



THE COLLEGE OF HEALTH SCIENCE ACT, 1998

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ACT NO. .... 10 ... OF 1998

I ASSENT

*Salim Amour*

DR. SALMIN AMOUR  
PRESIDENT OF ZANZIBAR  
AND  
CHAIRMAN OF THE REVOLUTIONARY COUNCIL

*6th Nov. 2000*, 1999 *SA*

AN ACT TO ESTABLISH A COLLEGE OF  
HEALTH SCIENCE AND OTHER MATTERS  
CONNECTED THEREWITH

ENACTED by the House of Representatives of  
Zanzibar.

PART ONE  
PRELIMINARY

Short  
title and  
Commence-  
ment.

1. This Act may be cited as the  
College of Health Science Act, 1998 and shall  
come into operation immediately upon being  
assented to by the President.

Interpretation.

2. In this Act, unless the context  
otherwise requires:-

"Act" means an Act to establish the  
College of Health Science, 1998  
together with by-laws and  
regulations made under it.

"Board" means the Board of Academy  
established under section 13 of this  
Act.

"Chairperson" means the chairperson of the  
Council of the College.



"Council" means the Council of the college established under section 7(1) of this Act.

"Financial year" means a period of consecutive twelve months commencing from July of each year.

"Chief Academic officer" means the Chief Academic Officer appointed in accordance with section 11 of this Act;

"College" means the college of Health Science established under section 3(1) of this Act;

"Minister" means the Minister responsible for health matters.

"President" means the President of Zanzibar and Chairman of the Revolutionary Council;

"Principal" means the Principal of the college appointed in accordance with section 10 of this Act;

"Student" means any person registered by the college for the purpose of pursuing a certificate, diploma or Degree courses;

"Students Organization" means the students' organization established under section 19 of this Act which is a legal representative of the interests of the students in accordance with the constitution of the organization.

**PART TWO**  
**THE COLLEGE OF HEALTH SCIENCE**

Establishment  
of the  
college.

3.(1) There is hereby established a Health college to be known as the college of Health Science.



(2) The college shall be a body corporate and shall -

- (a) have perpetual succession;
- (b) be capable of acquiring, purchasing or in any reasonable way disposing of movable and immovable property for purposes of promoting and improving developments of the college;
- (c) have common seal as shall be determined by the Board;
- (d) in its corporate name, be capable of suing and being sued.
- (e) have power to borrow such amount of money as required.

Objects and Functions of the college.

4. (1) The objects and functions of the college shall be -

- (a) to preserve, enhance and transmit knowledge of health science for the interest of public at large;
- (b) to prepare special training programme to employees and servants of all health and treatment profession;
- (c) to prepare sufficient employees and servants who are capable of running activities of health and treatment;
- (d) to diminish lack of qualified servants in professions of health and treatment;
- (e) to conduct training on health and treatment at different levels.

(2) The college may, in the execution of its functions, associate with other institutions within and outside Tanzania.



Special  
Practical  
training  
Hospital.

5. There shall be a special practical training Hospital for the students which shall be built in the premises of the college or in any other area which may be determined by the college, or any hospital which may be appointed by the Ministry for such purpose.

Examinations.

6. The college shall prepare examinations on courses of different levels conducted by the college.

**PART THREE**  
**ADMINISTRATION**

Council  
and its  
members.

7.(1) There is hereby established the council of the college which shall consist of the following members:-

- (a) a chairperson who shall be appointed by the President for a period of four years, but shall be eligible to be appointed for another term of office;
- (b) a State Attorney who shall be proposed by the Attorney General;
- (c) the Director of the Department of Civil Service;
- (d) The Director of Planning and Administration from the Ministry of Health and Treatment;
- (e) Principal, who shall be the secretary of the council;
- (f) Commissioner of Education from the Ministry of Education;
- (g) One member from the Ministry of Finance appointed by the Minister of Finance;
- (h) The Director of Planning from the Ministry of State - Finance;
- (i) A member from the House of Representatives and;



(j) other five members including a member proposed by the student's organization to represent students.

