

**ST. AUGUSTINE UNIVERSITY OF TANZANIA**

**ARUSHA CENTRE**



**PROPOSAL OF THE CONSTITUTION AMENDMENT**

**AND**

**NOTIFICATION OF THE PARLIAMENT**

**2018**

**Made under St. Augustine University of Tanzania Student Organization constitution of**

**2014 Reserved Edition 2018.**

**As recommended by the Ministry of Law, Constituency and Parliamentary Affair**

**(SAUTSO) and approved by the SAUTSO Government and Bunge.**

## SAUTSO PARLIAMENTARY MEETING

### AGENDER

- Proposal of the constitutional amendments and notification of the parliament

**NOW, THEREFORE, THIS CONSTITUTION OF THE SAUTSO WHICH WAS PROPOSED BY A SPECIAL committee for amendments composed of two (2)**

**Members from the Ministry of legal affairs and any other not less than three (3) members**

**From the Bunge.** Has been authored by Bunge shall communicate to the SAUTSO members through the Minister of legal affairs before, during and after the commencement of the constitution to act as a new rule for the purpose of building such a society and ensuring that the SAUTSO Government.

### *COMPOSITION OF THE CONSTITUTION AMENDMENT COMMITTEE*

The members of the SAUTSO who participated in one way or another in the preparation of this proposed are as follows:-

S/N	NAME	POSITION	CATEGORIES	SIGNATURE
1	William Ruis Peter	Attorney General	Chairman	
2	Mbwambo Ramadhani	Member parliament	The Secretariat	
3	Elisipha A Mollel	Ministry of law	<i>Consultant of committee</i>	
4	Moeuga Mussa	Ministry of defense	Member of committee	
5	Lazaro William	Deputy of ministry of tourism	Member of committee	
6	Mosha Emiliana	Ministry of health	Member of committee	
7	Dawson Samwel	Member parliament	Member of committee	
8	Mihayo Z Shilunga	Deputy of ministry of law	Member of committee	
9	SAGI EVALINE	D.M of information	Member of committee	

A **constitutional amendment** is a modification of the constitution of a SAUTSO. In many rule the text of the constitution itself is changed in others the text is not changed, but the amendments change its effect.

The constitutions require that amendments cannot be enacted unless they have passed a special procedure that is more stringent than that required of ordinary legislation. Examples of such special procedures include Bunge for ratification or direct approval by opinions and comments from the students and other legal personnel if it deems necessary, the effect of which shall be the preparation of a proposal for amendment(s). Provides under article 13 of **St. Augustine University of Tanzania Student Organization constitution of 2008 Reserved Edition 2014**.

**Under Article 12.1 provides that the Power to make rules, SAUTSO government may from time to time propose rules and amendments thereon to the Bunge for ratification. The following there some reasons to make propose**

## **A PROPOSED STRUCTURE OF THE AMENDMENT OF SAUTSO GOVERNMENT**

### **1. Cover Page**

The amendment SAUTSO Constitution shall have the cover page to show the logo of SAUTSO, title (name of SAUTSO), and year of amendment constitution (revised edition)

### **2. Articles**

- a. SUTSO constitution may also be divided into ARTICLES with Sub Article and Paragraph in the format is usually used on constitution that covers more than one subject.
- b. **Editing Features** To make proposed changes in existing law stand out from the rest of the constitution, the Legislature uses underlining, bracketing and striking-through. For example, Article 1, sub Article (1), paragraph (a) or (b) in proper. *Underlining, Bracketing and Strike-Through*

For example, if an agency is covered by Articles 6.1.0 through 6.1.9 of a code and the full subtitle confirm the constitution make corrections Art. 6. (8)(a), will straight away know the constitution will have an impact on the organization.

