots and a contestants will be announced **the winner** by the vote of simple majority **except** for the presidential post whereby the **winner** is supposed to win by at least 30% of the voted votes.
b) If the president did not score 30% of votes on the **first round**, then the presidential election shall go to **second round** (repeated) whereby only the two first higher scorers contestants shall compete in this round.
c) If the winner did not reach 30% in the 2nd round, then the election will go to 3rd round and the winner shall be by simple majority.
- (iv) Every candidate will appoint one representative to assist in counting his/her voted tickets.
- (v) The election shall be conducted once and at the same time /simultaneously for all posts.
- (vi) There shall be different polling stations as may be determined by AEC.
- (vii) All voters shall show the identity cards before the invigilators.
- (viii) The AEC will have the mandate to make election by laws as deemed fit.

ARTICLE 27 A: QUALIFICATIONS OF THE CANDIDATES

- (i) All contestants shall be required to have a GPA of **3.0** or above obtained from the last semester or a year within the respective academic year
- (ii) Every contestant shall be required to have been paid the Academy's tuition fees or any other related fees.
- (iii) Every contestant should have a strong/good character in the entire community, being subjected to his or her reputation.
- (iv) A contestant should not be a finalist or pursuing a short course.

ARTICLE 27 B: DISQUALIFICATION OF CANDIDATES.

- (i) A candidate after being approved, may be disqualified at any stage of the election for breach of the electoral rules as follows-;
- (a) Use of bribes
 - (b) Use of abusive language against his or her opponents.
 - (c) Use of discriminative language in any form, gender, class, creed, race or tribe.
 - (d) Use of physical or mental violence
 - (e) Destroy other candidate's publications.
 - (f) If it will be proved beyond doubt that one of his or her campaign member has violated the election rules including Ad hoc election rules.
 - (g) The decision to disqualify a candidate shall be taken by evidence produce.
- (ii) No candidates shall be allowed to with-draw from election after the delivery of his campaign speech or four days the date of election, unless sufficient grounds for withdraw are adduced to the AEC.

ARTICLE 27C: BY-ELECTIONS

There shall be by-elections which will be conducted to fill vacant constituencies and administered by MASO and DoS on the eligible constituency which is missing representative. By- elections shall be:-

- Any time due to death, resignation or Discontinuation from studies of the representative/leader.

ARTICLE 28: MNMA-ZANZIBAR BRANCH PROVISION

It is hereby established that Zanzibar campus shall have its own Students government;

- i) The President of the Zanzibar branch shall be the first (1st) Vice President of the MNMA- President of the **Main campus**.

- ii) The Zanzibar branch president shall have the mandate to appoint cabinet for his/her branch.
- iii) The Prime Minister for the Zanzibar branch will be known as Deputy Prime Minister.
- iv) Procedures for elections shall be followed as directed in this Constitution.
- v) The branch will manage its own finances.

CHAPTER THREE

FINANCIAL PROVISIONS

ARTICLE: 29: SOURCES OF MASO FUNDS

There shall be MASO funds which shall be obtained through.

- (a) Grants.
- (b) Fund raising.
- (c) Membership fee.
- (d) Service charges upon agreement with MNMA Management.
- (e) Economically viable projects.

ARTICLE 30: RULES AND REGULATIONS REGARDING FINANCES

- (a) The funds acquired for the organization will be used only to further its objectives.
- (b) A bank account in the name of MASO shall be opened to hold the funds which belong to the organization.

- (c) The signatories of MASO account shall be Prime Minister, Minister for Finance and the Dean of Students. Any two can sign on behalf of the Organization but the Dean of Students' endorsement shall be mandatory.
- (d) Should the Dean of Students refuse to sign the cheque for withdraw under reasons not convincing the MASO Government, then the MASO president shall appeal to the Principal whose decision will be final.
- (e) The Ministry of Finance and Planning shall have overall responsibilities for the managing of all financial transactions and ensuring that the records are kept up-to date.
- (f) The Minister for Finance shall prepare and present a statement of Accounts at the Annual General Meeting
- (g) MASO accounts shall be audited at least once a year by the Academy's Internal Auditor with permission from the Principal to conduct the exercise.
- (h) The audited report shall be handed over to MASO Prime Minister annually.
- (i) The MASO government of the time shall make sure that 20% or more of the revenue of the year is kept for the next government.

CHAPTER FOUR

MEETINGS AND CONSTITUTION SUPREMACY

ARTICLE 31: GENERAL MEETINGS

There shall be three types of meetings of MASO members in an academic year. The meetings shall be purposely for giving information and discussion with the members about the conduct of their organization. The President shall preside all the general meetings. The meetings are:-

- i. Annual General Meeting.
- ii. Student's Baraza.
- iii. Extra Ordinary General Meeting.