(2) Members under paragraph (b), (i) and (j) of subsection (1) shall be appointed by the Minister.

(3) A person shall be qualified to be appointed as a chairperson if, and shall not be so qualified unless:-

(a) he is a Zanzibari/Tanzanian citizen;

(b) he is a holder of a Master's Degree in any profession;

(c) he has experience in management of academic and institutional activities.

(4) The Minister may dissolve or amend the composition of the Council.

Tenure of Council's members.

8. The members of the council shall hold office for a period of four years save that a member shall be eligible to be appointed for another term of office.

Powers and functions of the Council.

9. (1) Without prejudice to provisions of this Act, administration and management of the college shall be under the control of the council which shall have the following powers:-

(a) to administer the properties of the college both movable and immovable;

(b) to administer the funds and other assets of the college;

(c) to signify and approve monetary budget for administration of the activities of the college;

(d) to approve curriculum and plans of the college for purposes of improvement, promotion and administration of its activities





with objectives of promoting the college on different professions;

- (e) to signify the college's examinations results and approve the release of such results;
- (f) to approve granting of certificates, degrees and other awards.
- (g) to liaise and associate with other Institutions of higher learning in furthering the advancement and development of the activities of the college.
- (h) to administer the entire arrangements shown in the college annual calendar;
- (i) to approve inspection of the college's accounts using internal and external auditors;
- (j) to receive the college's statements and reports which shall be done quarterly a year;
- (k) to administer arrangement for emoluments of the employees of the college;
- (l) to prepare proposals for the college's development policy and to advise the Government.
- (m) to set qualifications and standards of education required in joining the college;
- (n) to fix the tuition fees and charges for services offered by the college, as it may deem necessary;
- (o) on behalf of the college, to receive gifts, donation, grants, or other moneys;



- (p) to approve employees of the college and their emoluments;
- (q) to appoint heads of departments of the college.

(2) Without prejudice to the provisions of this section, the Minister may give any general or specific directive to the Council and the Council shall execute such directive.

(3) The council shall meet not more than four times a year; provided that emergency meetings may be convened by the consent of the chairperson in accordance with subsection (5) of this section.

(4) A quorum of the councils meetings shall be constituted by attendance of half or more than half of the total members of the council.

(5) All ordinary meetings of the council shall be convened by the Chairperson in a special regulated procedure.

(6) The Chairperson shall be responsible to convene a special meeting if he will receive written applications from not less than half of all members. All members shall be served with prior-notices of the meeting at least seven days before the date of convening the meeting.

(7) Without prejudice to provisions of this Act, the council shall have power to make rules for better performance of the activities of the college.

(8) The council may delegate some of its powers as may deem fit.

Principal.

10.(1) There shall be a Principal of the college who shall be appointed by the Minister and shall hold office for a period of four years, but shall be eligible to be appointed for another term of office.



(2) A person shall be qualified to be appointed as Principal if, and shall not be so qualified unless:-

- (a) he is a Doctor of Medicine or dentist;
- (b) he is a holder of Master's degree or above in any medical profession;
- (c) he has experience in leadership for a period of not less than two years.

(3) In the execution of his duties the Principal shall be responsible to the council and shall have the following duties:-

- (a) to administer discipline of students and employee of the college;
- (b) to pursue execution of decisions of the council;
- (c) to manage and administer the college;
- (d) to foster co-operation between the college and other learning Institutions;
- (e) to be the representative of the college in liaison with the third party;
- (f) to prepare quarterly and annual budgets and submit them to the Council;
- (g) to prepare the Institute's reports in accordance with directions of the council;
- (h) to execute all necessary directives as may be directed by the council;
- (i) to submit to the Minister several reports as may be required.



(4) The Principal shall be the secretary of the council.

Chief Academic Officer.

11.(1) There shall be a Chief Academic Officer who shall be appointed by the Minister.

