

**COLLEGE OF BUSINESS EDUCATION STUDENTS' ORGANIZATION
(CBESO)**



**CONSTITUTION
2015**

(As amended in January 2021)

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PREAMBLE

Students of the College of Business Education understand and believe that the College of Business Education has its own role to play, in its own unique environment and system in serving the nation;

WHEREAS students understand and believe that it is in students' interests to have a students' organization established and managed in accordance with provisions of the College of Business Education Act Cap. 315 R.E 2002, and the Regulations made there under and any other relevant laws;

WHEREAS students understand and believe that only a diligent students' organization responsible to students operated and run democratically by the students themselves in accordance with provisions of the College of Business Education Act Cap. 315 R.E 2002, the Regulations made there under and any other relevant laws shall best serve students' interests;

AND WHEREAS students also believe and understand that such students' organization will cultivate, enhance and improve cordial relations based on mutual trust and confidence between the students' organization and organs of governance of the College and other organs as duly established by the College of Business Education Act Cap. 315 R.E 2002, and any other laws, respectively.

NOW, THEREFORE, WE members of the College Student Parliament on behalf of students of the College of Business Education (CBE), officially declare launching of this CONSTITUTION, which shall regulate management and operations of College of Business Education Students' Organization established hereunder.

ARTICLE I
DEFINITIONS

- 1.1. In this Constitution, unless the context otherwise requires: -
- (i) "The Act" means the College of Business Education Act Cap. 315 RE. 2002 and its Regulations and its Rules.
 - (ii) "CBE" means College of Business Education.
 - (iii) "CBESO" means the College of Business Education Students' Organization.
 - (iv) "Constitution" means a CBESO CONSTITUTION as approved by the Governing Body.
 - (v) "The CSP" means the College Students' Parliament.
 - (vi) "CSP Secretariat" means the Speaker, Deputy Speaker and CSP Secretary.
 - (vii) "Committee" Means any Committee established under CBESO Constitution to perform
any function as it may deem fit.
 - (viii) "Federal Committee" means a committee that shall include all CBESO organs from each recognized campus.
 - (ix) "Leader" means the President, Vice President, Prime Minister, Chief Secretary, Ministers, Deputy Ministers and Principal secretary, Speaker, Deputy Speaker, CSP Secretary, all CSP members, Chairperson, Deputy Chairperson, Secretary of Judicial Organ, and Class Representatives (CR's).
 - (x) "Office bearers" mean President, Vice President, Prime Minister, Ministers, Deputy Ministers, Chief Secretary, Speaker, Deputy Speaker, CSP Secretary, Chairperson, Deputy Chairperson and the Secretary of Judicial Organ and Secretaries of the Ministries.
 - (xi) "Policy" means, strategy, plan, rule and regulations approved by the CSP.
 - (xi) "Principal Secretary" means secretary of ministries established under this Constitution.
 - (xii) "The Student BARAZA/Assembly" Means lawful gathering of students studying in any of the CBE Campuses.
- 1.2 Whenever appropriate, references in this constitution to the masculine gender shall be construed to include the feminine and vice versa, the singular to include the plural and vice versa.
- 1.3 'Rector' means the Chief Executive Officer of the College of Business Education and shall extend to Deputy Rector – ARC and Deputy Rector - PFA.

- 1.4 'Court of Law' shall have a meaning ascribed to it by the Magistrate Court's Act 1983 Act No. 27 of 1983.

ARTICLE 2

ESTABLISHMENT OF THE ORGANIZATION

- 2.1 There is hereby established students' organization to be known as the College of Business Education Students' Organization or by its acronym of CBESO.

- 2.2 The official address of CBESO shall be as indicated hereunder:

The College of Business Education,
Bibi Titi Mohamed Road,
P.O. Box 1968,
DAR ES SALAAM.

The College of Business Education,
Dodoma Campus,
Dar es Salaam Road,
P.O. Box 2077,
DODOMA.

The College of Business Education.
Mwanza Campus,
Mecco Kangaye,
P. O. Box 3168,
MWANZA.

The College of Business Education,
Mbeya Campus,
Uzunguni B,
P.O Box 3810,
MBEYA.

ARTICLE 3
OFFICIAL LANGUAGES

- 3.1 The official languages of CBESO shall be English and Kiswahili and each shall be used as appropriate.
- 3.2 Notwithstanding the provision of Article 3.1, the Electoral Commission shall have the power to instruct the candidates contesting for major offices to use English only in its proceedings.

