

THE UNITED REPUBLIC OF TANZANIA



No. 8 OF 1991

I ASSENT,

A handwritten signature in black ink, appearing to read 'Karim', written over a horizontal line.

President

30/6/91

An Act to amend the Muhimbili Medical Centre Act, 1976

I _____ I

ENACTED by the Parliament of the United Republic of Tanzania,

1. This Act may be cited as the Muhimbili Medical Centre (Amendment) Act, 1991, and shall be read as one with the Muhimbili Medical Centre Act, 1976, in this Act referred to as "the principal Act," and shall come into operation on such date as the Minister may, by notice published in the Gazette appoint

Short title
and com-
mence-
ment

2. Section 2 of the principal Act is hereby amended-

(a) by inserting in their appropriate alphabetical positions the following definitions:

Amend-
ment of
section 2

"the College" means the Muhimbili University College of Health Sciences established by the Muhimbili University College of Sciences Act, 1991;

"Dean" means a Dean of a Faculty;

"Dean of Students" means the Dean of students of the College;

"Director General" means the Director General of the Muhimbili Medical Centre appointed under section 10;

"Principal" means the Principal of the College;

"Registrar" means the Registrar of the College;

(b) by deleting the definition of "Director" in section 2 and by substituting the title "Director General" for "Director" whenever the latter occurs in the principal Act.

3. Section 3 of the principal Act is hereby amended by deleting the full stop which appears at the end of subsection (1) and by adding immediately after the word "Centre" the following words-

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"incorporation the Muhimbili University College of Health Sciences established by the Muhimbili University College of Health Sciences Act, 1991".

Amendment of
section 4

4. Paragraph (4) of section 4 of the principal Act is hereby amended by deleting the word, -, "relevant competent authorities" appearing in the second line and substituting therefor the words "the College"

Amendment of
section 7

5. Section 7 of the principal Act is hereby amended-

(a) by deleting subsections (1) and (2) and substituting, for them the following subsections-

"Muhimbili Medical Centre Incorporating the Muhimbili University College of Health Sciences 7.-(1) Subject to the provisions of this Act with effect from the date of commencement of this Act, the administrative functions in relation to the College shall, by virtue this section and without further assurance vest in the entire.

(2) For the purposes of this Act the College -ferred to in subsection (1) shall be deemed to be a place or centre of learning, education, training, service, consultancy and research established within the Centre in accordance with the provisions of paragraph (h) of section 4".

(b) by deleting in subsection (3) the words "Faculty of Medicine" which appear in the sixth line and substituting for them the word "College"

(c) in subsection (4)-

(i) in paragraph (a) by adding immediately after the word "Centre" which appears in the second line the phrase "and the College";

(ii) in paragraph (b) by adding immediately after the word "Board" which appears in the third line a comma and the phrase "the Academic Board".

Amendment of
section 11

6. Section 1.1 of the principal Act is hereby amended by deleting the whole of subsections (2), (3) and (4) and substituting for them the following new subsections (2) and (3)-

"Appointment of other employees of the Centre (2) There shall be an Academic Staff Appointments Committee and an Administrative Staff Appointments Committee which shall be sub-committees of the Board.

(3) The appointment of all the academic staff of the Centre shall be assigned to the College by the Academic Appointments Committee of the College."

7. Section 13 of the principal Act is hereby repealed and replaced by the following new section 13-

Amend-
ment of
section
13-

"Hospital
Commit-
tee, plan-
ning and
Finance
Commit-
tee and
Academic
Board

13--(1) There shall be a Hospital Committee, a Planning and Finance Committee and an Academic Board for the Centre.

Composi-
tion, pow-
ers and
duties of
Hospital
Commit-
tee

(2) The Composition of the Hospital Committee shall be in accordance with the Second Schedule.

(3) The Minister may, by order in the Gazette, amend, vary or replace the provisions of the Second Schedule.

(4) The Hospital Committee shall be responsible to the Board in the discharge of its functions as the Board may, from time to time assign, and it shall have power suo motu-

- (i) to review and make recommendations to the Director General in respect of the management and administration of the Centre;
- (ii) to discuss any questions or matters within the scope of the functions of the Centre and relating to the responsibilities of the Director General in respect of the Centre and to make recommendations to the Director General on any of those questions or matters;
- (iii) to discuss any questions or matters within the scope of the functions of the Centre and relating to the responsibilities of the Director of Administration and Hospital Services in respect of the Centre and make recommendations to the Director General on any of those questions or matters;
- (iv) to make recommendations to the Director General on any matter pertaining to the day-to-day management of the Centre;
- (v) to make proposals to the Board on matters relating to the conduct of the business and activities of the Centre;
- (vi) to consider recommendations made to it by the Director General and to take such action as it may consider appropriate;

(vii) to perform such other functions as may be delegated to it by the Board or conferred upon it by regulations made under this Act.

(5) The Hospital Committee may, subject to any direction of the Board, meet at such intervals as it considers necessary for the transaction of business and shall act in its functions and actions to the Board in such manner and at such intervals as the Board may direct.