### 3. SHORT TITLE

Revise article 2 of constitutional amend explain the name of organization and location to the return under Article 1 in the amendment constitution, because short title use to introduce our constitution internal construction so shall change in first Article and confirm that words **“This constitution shall be cited as the SAUTSO Constitution of 2018 and shall be for the Students’ Organization of St. Augustine University of Tanzania.”**

### 4. INTERPRETATIONS

ARTICLE 1 to be change under Article 2 shall correct. In this constitution, unless the context requires otherwise the words shall have meaning assign to the alphabet outline or structure. For example A to Z and no sub Article 1 of the amendment Constitution because it’s not set. This can be helpful when reading amendments. If a constitution is being amended by replacing or striking the language on line "x" of page "y", you only have to know how to use a line and page citation to quickly determine the impact of the amendment on the bill by placing the change in the proper place.

### 5. Amendment under Article 6 of SAUTSO constitution

The principal organs of SAUTSO shall be to show the function and the power of the organization but not show the function only under **Article 6: Functions Powers of the Organization** Article 6 (1) shall be to attach some the following function for the purpose of the organization to create connection with the SAUT administration. To provides that; SAUTSO in collaboration with the Dean of students shall have the following functions:

- a. Set up a code of conduct for students within the students community;
- b. Set up mechanism for the enforcement of the code of conduct;
- c. Organize outreach programs with surrounding communities or general public;
- d. Provide public or community services;
- e. Provide peer support services to students with special;
- f. Represent students in appropriate university decision making organs;

**Article 6(2) shall be show the Powers of the organization for the give the organization power and independently without interference by the Administration, and shall be contain the following.**

6(2) SAUTSO may, in consultation with the Dean of Students, have powers:

- i. To prepare and or amend the Constitution of the Organization;
- ii. To prepare elections rules;
- iii. To prepare the code of good conduct for students;
- iv. To prepare financial regulations;
- v. To prepare rules governing peer support services; and
- vi. To organize and implement outreach programs.

6. The amendment SAUTSO constitution will be add the part to explain the cabinet under Article 9(1) (v): of the SAUTSO constitution to replace Article 9.7.2

Article 9.7.2 of SAUTSO provides that The SAUTSO government shall be the executive arm of SAUTSO and its office bearers are:

The President (who shall preside over the meeting), The Vice President, The Prime minister (who shall be the chief executive officer), Ministers, Deputy Ministers, The Secretary General, the President's office, Principal Secretaries, The Chief Advisor of the President, CRs and HRs unless otherwise stated elsewhere in this constitution and the constitutional rules. Article 9.8, 9.9, 9.10, and 10.1 of this constitution are hereby applicable. It show the AUTSO Government in general so shall be to replace and explain that

9(8) (1)There shall be a Cabinet composed of the President and Vice President of SAUTSO, Prime minister and all Ministers.

(2)The President of SATSO shall be the head and preside the Cabinet's meetings, save in his absence, the Vice President of SAUTSO shall be the head and preside the Cabinet's meetings and, where the President and Vice President of SAUTSO are absent, the Prime Minister shall assume the duties and functions of the President and the Vice President of SAUTSO.

(3) The Cabinet shall meet at least four times in an academic semester, and the Prime Minister shall convene all the Cabinet meetings and take minutes thereof, provided that the President of SAUTSO may call any additional meetings at any time he/she considers it necessary.

(4) The Cabinet headed by the President of SAUTSO shall be charged with carrying out the day-to-day business of SAUTSO and shall carry out all such activities and do all such things as are necessary for meeting the objectives and functions of SAUTSO.

(5) Without prejudice to the generality of sub-Article 9(8) (4) above, the functions of the Cabinet shall, among other things, include:

(i) Preparation of annual budget, the quarterly, half yearly and annual income and expenditure statements, and the strategic plans of SAUTSO;

(ii) Presentation of annual report on the operations and activities of SAUTSO, handing-over report, and other things or matters as shall be directed by the Students' Baraza;

(iii) Keeping and maintaining proper books of accounts and records with respect to SAUTSO funds and cause them to be audited annually by an auditor appointed by the Institute;

(iv) Fixing of rates of membership fees and subscriptions annually;

(v) Promoting and supervising fund-raising activities for SAUTSO;

(vi) Preparation of draft amendments to the Constitution and Rules made hereunder; and

(vii) Performing such other functions and activities as may enhance the realization of the objectives and functions of SAUTSO.