ARTICLE 4
STATUS OF CBESO

- 4.1 CBESO shall be a non-governmental, non-profit making, non-religious and non-political affiliated students' organization within the framework of CBE Act Cap. 315 R.E 2002 and the Regulations made hereunder:
 - (a) Laws of the United Republic of Tanzania.
 - (b) Government policies.
 - (c) Students' By-Laws, Rules and Regulations set by CBE.
- 4.2 CBESO shall endeavor to fulfill its objectives to the best interest of its members. Its motto shall always be **"UNITY FOR SUCCESS."**

ARTICLE 5
OBJECTIVES

The following are objectives for which CBESO is established;

- 5.1 To promote and protect interests and rights of its members in their capacity as students of CBE during their tenure as duly registered students of CBE;
- 5.2 To promote effective communication lines among students themselves and between the students and the College's organs of governance, the Government, the public and private institutions and the general public at large;
- 5.3 To cultivate, promote, nurse and maintain fraternal relations between students themselves and the College's organs of governance, the academic and non-academic

- staff of the College, the Government, public and private institutions and the general public;
- 5.4 To promote, within the students' community, respect for learning among various disciplines offered by CBE and the pursuit application of acquired knowledge towards a sustainable development of the nation;
 - 5.5 To promote academic freedom as an inalienable rights of CBE students and inculcate them with sense of integrity, self-respect, devotion, commitment to the Tanzanian society and mankind they are bound to serve;
 - 5.6 To encourage and promote respect for learning among students to the best of their capability with a view to develop their fundamental capabilities to the fullest extent;
 - 5.7 To promote and maintain fraternal relations, dialogue and carry out any other activities, both academic and non- academic, in collaboration with other Students' Organizations in institutions of Higher Learning of Tanzania, Africa and the rest of world;
 - 5.8 To stimulate and promote the desire, spirit, culture and love for music, sports and arts in order to keep the College as a fertile ground from which the best talents can be developed;
 - 5.9 Subject to the provisions of any law, to seek and/or participate in advancement of a free and democratic Tanzanian society based on principles of social equality and justice, which uphold values of human rights, freedoms and liberties of the individual and society, in general, regardless of sex, colour, ethnic group, religion and gender;
 - 5.10 To seek and contribute significantly to improvement of students' quality of life at the College's campuses and other places where services of the College are provided;
 - 5.11 To perform any other duties and functions imposed or conferred on the Students' Organization by the College of Business Education Act, Cap.315 R.E 2012 or by any other law of the land;
 - 5.12 To act as spokesperson for students generally and as an avenue for communication and exchange of information between the students and the Management of the College; and
 - 5.13 To do, in accordance with the College of Business Education Acts, Cap. 315 R.E 2002 and any other laws of the land, all such acts and things, as may be required, desirable or expedient in order to further the objectives and functions of CBESO.

ARTICLE 6
CBESO FUNCTIONS

In pursuit to objectives stated in Article 5 herein, CBESO may carry out any or all of the following functions:

- 6.1 Subject to provisions of the Act, to initiate, sponsor or undertake any activities for students of the College;
- 6.2 To organize and/or sponsor debates, seminars, workshops, conferences, congresses, study tours and symposia to enhance intellectual awareness of the students' community;
- 6.3 To mobilize funds to sponsor students' research in all academic fields in order to promote creativity and originality on matters of intellectual interest to the scholarly community and the nation generally;
- 6.4 To publish journals, books, newspapers, leaflets, magazines, recordings or otherwise through electronically or mechanical means and to broadcast any educational programs to the public which are reflective of the Colleges' activities and mission; in collaboration and or with the approval of the College's Management;
- 6.5 Subject to permission of the Dean Students or Warden, to invite any distinguished personalities/leaders to interact with students community by way of lectures, panel or group discussions such as workshops or any other means that would promote health and constructive discussions of contemporary social, scientific and academic issues;
- 6.6 Subject to the provisions of any law, to correspond and communicate with any students, youths and any other organizations, which share and promote the common objectives of CBESO;
- 6.7 To establish committees, secretariats, commission, or any other functional organs for better carrying out of objectives of CBESO;
- 6.8 Subject to provisions of the law and any other Regulations or rule in force, to organize and lead students in their just struggle and campaigns for realization of the students' just demand and rights in conformity with the objectives for which CBESO is established;
- 6.9 To question and inquire into membership of any student who has not met admission conditions into the Students' Organization;

- 6.10 To initiate, with the approval of the College Management, legal proceedings against any student who breaches provisions of the Act and Regulations made there under, which breach prejudices and interests of any student;
- 6.11 To collaborate with students' disciplinary authorities to initiate disciplinary proceedings against any student who breaches the students' General conduct, Disciplinary and Welfare Matters;
- 6.12 To assist its members, whenever necessary and in its possible manner, to receive the school loan disbursement from Government, Higher Education Students' Loans Board and any other Government agencies;
- 6.13 To do, in accordance with the provisions of this Constitution, all such acts and things, as may be required in furthering powers and functions of CBESO; and
- 6.14 To do any other activity for the betterment of the organization and its members.