(2) A person shall be qualified to be appointed as the Chief Academic Officer if, and shall not be so qualified unless he has professional experience in Management on health sciences.

(3) The Chief Academic Officer shall hold office for a period and terms as shall be determined by the council.

(4) The Chief Academic Officer shall be responsible to the Principal on all academic issues.

(5) The Chief Academic Officer shall be duty bound to perform the following functions:-

- (a) academic matters as planned by the council;
- (b) all matters of students registration;
- (c) any other function as shall be directed by the council or this Act.

Chief Administrative Officer.

12.(1) There shall be a Chief Administrative Officer who shall be appointed by the Minister.

(2) The Chief Administrative Officer shall be responsible to the Principal and shall be duty bound to perform all administrative matters as may be planned by the council.

(3) The Chief Administrative Officer shall have the following qualifications:-

- (a) knowledge on administrative matters; and



- (b) experience on administrative matters for a period of not less than five years.

Board  
of Academy.

13. There is hereby established a Board of Academy. The Board shall be managed by the Principal who shall be the chairperson.

Composition  
of the  
Board.

14. The Board shall consist of the following members -

- (a) Principal;
- (b) Chief Academic Officer who shall be the Secretary of the Board;
- (c) Chief Administrative Officer;
- (d) Chief medical Officer of Mnazi Mmoja Hospital;
- (e) Heads of the college's Departments;
- (f) Chairperson of Students' Organization;
- (g) A member from Nursing Council who shall be proposed by the Nursery council and appointed by the Minister;
- (h) A Representative of the Ministry of Health Tanzania Mainland;
- (i) A representative from Muhimbili University College of Health science;
- (j) Two members who shall be appointed by the Minister from the Ministry of Education and the Ministry of Agriculture, Livestock and Natural Resources.

Powers and  
functions  
of the Board.

15. (1) Without prejudice to provisions of this Act, the Board shall have the following powers:-

- (a) to signify any act done by the college by use of common Seal.



- (b) to appoint such officers of the college and propose their emoluments to the council as it may deem fit;
- (c) to arrange and administer regulations and rules of the college.
- (d) to signify the college's examinations' results and submit them before the council.
- (e) to approve all research proposals conducted by students.
- (f) to administer and review the curriculum.
- (g) to propose to the council qualifications and standards of education required in joining the college.

(2) The Board shall meet at least four times a year and in case of emergency, at any time as may be determined by the chairperson of the Board.

(3) At any meeting attendance of half or more than half of the total number of members of the Board shall constitute a quorum for a meeting of the Board.

(4) All Ordinary and emergency meetings of the Board shall be convened by the Principal in accordance with the procedure as may be arranged.

(5) The Principal shall be duty bound to convene a special meeting after receiving applications from the members. All members shall be served with notices a week before the date of convening a meeting.

Departments  
of the  
college.

16. (1) There shall be the following departments of the college;

- (a) Department of Nursing and Mid-wifery;



- (b) Department of Treatment;
  - (c) Department of Environmental Science;
  - (d) Department of Pharmaceutical Technology;
  - (e) Department of radiology;
  - (f) Department of medical laboratory Technology;
- (2) Every department shall consist of the following members:
- (a) A Head of Department.
  - (b) Not more than five members appointed by the Chief Academic officer.
  - (c) Three members appointed by the Board and,
  - (d) A member from Students' Organization.
- (3) Without prejudice provisions of section 16(1) of this Act, the Board may, on considering the interests of the college and on the approval of the council establish new departments or unite Departments of Health Academy as it may deem fit to do so.

Powers of  
Departments  
of the college.

17.(1) Every Department shall have the following powers:

- (a) to review and submit to the Board its proposals on administration and rules of teaching, examinations, academy and research in that department.
- (b) to propose to the Board on any matter relating to the department.
- (c) to do any act or thing as may be allowed by the Board or provided by any provision of this Act.
- (d) Subject to directives of the Board, to establish several committees for



the administration and performance of the duties of the department.

(2) Without prejudice provisions of this Act; except where the Board determines otherwise, the department may convene a meeting at any time if it deems fit to do so.