(1) ANNUAL GENERAL MEETING (AGM)

There shall be an Annual General Meeting of all MASO members held once in every academic year. At this meeting the following shall be discussed:-

- (i) The presentation of the annual Cabinet performance report
- (ii) The presentation of the audited accounts, or any
- (iii) The motion submitted by the MASO organs or MASO members (if any) to get collective opinions.

(2) STUDENTS' BARAZA

There shall be a Students' Baraza of all students registered at the Academy which shall be held once in every semester. The meeting shall be convened at the beginning or at the end of the semester. The following shall be discussed:-

- (i) The presentation of semester cabinet performance
- (ii) Any matter presented by MASO cabinet for information to MASO Members.
- (iii) The President shall preside over all Students Baraza Meeting.

(3) EXTRA ORDINARY MEETING

An Extra Ordinary Meeting will be held if:-

- (i) Majority of the Cabinet require an extra-ordinary meeting to be held.
- (ii) At the request by the Dean of Students on behalf of the MNMA Management.
- (iii) If there is an emergence case.

ARTICLE 32: CONSTITUTION SUPREMACY.

- (i) This constitution shall be supreme over all MASO rules and regulations made there under MASO organs and MASO members.
- (ii) The breach of any provision of this constitution shall constitute a disciplinary offence or misconduct which shall attract penalty for MASO organs or any MASO member. The disciplinary measures or penalty for breach of any provision of this constitution include:-
 - (a) Removal from office.
 - (b) Other penalties as stipulated in the MNMA Student By-laws and other laws of the Land.

ARTICLE 33: AMENDMENTS TO THE CONSTITUTION

- a) The motion of amending the constitution shall be firstly presented and discussed in the SRP by the following:-
 - (i) Any MASO member upon correspondence with speaker.
 - (ii) Any Cabinet member upon correspondence with speaker.
 - (iii) Any SRP member upon correspondence with speaker.
- b) The SRP shall form a committee to prepare proposed amendments in the following manners:-

Committee should collect opinions from the all MASO members, where necessary.

 - (i) Committee will be responsible to the SRP directives including the limit

time in SRP' discretion.

- (ii) The Committee shall present proposed amendments before the SRP for deliberation.
- c) The constitution shall be amended by:-
 - (i) The quorum of $\frac{2}{3}$ of the SRP
 - (ii) The decision of the $\frac{2}{3}$ majority of the members presented voting.
- d) The amended constitution should be approved by the Academy's Governing Board to become operational and a lawfully constitution.

CHAPTER FIVE

MISCELLANEOUS PROVISIONS

ARTICLE 34: MISCELLANEOUS

- (i) For avoidance of doubt, no member of any MASO organ shall be paid any salary except when necessary shall be given allowances or be reimbursed of any expense incurred by him/her in the performance of their respective duties.
- (ii) MASO shall be duly represented by the Department Students Representatives in the respective Academic department, Examiners Committee or any other body that may directly or indirectly affect the wellbeing of its members.
- (iii) No individual or group of students may use the title of MASO without consulting and requesting in writing to the Prime Minister.
- (iv) If any subject or matter shall not be covered by the provisions of this constitution, then it shall be put before MASO-SRP for decision.

- (v) Any appeal on any of the decision reached by MASO organ or committee should be made in seven working days from the day of decision, beyond that the appeal will be invalid.
- (vi) Dean of Students as the overseer of all students' affairs shall be the adviser of every conduct of MASO and shall have no right to vote.
- (vii) The Dean of Students shall be the official invitee to all MASO meetings.
- (viii) The MASO government shall ensure transparency in the finances of the organization by sharing with the members in public notice boards at least once a year.
- (ix) MASO Constitution shall not conflict by any laws or rules governing the Academy and the United Republic of Tanzania.
- (x) MASO Government shall not engage in any political parties' activities whether on- campus or off-campus.
- (xi) CRs shall not be involved in parliamentary activities, rather shall remain with their academic duties.

ARTICLE 35: REPEAL OF THE 2008 CONSTITUTION

- (a) The 2008 Students Organization (MASO) Constitution is hereby repealed.
- (b) Notwithstanding the repeal of 2008 Students Organization (MASO) Constitution, no pending proceedings commenced, nothing done or continuing to be done under that Constitution shall be deemed as void by virtue of only the repeal of the said Constitution.
- (c) All other regulations not expressly repealed shall continue to be in force and have an effect as if made under this Constitution.