ARTICLE 7

MEMBERSHIP AND TERMINATION

- 7.1 Every student duly admitted and registered by the College for the award of PhD, Master's Degree, Post-graduate Diploma, Bachelor Degree, Diploma, Certificate and any other course shall become a member of CBESO upon registration.
- 7.2 Students admitted for short courses, whose tenure of study is less than one academic year shall also be admitted to membership.
- 7.3 Every CBESO member shall pay a membership fee and annual subscriptions as shall be prescribed from time to time by the College Students' Parliament (here in after referred as 'the CSP') established under this Constitution.
- 7.4 Membership shall cease when: -
 - (i) The member completes his studies and successfully graduate;
 - (ii) The member is terminated from studies on academic or any other grounds;
 - (iii) The member dies; and
 - (iv) The member is transferred to another institution.

ARTICLE 8
RIGHTS OF MEMBERS

A CBESO member shall be entitled to the following:

- 8.1 To attend and participate in all activities organized and undertaken by CBESO subject to such conditions and restrictions imposed by responsible CBESO Organ or any other relevant College Organ as the case may be;
- 8.2 To elect CBESO Leaders and the representatives of CBESO to various organs of CBE;
- 8.3 To contest or to be appointed to any CBESO post if he qualifies, unless prescribed otherwise under this constitution;
- 8.4 To request and obtain any relevant information with respect to CBESO operations through the CSP;
- 8.5 To attend and vote at general meetings and any other meetings of members provided for by this Constitution on the basis of one member one vote;
- 8.6 To receive or access all CBESO publications as determined by the CSP from time to time;
- 8.7 To appear before and/or appeal to any CBESO organ, which is charged with the task of determining any right of a member;
- 8.8 To question and inquire into the discharge of the functions by CBESO office bearers;
- 8.9 To have and enjoy unlimited audience and freedom of expression before all CBESO organs; and;
- 8.10 Subject to conditions and restrictions imposed by relevant Organs, to have access and use all facilities owned, possessed or entrusted to CBESO.

ARTICLE 9
DUTIES AND OBLIGATIONS OF MEMBERS

Every CBESO member shall be obliged to discharge the following duties:-

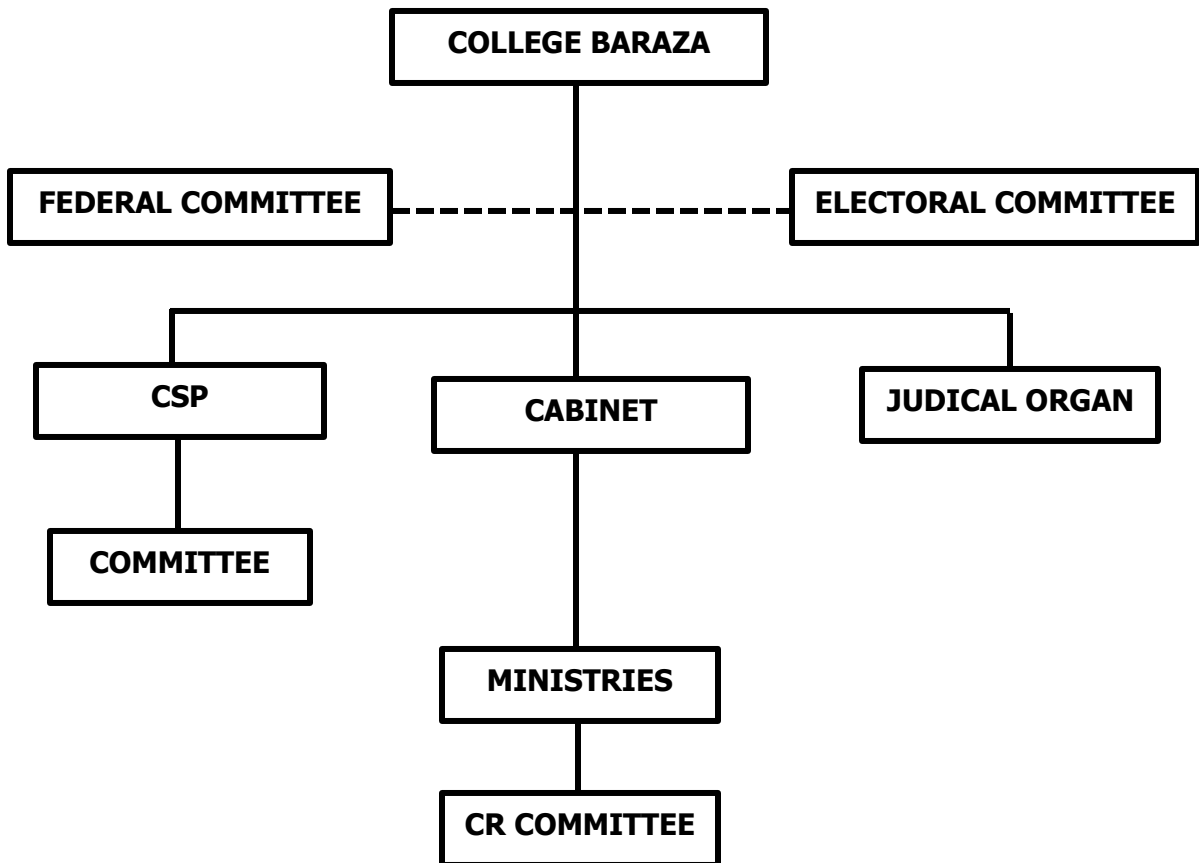
- 9.1 To uphold provisions of this Constitution;
- 9.2 To pay annual fees and other subscriptions as determined by CSP from time to time, and this obligation also extends to Students with repeat module(s);
- 9.3 To attend all relevant meetings, lawfully convened by CBESO;
- 9.4 To devote his energy and time to advancement of CBESO's objectives and functions;