(6) The provisions of the Second Schedule to this Act shall apply, with necessary modifications, in relation to the tenure of office of the appointed and elected members of the Hospital Committee, termination of their appointment, the proceedings and other matters in relation to Hospital Committee and its members as are provided for in that Schedule.

Powers and
duties of the
Planning
and Finance
Board

(7) The provisions of the Third Schedule to this Act shall apply in relation to the composition of the Planning and Finance Committee.

(8) The Minister may, by order published in the *Gazette*, amend, vary or replace all or any of the provisions of the Third Schedule to this Act.

(9) The Planning and Finance Committee shall be responsible to the Board in the exercise of functions conferred upon it by or under this Act and shall, subject to the general specific directions of the Board have power from time to time-L

- (i) to review and make recommendations to the Director General in respect of the management and administration of the Centres finances;
- (ii) to discuss any question or matters within the scope of the functions of the Centre and relating to the responsibilities of the Director General and to make recommendations to the Director General on any of those questions or matters;
- (iii) to discuss any questions or matters within the scope of the functions of the Centre and relating to the responsibilities of the Director of Administration and Hospital Services in respect of the Centre and make recommendations to the Director General on any of those questions or -matters;
- (iv) to make proposals to the Director General on any matters pertaining to the day-to-day management of the finances of the Centre;

- (v) to make proposals to the Board on matters relating to the conduct of the business and activities of the Centre;
- (vi) to consider recommendations made to it by the Director General and to take such action as it may consider appropriate;
- (vii) to perform, such other functions as may be delegated to it by the Board or conferred upon it by regulations made under this Act.

(10) The Planning and Finance Committee may, subject to any direction of the Board, meet at such intervals as it considers necessary for the transaction of actions to the Board in such manner and at such intervals as the Board may direct.

(11) The provisions of the Third Schedule to this Act shall apply, with necessary modifications in relation to the tenure Of office of the appointed and elected members of the Planning and Finance Committee, termination of their appointment, and other matters in relation to the Board and its members as are provided for in that Schedule.

Powers and
duties of
academic
Board

(12) The Provisions of the Fourth Schedule to this Act shall have effect as to the composition of the Academic Board.

(13) The Academic Board shall be responsible to the Board on all day-to- activities of the College and shall be responsible to the Se ate of the University of Dar es Salaam on all admission Policy issues and examinations results of all University Degrees awards. In the exercise of functions conferred upon it by or under this Act it shall subject to the general or specific directions of the Board have power from time to time-

- (i) to direct and regulate the instructions and teaching within the College and shall co-operate with the University of Dar es Salaam in the examination of candidates for degrees and other awards of the University of Dar es Salaam;
- (ii) to authorize the award of diplomas, certificates and other distinctions of the College to persons who have satisfied the conditions for the awards thereof as prescribed by regulations to conduct examinations for any such diplomas, certificates or other distinctions;
- (iii) to promote research and require reports from time to time on such research;

- (iv) to report to the Board on all regulations made subsequent to these regulations and on all rules and on proposed changes in either the regulations or the rules of the College;
- (v) to report to the Board on any matter referred to it;
- (vi) may discuss and declare an opinion on any matter whatsoever related to the College;
- (vii) to report to the Board from time to time on the establishment of the Faculties, Departments, Institutes or Committees and make recommendations as to their organization, constitution and functions and the modification or revision thereof;
- (viii) to review, refer back or disallow any decision of any Faculty Board, Institute or other like body':
Provided that no decision shall be reviewed or disallowed without first having been referred back to the appropriate body;
- (ix) to prescribe the time and conditions of completions for fellowships, scholarships, studentships, exhibitions and examine for and award the same or delegate to the Faculty Board, Department, Institute or Delegacy or other Board concerned, power to examine for and award the same;
- (x) to seek approval of the Senate of the University of Dar es Salaam on regulations governing admissions of persons to courses of study in the College that are preparatory for an examination toward a Degree, Diploma, Certificate or other award of the University of Dar es Salaam;
- (xi) to prescribe the subjects which shall belong to each Faculty, Institute, or Directorate;
- (xii) to prescribe the academic dress to be worn by various officers and members of the college and the occasions on which it shall be worn; and
- (xiii) to do such other acts and things as the Board of Trustees may authorize.

Amend-
ment of
First
Schedule

8. The First Schedule of the principal Act is hereby amended by deleting the whole of sub-paragraph 2(l) and substituting for it the following new sub-paragraph-

"Con-
struction

1. In this Schedule, unless the context otherwise requires-

"Appointing Authority" in relation to a member of the Board other than an ex-officio member means the person or body of persons by whom the member was appointed or elected to the Board.