Colleges' Management Committee.

18.(1) There is hereby established the Colleges' Management Committee which shall be responsible to the Board in the execution of its functions.

(2) The Management Committee shall have the following members :

- (a) Principal who will be a chairman.
- (b) Chief Academic officer as a secretary.
- (c) Chief Administrative officer.
- (d) Head of departments.
- (e) Chairman of the Students Organization, and a representative of women from the students Organization.

(3) The functions of the Management Committee shall be as follows:-

- (a) The Committee shall be duty bound to submit its reports to the Board;
- (b) to make estimations of the functions of the college and to propose to the Principal on the whole issue of administration and management of the college;
- (c) to discuss and consider any issue concerning responsibilities of the Principal and to make proposals on the development of the college;
- (d) to advise the Principal on the performance of his routine functions and methods of promoting them;





- (e) to receive proposals from the Principal and from committees and work upon them;
- (f) to submit before the Board proposals on the ways which activities of the college are executed and methods of promoting execution of functions;
- (g) to perform any other function as may be directed by the Board;
- (h) to make arrangements and propose methods of seeking grants or donations and different facilities for the administration of the college;

(4) In the execution of its functions the management committee may meet once a month, subject to directives of the Board.

Students  
Organization.

19.(1) There shall be a students' organisation.

(2) Leadership of the Organisation shall be appointed in accordance with the Constitution of Students Organization.

**PART FOUR**  
**DISCIPLINE**

Disciplinary  
Organ.

20. In this part, unless the context otherwise requires:-

"Disciplinary Organ" means the Principal exercising powers conferred upon him under section 10(1) of this Act, or any other person to whom such powers have been delegated to him under this Act.

"Disciplinary Offence" means contravention of rules made under provision of this Act.



Powers to  
make  
disciplinary  
rules.

21.(1) The council may make by-laws or rules to ensure discipline among students and employees.

(2) By-laws or rules made under section 9(6) of this Act may provide that the contravention of any of such by-laws or rules shall constitute a disciplinary offence and may further provide for the punishment that may be imposed for such disciplinary offence.

(3) By-law or rules made under this section shall be published in the official Gazette;

Disciplinary  
offence.

22. Any disciplinary offence against the student or employee shall be investigated by the Principal who shall have power to impose punishment he may consider appropriate after inquiring into the offence in accordance with the procedure prescribed in the by-laws and upon being satisfied that the charge against the student or employee has been proved.

Provided that no disciplinary investigation shall be conducted for the alleged disciplinary breach against a student before an opportunity is afforded and that student or employee is informed of the allegation against him and given an opportunity to defend such allegations.

Delegation  
of powers of  
Disciplinary  
Organ.

23. The Principal may, in writing, delegate his powers provided under section 10(1)(a) of this Act, to the Head of Department, Chief Academic Officer or Chief Administration officer.

Appellate  
Committee.

24.(1) The council shall establish an Appellate Committee.

(2) The Appellate Committee shall be composed of the following members:-

(a) A Chairman who shall be appointed by the Minister;



(b) Four members appointed by the council one among them to be a representative of students;

(c) A State Attorney.

(3) At any decision, attendance of five members including a chairman shall constitute a quorum of the Appellate Committee.

Period of Appeal.

25. (1) Where a student or employee has been punished for any disciplinary offence and he wishes to appeal, he may appeal to the Appellate committee within fourteen days (14) of such decision.

(2) Every appeal, under this section shall be in writing and shall be submitted to the Appellate Committee.

(3) On every appeal under this section, the student appealing shall have the right to appear before and be heard by the Appellate Committee.

(4) On appeal under this section the Appellate Committee may:-

(a) Set aside the finding made against the student or employee and the punishment imposed on him; or

(b) uphold the findings and the punishment imposed against the student or employee; or

(c) uphold the finding and reduce or enhance the punishment imposed upon the student or employee.

Finality of the decision of the Appellate Committee.