- 9.5 To refrain from influencing CBESO or any of its office bearers in any way or manner that may have consequences of prejudicing the status of CBESO and any interests of the members;
- 9.6 To carry out any lawful assignments as may be delegated to him by CBESO.

**ARTICLE 10
CBESO ORGANS**

The Principal organs of CBESO shall be:

- (i) The Students’ Baraza (Assembly);
- (ii) The College Students’ Parliament (CSP);
- (iii) The Cabinet;
- (iv) The Judicial Organ;
- (v) The CBESO Federal Committee; and
- (vi) The Electoral Commission.



ARTICLE 11

THE STUDENTS' BARAZA/ASSEMBLY

- 11.1 The Students' Baraza/Assembly, which shall be constituted by all students studying at a respective CBE Campus provided for in Article 7 of this Constitution shall be the supreme organ of CBESO on matters of policy and other organs established under this Constitution shall be subordinate and accountable to it.
- 11.2 The Students' Baraza/Assembly shall meet at least once on every academic semester as provided for in the College almanac and shall be convened by the Chief Secretary.
- 11.3 An extraordinary, emergency or special meeting of the Students' Baraza/Assembly shall be convened by the Chief Secretary.
 - (i) Upon directives of the President; and
 - (ii) Upon receiving petition for the said meeting signed by at least 50% of the Members of the CSP.
- 11.4 Academic semester meeting and any other extra-ordinary, emergency or special meetings of the Students' Baraza/Assembly shall be convened by the Chief Secretary upon issuing three (3) working day's public notice for such meetings unless there are emergency conditions, which demand a shorter notice. Where the Chief Secretary defaults, the President shall proceed to convene such meeting.
- 11.5 All meetings of the Students' Baraza/Assembly shall be held at the respective College Campus upon approval by the College Management.
- 11.6 The Speaker shall preside at all meetings of the Students' Baraza/Assembly and in his absence, the Deputy Speaker shall preside at the meeting and in his absence, the CSP Secretary shall preside over that particular meeting.
- 11.7 Unless otherwise stipulated in this Constitution, decisions of the Students' Baraza/Assembly shall be arrived at by consensus or acclamation or by simple majority members present and voting.
- 11.8 Each member eligible for voting shall have one vote at all meetings except the Speaker who shall have an additional or casting vote in case of a tie.
- 11.9 The Students' Baraza/Assembly shall not be recognized as valid meeting unless:
 - (i) It is convened under the approval of the College Management and
 - (ii) It is exclusive for the interest of Students.

ARTICLE 12

FUNCTIONS OF THE STUDENTS' BARAZA

The functions of the Students' Baraza shall be:-

- (i) To oversee the discharge of functions of its subordinate organs;
- (ii) To note policies, rules and any matter of interests to students approved by CSP;
- (iii) To discuss all matters of interest to students;
- (iv) To approve a vote of no confidence against the President and his entire Cabinet as stipulated by CSP rules and regulations;
- (v) To note the amendments of this Constitution as proposed and approved by the CSP;
and;
- (vi) To do any other functions that would facilitate the discharge of the objectives of CBESO.

ARTICLE 13

THE COLLEGE STUDENTS' PARLIAMENT

- 13.1 There shall be a College Students' Parliament (CSP) at every campus;
- 13.2 The College Students' Parliament shall meet at least two times in every academic semester and shall be convened by the speaker upon giving three (3) working days' public notice or a shorter notice as the circumstances may demand;
- 13.3 An extra-ordinary, emergency of special meeting of the CSP shall be convened by the Speaker in accordance with the provisions of Article 13.2
 - i) At the request of the President;
 - ii) Upon receiving petition signed by at least 50% of the members of the CSP;
- 13.4 WHERE the Speaker fails to convene a scheduled or extra-ordinary/emergency or special meeting, the Deputy Speaker shall proceed to convene such meeting in accordance with the requirements of Article 13.3;
- 13.5 The Speaker shall preside over all meetings of the CSP and in his absence the Deputy Speaker shall preside over the meeting and in the absence of both the Speaker and Deputy Speaker, the CSP Secretary shall assume all responsibilities after official delegation and shall nominate one member to be the acting Secretary;
- 13.6 The quorum for the CSP meeting shall be 2/3rd of the members and where the meeting lacks such quorum, the meeting shall be postponed to such date and or time as the speaker may determine;