Composition of the Board

2. The Board shall consist of-
- (a) a Chairman appointed by the President;
 - (b) the following other members appointed by the Minister-
 - (i) the Vice-Chairman from among the appointed members;
 - (ii) one representative from the Ministry of Health;
 - (iii) one representative from the Ministry of Science, Technology and Higher Education;
 - (iv) the Vice-Chancellor of the University of Dar es Salaam;
 - (v) the Director General of the Centre;
 - (vi) the Principal of the College;
 - (vii) one member of the National Assembly;
 - (viii) one representative of the Workers Council;
 - (ix) one representative of the Students Organisation of the College;
 - (x) Two representatives of the Hospital Committee of the Centre;
 - (xi) Two representatives of the Academic Board;
 - (xii) Two representatives from outside the Centre who have qualifications in-
 - (a) finance or business management;
 - (b) social welfare matters; or
 - (c) any other field of knowledge and have acquired such experience which may, in the Minister's opinion, contribute to the better carrying out of the affairs of the Board."

9. The Second Schedule of the principal Act is amended by deleting the **whole Schedule** and substituting for it the following new Schedule-

Amendment of Second Schedule

"SECOND SCHEDULE

(Section 13(1))

HOSPITAL COMMITTEE

Composition of the Hospital Committee

- The Hospital Committee shall consist of-
- (a) the Director General who shall be Chairman;
 - (b) the Director of Administration and Hospital Services;
 - (c) the Principal of the College;
 - (d) the representative of the Ministry of Science, Technology and Higher Education;

- (e) the representative of the Ministry of Health;
- (f) the Matron of the Centre;
- (g) Heads of Departments as determined by the Board of Trustees.
- (h) the Deans of the Faculties and the Director of Institute;
- (i) one member elected each by postgraduate students and Interns;
- (j) one representative of the Academic Staff Association.
- (9) Heads of Departments as determined by the Board of Trustees.
- (k) the Financial Controller of the Centre;
- (l) the Chief Pharmacist of the Centre;
- (m) the Chief Engineer of the Centre;
- (n) the Principal Hospital Administrative Officer of the Centre;
- (o) the Registrar of the Centre;
- (p) One member elected each by Postgraduate Student
- (r) One Representative of the Workers Council.

Addition
of Third
and
Fourth
Schedule

10. The following principal Act is hereby amended by adding after the Second Schedule, the following-

"THIRD SCHEDULE

(Section 13(2))

THE PLANNING AND FINANCE COMMITTEE

1. There shall be a Planning and Finance Committee of the Board to discuss any questions or matters within the scope of the finance of the Centre and relating to the responsibilities of the Director General in respect of the College and make recommendations to the Director General on any questions or matters of finance.

2. Planning and Finance shall consist of-

Composition
of the
Planning and
Finance
Committee

- (a) the Chairman of the Board of Trustees who shall be the Chairman;
- (b) the Vice-Chairman of the Board of Trustees;
- (c) the Director General of the Centre;
- (d) the Principal of the College;
- (e) the Director of Administration and Hospital Services who shall be the Secretary;
- (f) the Chief Administrative Officer of the University of Dar es Salaam.
- (g) the representative of the Ministry of Science, Technology and Higher Education;
- (h) the representative of the Ministry of Health;
- (i) the Principal Accountant of the Centre;
- (j) the Principal Hospital Administrative Officer;
- (k) the Budget Planning Officer;
- (l) all Deans of Faculties and Directors of Institutes;
- (m) 5 members elected to represent Heads of Academic Departments;
- (n) the Principal Supplies Officer;

- (o) three representative one each from Postgraduates, Undergraduates and Allied Health Sciences Students;
- (p) the Matron of the Centre;
- (q) one representative of the Workers Council;
- (r) three members elected to represent non-academic Departments;
- (s) the Financial Controller of the Centre;
- (t) the Chief Pharmacist of the Centre;
- (u) the Chief Engineer of the Centre.

"FOURTH SCHEDULE

(Section 13(3)(

ACADEMIC BOARD

1. The Academic Board shall consist of-

- (a) the Principal of the College who shall be the Chairman;
- (b) the Vice-Chairman who shall be elected from amongst the Deans of Faculties or Directors of Institutes;
- (c) the Director of Administration and Hospital Services of the Centre;
- (d) the Deans of Faculties, and Directors of Institutes;
- (e) the representative of the Ministry of Education;
- (f) the representative of the Ministry of Health;
- (g) the Dean of Students;
- (h) three members one each from Postgraduate, Undergraduate and Allied Health Sciences Students;
- (i) a Senate representative of University of Dar es Salaam and other National Universities;
- j) fifty percentum of all the Heads of Academic Departments;
- (k) two members elected from amongst full professors in the Centre who are not Heads of Departments or Deans of Faculties;
- (l) the Medical Librarian;
- (m) the Registrar who shall be the Secretary of the Academic Board.
- (n) a representative of the Ministry of Science, Technology and Higher Education;
- (o) a representative of the Ministry of Health in the Revolutionary Government of Zanzibar;
- (p) a representative of the Ministry of Education in the Revolutionary Government of Zanzibar.

2. The Academic Board shall hold powers conferred upon it by this Act for a period of three years.

3. The Vice-Chairman of the Board in the absence for any cause of the Chairman shall act as Chairman of the **Academic Board during** such period of absence and shall have powers as may be prescribed by a resolution of the Academic Board:

Provided that in the absence of both, members of the Board shall nominate one Senior member to act as a Chairman."

Passed' in the National Assembly on the twelfth day of April, 1991.

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Clerk of the National Assembly