#### 7. Amendment constitution under Article 9(7) show the Ministers and their functions of the SAUTSO Government

9(7) (c) All Ministers shall be appointed by the President of SAUTSO after consultation with the Vice president and their number at any particular time, shall not exceed ten (10) and not less than six (6), save that where the President of SAUTSO requires to increase the number of Ministers, the BUNGE shall upon request approve the request of the President of SAUTSO by two-thirds ( $\frac{2}{3}$ ) of votes of majority members of the BUNGE.

9(7) (d). Subject to sub-Article 9(7) (c) of this Constitution, the President of SAUTSO, after consultation with the Vice President, may appoint Deputy Ministers. And the number of female Ministers and Deputy Ministers shall not be less than ( $\frac{1}{3}$ ) of the Ministers.

(e) The President of SATSO shall appoint the Ministers and/or Deputy Ministers from amongst students who are members and none members of the BUNGE.

On the amendment constitution under Article 9(8) shall be show the Duties and functions of the Ministers

**Article 9(8) (a)** Every Minister shall, among other things, discharge the following duties and functions:

- i.** To be responsible for all policy matters relating to the Ministry he/she heads;
- ii.** To supervise and monitor the implementation of the ministerial functions and objectives of the Ministry;
- iii.** In consultation with the Prime Minister to establish committees, secretariats, commissions or any other functional organs for the better carrying out of the functions and objectives of the Ministry;
- iv.** To chair all meetings of the Ministry;
- v.** To be the chief spokesperson of the Ministry;
- vi.** To be the Principal Executive and Accounting Officer of the Ministry;
- vii.** To prepare an almanac for the activities and meetings of the Ministry;
- viii.** To prepare annual and other reports to be presented to the Cabinet meetings; and
- ix.** To perform any other functions and do all such other acts and things as may be required, desirable or expedient in furtherance of the functions and objectives of the Ministry, and SAUTSO generally.

**9(8) the office of the Minister or Deputy Minister shall be vacant upon occurrence of anyone of the following events:**

- i.** If the Minister or Deputy Minister resigns or dies; or if his/her tenure of office expires, or
- ii.** Retaking of a module/discontinuation from studies; or
- iii.** If charged and found guilty of disciplinary and criminal offence; or
- iv.** The day the President of SAUTSO dissolves the Cabinet or terminates him/her and appoints another Minister or Deputy Minister to hold the office of the Minister or Deputy Minister.

## **8. Article 10(5): Class Representatives**

The amendment constitution there shall explain duty and responsibility of Class Representative for each class, per intake and course, elected by students during the general elections based in the same course and intake.

Show that every Class Representative shall: -

1. be responsible to convene meetings to discuss matters of common interest at class level, and shall keep minutes/records of the said meetings;
2. Collect complaints, views, advice and recommendations from the class students on matters relating to teaching and other academic affairs and shall report the same to the Executive department Committee and minister responsible for education;
3. Assist in the settling of conflicts, complaints, and disputes amongst students in his/her class;
4. Perform such other functions and do such acts or things, as may, further the academic interests of his/her class.

#### **Article 10(2) (b): Qualifications for the SAUTSO's Leadership**

The amendment constitution shall show that any person aspiring for a leadership position in SAUTSO shall be required to possess the following qualifications: -

- (i) he/she should be a full-time registered student of the Institute pursuing a course of the duration of not less than one academic year;
- (ii) his/her character and behavior should be exemplary, credible, and trustworthy and capable of commanding respect of the SAUT students` community;
- (iii) he/she shall not have, at any time, been convicted of any criminal/disciplinary offence or suspended from studies;
- (iv) he/she should be capable of inspiring harmony, unity, peace, stability and solidarity among the students' community;
- (v) he/she shall not have underperformed academically; and
- (vi) He/she should be aware and committed to the aims and objectives of SAUTSO.