- 13.7 All decisions in the CSP shall be arrived at by consensus or by simple majority if voting is taken up. In case of voting each member eligible for voting shall have one vote except the Speaker who shall have additional or casting vote in case of a tie; and
- 13.8 The President shall address the first CSP meeting and any other meeting as per this Constitution and dissolve the same when its life ends.

Composition of CSP

- 13.9 The College Students' Parliament shall be composed of the following members:
- i) The Speaker;
 - ii) The Deputy Speaker;
 - iii) The Prime Minister;
 - iv) Ministers and Deputy ministers;
 - v) One representative from every block/hostel elected by his fellow members of the block and/or hostel as the case may be;
 - vi) One representative from every stream among students pursuing Masters, Postgraduate Diploma, Bachelor Degree, Diploma and Certificate courses;
 - vii) Five members appointed by the President, where female and Students with special needs may be given priority;
 - viii) One representative from every off-campus hostels known and approved by CBESO and CBE Management and have the number of students not less than 50; and
 - ix) For students joining the College after the general election there shall be a by-election that will be held to accommodate vacant positions whenever a need arises; and
 - x) Members of the CSP shall not be entitled to any remunerations but may be reimbursed for any expenses incurred by them in the performance of their duties and any such other allowances as shall be approved by the CSP.
- 13.10 The CSP Secretary and two Assistants shall attend parliamentary activities but they do not qualify to be Members of Parliament.

Powers and Functions of CSP

- 13.11 The CSP shall have the following power and functions:
- i) To receive, review, discuss, recommend and approve the annual budget, strategic plans, and quarter reports as prepared and submitted by the cabinet;

- ii) To forward to the Judicial Organ any officer of CBESO accused of any financial embezzlement;
- iii) To recommend to the students' BARAZA the removal from office of the president, and his cabinet, by way of vote of no confidence or of any students' leader elected by the students' BARAZA provided 2/3rd of the members of CSP vote in favor of such recommendation;
- iv) Preparing the agenda for the students' BARAZA;
- v) To establish and disestablish committees as may be found necessary for execution of CBESO functions;
- vi) To make regulations to control the activities of the CSP meetings;
- vii) To perform any other duties as the students' BARAZA from time to time may delegate to it within the frame-work of this Constitution.

Election of the CSP Secretariat

- 13.12 The Speaker, Deputy Speaker and the Secretary of the CSP shall be elected by the CSP members from amongst the members of the College Student Community within fourteen (14) days after the General Election.
- 13.13 The application forms for the post shall be provided by outgoing CSP Secretariat at an application fee approved by the Dean of Students or Warden.
- 13.14 Notwithstanding the provision of 13.13, the Dean of Students or Warden shall be the Chief Supervisor of the Election of the CSP Secretariat.

ARTICLE 14

THE CABINET

- 14.1 The affairs of CBESO shall be managed and supervised by the Cabinet headed by the President.
- 14.2 The Cabinet shall be composed of:
 - (i) President;
 - (ii) Vice President;
 - (iii) Ministers;
 - (iv) Prime Minister;
 - (v) Deputy Ministers.

- 14.3 The Chief Secretary shall attend cabinet meetings but shall not be termed as a member of Cabinet.
- 14.4 The Ministers shall be appointed by the President from among Members of the CSP and they shall collectively be responsible and answerable to the President.
- 14.5 The President shall appoint the Prime Minister among CSP Members within fourteen (14) days after the date of the General Election and with immediate effect after the appointment refer the name of the appointee to the CSP for approval.
- 14.6 The Cabinet shall meet at least two times in an academic semester provided that the president may call additional meeting at any time he considers it necessary.
- 14.7 The President or, in his absence, the Vice President shall preside at all meetings of the Cabinet, and in the absence of both of them, the members present and forming a quorum shall elect a temporary Chairperson from among themselves.
- 14.8 The President shall appoint a Principal Secretary for each ministry who shall assist the Minister in all technical matters and in running day to day affairs of the ministry.
- 14.9 The Cabinet headed by the President shall be charged with the day-to-day business of CBESO and shall carry out all such activities and do all such things as necessary for meeting the objectives and purposes of CBESO.
- 14.10 Without prejudice to the generality of Article 14.9 the functions of the Cabinet shall include:
- (i) Preparation of the annual budget, the income and expenditure statements, and the strategic plans of CBESO;
 - (ii) Preparation of quarter reports on the operations and activities of CBESO, handover reports, and other things or matters as they shall be directed by the Dean of Students or Warden, Students' BARAZA or the CSP;
 - (iii) To keep and maintain proper books of accounts and records with respect to CBESO funds and cause them to be audited annually by an auditor appointed/employed by the CBE Management;
 - (iv) Proposing of membership annual fees and subscriptions and table the same before the CSP for approval;
 - (v) Promoting and supervising fundraising activities for CBESO;
 - (vi) Preparation of amendments to the Constitution and Rules made hereunder and table the same before the CSP for approval; and
 - (vii) Performing such other functions and activities as may enhance the realization of the objectives and purposes of the Organization.