26. (1) Without prejudice the provisions of this Act concerning appeal, any decision of the Appellate Committee shall be final and shall not be subject to review by any court except on point of law.

(2) The Minister may grant a pardon to a student or employee convicted for a disciplinary offence.



#### PART FIVE

#### ISSUING OF CERTIFICATES, DIPLOMA AND ADVANCED DIPLOMA

Issuing of  
Certificates  
and  
Diploma.

27.(1) The college shall have power to issue certificates, Ordinary diploma and advanced diploma on any profession of health science as shall be determined.

(2) Certificate, Diploma, Advanced Diploma and other awards may be issued by the college.

- (a) to any student who completed course of study and passed examinations on any profession;
- (b) to any other person to whom on the opinion of the council he deserves to be awarded with certificate, ordinary Diploma or Advance Diploma, due to his contribution to the society.

(3) The college may issue certificate, Degree and other awards by itself, partnership or as agent of any Institute or college being inside or outside Zanzibar.

Signification  
and  
justification  
of  
Certificates  
and  
Diplomas.

28.(1) Certificates of completion of courses or honorary certificates shall have no effect unless they are signed by the principal on one side and the Chairman of the council on another side and sealed by the seal of the college.

(2) All certificates awarded by the college in accordance with procedures provided before the effectiveness of this Act shall be valid and shall be taken to be awarded under this Act.

#### PART SIX FINANCE

Assets of  
the  
college.

29. Assets and funds of the college shall include:-



- (a) All funds approved by the House of Representative in the annual budget estimates.
- (b) grants and loans;
- (c) tuition fees;
- (d) all funds which shall be granted to or acquired by the college in accordance with provisions of this Act for the execution of functions of the college.

Institute's financial year.

30. Without prejudice to the period provided by section 2 of this Act to be the financial year, the council shall have power to arrange any period of consecutive twelve (12) months to be the college's financial year.

Submission of income and estimates of expenditures of the college.

31.(1) The Principal shall prepare estimates of income and expenditure of the next coming college's financial year two months prior to the commencement of the year for discussion and approval of the Board.

(2) The Council, except where it deems necessary to make amendments, shall discuss, approve and assent all income and expenditures estimates prepared in accordance with provisions of this section.

(3) No college's expenditure shall be made except in accordance with provisions of items of the annual expenditure or expenditure of surplus items as may be approved by the council.

(4) A copy of expenditure estimates and surplus income if any, shall be sent to the Minister immediately after being approved and assented by the council.

Details of Assets of the college.

32.(1) The Council shall prepare details of the assets of the college on the day ending the financial year and shall submit it to the Auditor General.



(2) The Auditor General or an auditor assigned by him shall inspect the account of the college.

Treasurer.

33.(1) There is hereby established the Treasurer's office who shall be elected by the council.

(2) The Treasurer shall perform the following functions:-

- (a) to receive, on behalf of the college, all moneys which shall be kept in the college's account.
- (b) to keep accounts and control account's registers.
- (c) to make policy which shall include all issues of providing funds to the college and to advise on the means of providing fund in the increase of all incomes.
- (d) to prepare budget of the college as shall be directed by the council.

The Minister to submit financial report to the House of Representatives.

34. The Minister shall submit the college's Development financial report to the House of Representatives.

Savings.

35. All acts legally made by the college in accordance with provided procedures shall be taken to be made under this Act.

Powers of the Minister.

36. The Minister may make rules for the better carrying out of the purposes of this Act, and without prejudice to the generality of the foregoing, may make rules:-

- (a) prescribing anything which may be prescribed under this Act;
- (b) governing any matter in respect of which rules may be made under this Act;



- (c) providing for any matter or thing which, in the opinion of the council, is necessary to provide for the furtherance of the functions and objects of the Institute.

Passed in the House of Representatives on the ..31st..  
day of ...December..., 1998.

*KJ Chande*  
{ KHAMIS JUMA CHANDE }  
CLERK TO THE HOUSE OF REPRESENTATIVES.