### **Article 10(6) (c): Disqualification of Contestants**

An amendment constitution shall be show the contestant after being screened and confirmed may be disqualified at any stage of the elections for breach of anyone the electoral rules, including but not limited to

- (i) Use of backhander;
- (ii) Use of abusive language against his/her opponent;
- (iii) Use of discrimination in any form, such as gender, class, creed, race, tribe, etc.
- (iv) Use of physical or mental violence;
- (v) Destroy other contestant's publications; and
- (vi) If proved that one of his/her campaign members has SATSO Running

### **9. Finances**

Article 11(2) shall be to add the other attentive ways to the sources of funds for SAUTSO shall be: -

- (a) Students' contributions;
- (b) Gifts;
- (c) Fund raising and projects; and
- (d) Any money appropriated by the Institute.

### **11(3) Allocations of funds**

SAUT shall, from time to time, be requested, through the Dean of Students, to allocate such funds to the SAUTSO, as the Council may approve.

### **11(4) REWARDS FOR THE SAUTSO'S LEADERSHIP**

Amendment constitution should be show how to reward the SAUTSO leadership it include the president, vice president, prime minister, ministers, deputy ministers, member of Parliament and Class Representatives.

ARTICLE 11(4) (a): shall be recovering and to provide the Certification, there shall be a certificate provided by SAUTSO office to be issued to all SAUTSO leaders who complete leadership successfully.

A SAUTSO leader will be issued a certificate which shall be signed and endorsed by the Dean of Students and Deputy Principal-Administration and Finance after being in leadership.

For avoidance of doubt, SAUTSO leaders to be awarded certificates shall be: -

- (i) The President of SAUTSO;
- (ii) Vice President of SAUTSO;
- (iii) Prime Minister;
- (iv) Ministers and Deputy Ministers;
- (v) The Speaker of the BUNGE;
- (vi) Deputy Speaker of the BUNGE
- (viii) Secretariat of the BUNGE.
- (ix) Attorney general;
- (x) Finalist Class Representatives

## **10. LEGAL STATUS**

**There shall be some Article to add this part for the purpose to SAUTSO constitution identify the Attorney General on the SAUTISO government because it's important for the Organization legal representative on affair**

- a. SAUTSO shall be represented by the legal personality of SAUTSO but it shall be accountable to its functions and objectives subject to article (12) of SAUTSO Constitution. There shall be the Attorney General for the Government of the SAUTSO, who in the subsequent Articles of this Constitution, shall simply be referred to as the "Attorney-General" who shall be appointed by the President.
- b. The Attorney-General shall be the adviser of the Government of the SAUTSO government matters of law and for that purpose shall be responsible for advising the Government of the SAUTSO on all matters of law, and to discharge any other functions pertaining to or connected with law which are referred or assigned to him by the President and also to discharge such other duties or functions which shall be entrusted to him by this Constitution or by any law.

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WILLIAM RUIS PETER

Attorney General of SAUTSO Government

We certify this proposed resolution was approved by a majority vote of our organization at a SAUTSO BUNGE meeting which included a quorum on 2<sup>nd</sup> July, 2018.

*Optional: We also certify that \_\_\_\_\_ is authorized to make changes to this proposal, on behalf of the SAUTSO organization, as may be recommended SAUTSO constitution provided such changes are in keeping with the SAUTSO organization.*

SAUTSO President: \_\_\_\_\_ Secretary: \_\_\_\_\_

Signature: \_\_\_\_\_ Signature: \_\_\_\_\_