14.11 The Cabinet shall determine its quorum and make its internal regulations for the conduct of its proceedings.

14.12 For avoidance of doubt, it is hereby declared that the CBESO President shall have the power under this Constitution to establish and disestablish any Ministry for the better carrying of the objectives and functions of CBESO.

ARTICLE 15

THE JUDICIAL ORGAN

15.1 There shall be a Judicial Organ for CBESO which shall be composed of 10 members elected by the Class Representatives Committee under the supervision of Electoral Commission and the Dean of Students' office or Warden from among students who are respectable and not leaders, and considered wise by many.

15.2 The members of the Judicial Organ shall elect from among them the Chairperson, Deputy Chairperson and the Secretary.

15.3 The composition of the Judicial Organ shall include at least (4) four female members.

15.4 The members of the Judicial Organ shall meet at least once in academic semester and whenever the need arises.

15.5 The Judicial Organ shall discharge the following functions; -

- (i) To solve disputes relating to CBESO between and among students as the case may be;
- (ii) To receive and resolve objections against any candidate contesting in CBESO election filed by a valid candidate or voter;
- (iii) To call and interrogate any CBESO Leader who is suspected to have malpractices and/or embezzlement of CBESO funds.
- (iv) Appeal against the Judicial Organ on purely disciplinary matters shall be forwarded to the office of the Dean of Students or Warden who shall have powers to resolve the matter or refer the same to the Students' Disciplinary Committee for further actions, however, matters requiring powers of the CSP for decisions shall be forwarded to CSP meeting or other responsible organs.
- (v) To present deliberations relating to CBESO leaders to the Office of the Dean of Students or Warden before submitting the same to the CSP for further action;

- (vi) Depending on the nature and magnitude of the allegations raised against the President, and if it appears that the Students' Baraza/Assembly approves the vote of no confidence against the President and/or his entire Cabinet as recommended by the CSP, there shall be general election within 30 days. The same procedures shall be applied when the President dissolves the CSP. Under such circumstances, the Judicial organ Shall take control the CBESO Government.
 - (vii) Notwithstanding the provision of Article15.5(vi), the Vice President may remain in power if the CSP satisfies itself that the Vice President was not at any rate involved in the misconduct of the President ousted from power, and vice versa.
 - (viii) The conduct of vote of no confidence shall be guided by the procedures as stipulated in the CSP Standing Orders, 2015 as may be amended from time to time.
 - (ix) Judiciary Organ budget shall be independent and shall be presented to the CSP meeting through Minister of Constitutions, Justice and Legal Affairs.
 - (x) In case the Chairperson or Deputy Chairperson or any Member of the Judicial Organ has committed offenses that require disciplinary actions, the following procedures shall apply;
 - (a) Formal allegations in writing be filled to the Dean of Students or Warden with details of the misconduct.
 - (b) In case the Chairperson or Deputy Chairperson or any Member of the Judicial Organ is aggrieved with the decision of the Dean of Students he/she shall have the right to appeal to Deputy Rector PFA /Campus Director within five working days from the date he receives the decision.
- 15.6 Any student aggrieved by the election results involving any CBESO leader may forward the matter to the Judicial Organ.
- 15.7 The Judicial Organ shall determine its Rules and Procedures when dealing with matters brought before it.
- 15.8 Any grievances patterning to CBESO elections shall be determined by the Judicial Organ with consultation with the Office of Dean of Students to adjudicate election grievances.

- 15.9 No CBESO member shall challenge CBESO election processes in any court of law without first exhausting the same before the CBESO Judicial Organ.

ARTICLE 16

THE ELECTORAL COMMISSION

- 16.1 There shall be established Electoral Commission, which shall be charged with supervision of election for CSP members, presidential and vice-presidential posts.
- 16.2 Member of Electoral Commission shall be elected from students but not from outgoing Cabinet members, Principal Secretaries and CSP Secretariat.
- 16.3 The composition of Electoral Commission shall be as follows: -
- (i) Two members appointed by the President one of whom shall be a female;
 - (ii) Six members elected by CSP from among students three of whom shall be females;
 - (iii) Four members elected by the CSP from among its members two of whom shall be females; and;
 - (iv) Three members appointed by the CSP secretariat from students.
- 16.4 Members of the Commission shall elect one of them to be Chairperson and any other member to be the Secretary of the Commission.
- 16.5 The Commission shall serve the office for one year and shall remain active for 45 days after the election to deal with any matters that may require its attention.
- 16.6 The General Election shall be conducted within 30 days after the Electoral Commission is established.
- 16.7 The Dean of Students shall be the Chief supervisor of the election process and the provisional Chairperson for the purpose of electing the Chairperson and the Secretary of the Commission without him having the power of voting.
- 16.8 When any member of the Electoral Commission commits serious offense jeopardizing election process;
- (i) The matter may be forwarded to Judicial Organ for determination;
 - (ii) The Judicial Organ in collaboration with the Dean of students may suspend the alleged member from taking part in election activities; and
 - (iii) The Dean of students shall have power to forward the matter to the Students' Disciplinary Committee for further disciplinary actions.

- 16.9 Members of the Electoral Commission shall take oath before the outgoing CSP Speaker.
- 16.10 The Commission shall discharge the following functions: -
- (i) To prepare and implement the elections time table;
 - (ii) To prepare contestants forms;
 - (iii) To receive duly filled contestant forms;
 - (iv) To interview, screen and select qualified candidates;
 - (v) To nominate not more than 5 candidates together with their run mates;
 - (vi) To introduce candidates for election to the students Baraza;
 - (vii) To receive evidence of payment of non-refundable fee (if any) paid by the candidates to the CBESO bank account.
 - (viii) To supervise CR Committees during the election of 10 members of the judicial organ;
- 16.11 The Commission shall determine and make rules and regulations for the conduct of proceedings.
- 16.12 Any candidate contesting for the office of the President shall be declared duly elected as President only if he has obtained more votes than the other contesting candidates.
- 16.13 The General elections shall be conducted between March and May every year subject to CBE almanac.
- 16.14 The members of Electoral Commission shall not be eligible for appointment to hold any position in CBESO until the end of the tenure of the CBESO government which he participated in election activities in the capacity of a member of the Electoral Commission.

ARTICLE 17

OATH OF ALLEGIANCE

- 17.1 The President, Vice President and CSP Speaker and Chairperson of Judicial organ shall take oath before the Commissioner of oath and notary public and Outgoing Chairperson of the Judicial organ within 8 days after the announcement of the election results.

17.2 Other office bearers appointed by the President shall take oath before the President, members of the Judicial Organ shall take oath before Chairperson of Judicial organ, and CSP Members shall take oath before the CSP Speaker.

17.3 The office bearers shall take oaths of allegiance in the following words:

“I..... (NAME AND TITLE)

SWEAR/AFFIRM IN FRONT OF YOU THAT, I SHALL WORK WITHIN THE POWERS VESTED IN ME BY THE CONSTITUTION OF CBESO IN EXECUTING MY DAY TO DAY ACTIVITIES OF CBESO AND SHALL NOT ACT AGAINST THE GUIDELINES PROVIDED TO ME BY THE CONSTITUTION. GOD HELP ME”

ARTICLE 18

CBESO FEDERAL COMMITTEE

18.1 There is hereby established the CBESO Federal Committee, which shall be charged with supervision of all matters of interest to students in all CBE campuses.

18.2 The Federal Committee composition shall include the following office bearers from each CBE Campus:-

- (i) President;
- (ii) CSP Speaker;
- (iii) One female CSP member; and
- (iv) Chairperson of Judicial Organ.

18.3 The Deans of Students or Wardens may be invited to attend Federal Committee meetings.

18.4 Members of the Federal Committee shall elect among themselves one member to be Chairperson and another member to be the meeting Secretary every time they meet for the entire tenure.

18.5 Venue of the meetings shall be determined by the Member of the CBESO Federal Committee.

18.6 The Federal Committee shall meet at least once in a semester.

18.7 The Federal Committee shall discharge the following functions: -

- (i) To discuss matters that cut-across the campuses pertaining to academic issues;

- (ii) To discuss and deliberate on all CBESO strategic issues and policies of interests to the diverse students across all campuses.

ARTICLE 19
CR's COMMITTEE

- 19.1 There is hereby established a Class Representative Committee (CR's Committee), which shall come from all streams and shall be charged with supervision of all academic matters in their respective classes.
- 19.2 The CR's Committee shall discharge its duties and report to the Minister for Education.
- 19.3 All Class representatives shall be elected under the supervision of the Ministry of Education.
- 19.4 The CR's Committee shall be headed by Chairperson and Secretary who shall be selected from among themselves.
- 19.5 The CR's Committee shall elect ten members of Judicial Organ from among students who are considered wise by many, under supervision of Electoral Commission and the Dean of Students or Warden.
- 19.6 The CR's Committee shall have their separate budget, which shall be part of the Ministry of Education and shall meet at least once in a semester.

ARTICLE 20

- 20.1 Any person aspiring for a leadership positions in CBESO shall be required to possess the following qualifications:
 - (i) He should be a registered student of CBE;
 - (ii) His character and behavior should be exemplary unique, credible and trustworthy and capable of commanding respect in the CBE students' community;
 - (iii) He should be capable of inspiring harmony, unity, peace, stability and solidarity among the students and the community;
 - (iv) He should not have been convicted before a court of law or Students' Disciplinary Committee or Students' Disciplinary Appeals Committee on any

offence involving dishonest, corruption, moral turpitude, or any matter related to disciplinary offence; and

(v) He should be committed to fulfill the aims and objectives of CBESO.

20.2 Any person aspiring for major offices shall in addition to the foregoing qualifications possess the following: -

(i) Be Tanzanian by nationality;

(ii) Be strong academically with at least second-class lower division. In case the candidate is Bachelor I or Diploma I, strong academic shall mean no supplementary;

(iii) Must have passed all examinations and should not have any repeat module or carry forward;

(iv) Must be having examination results of at least one semester;

20.3 Gender representations shall be taken into consideration in contesting major offices as indicated hereunder;

i) Where the person contesting for the post of President is a female, the person contesting for Vice President shall be a male and vice versa.

ii) Where the person contesting for the post of CSP Speaker is a female, the person contesting for Deputy Speaker shall be a male and vice versa.

iii) Where the person contesting for the post of Chairperson of Judicial Organ is a female, the person contesting for Deputy Chairperson of Judicial Organ shall be a male and vice versa.

20.4 Any person holding major offices shall not be re-elected/appointed for the same office unless registered in another academic programme/level.

ARTICLE 21

DUTIES OF OFFICE BEARERS

21.1 The President

The President shall be vested with, among others, the following duties:

(i) To represent CBESO on CBE Governing Body;

(i) To head the Cabinet, which shall be in-charge day to day affairs of CBESO.

(ii) To call and chair the Cabinet meetings;

(iii) To be the chief spokesperson of CBESO;

- (iv) To appoint, assign duties and dismiss Prime Minister, Ministers, Chief Secretary, Deputy Ministers and Principal Secretaries, after consultation with the Vice President;
- (v) To ensure that all CBESO objectives and functions are carried out by his Government to the satisfaction of the students' community;
- (vi) To address the CSP at time as shall he deem fit;
- (vii) To be accountable to the Students' Assembly and the College for expenditure of the CBESO funds;
- (viii) To attend all meetings within and or outside the College which require the representation of the students' community;
- (ix) Convene students' Assembly where the Chief Secretary defaults;
- (x) To convene meetings of his cabinet;
- (xi) To discharge any duty this would facilitate the realization of the objects of CBESO; and
- (xii) To appoint the Chief Secretary;
- (xiii) To comply with decisions made by Students' BARAZA at the campus without prejudice to his right of appeal provided by this Constitution and other laws of the Land; and
- (xiv) To implement and supervise decisions and directives made by CSP at the campus without prejudice to his right of appeal provided by this Constitution and other laws of the Land.

21.2 The President may, where he considers appropriate, delegate in writing to any one or more of the duties and power granted to him under this Constitution.

21.3 The Vice President

The Vice President shall be the principal assistant to the President in respect of all matters of CBESO generally and in particular shall: -

- (i) Act as deputy spokesperson of CBESO;
- (ii) Be the chief advisor to the President;
- (iii) Collaborate with the President in appointing ministers and assigning them responsibilities and in dismissing them from office; and
- (iv) Perform all duties and functions of the office of President when the President is out of office for any lawful cause.
- (v) When the post of the Vice President office falls vacant by any reason provided for under this Constitution, the CBESO President shall appoint a person to be

the Vice President within ten (10) days, and forward the name to the CSP for approval by simple majority of members of the CSP.

21.4 The Prime Minister

The Prime Minister shall be entrusted with the following duties: -

- (i) To be the cabinet leader in all the meetings of the CSP;
- (ii) To be the supervisor of all the ministers on day-to-day activities of CBESO;
- (iii) To be a custodian of all records of CBESO cabinet;
- (iv) To keep and maintain records of all properties owned, possessed, leased to or hired by CBESO;
- (v) To receive and host Guests and the like; and
- (vi) To carry out such other duties and functions as are prescribed by this Constitution as may otherwise be delegated to him by the Student assembly, CSP and the President.
- (vii) The CSP shall have a vote of no confidence against the Prime Minister only if it is alleged that;
 - a) He has committed acts which generally violate this Constitution;
 - b) He has conducted himself in a manner which lowers the esteem of the office of the Prime Minister.
- (viii) Where a decision has been passed that the CSP has no confidence in the Prime Minister, the Prime Minister shall cease to hold the office and CBESO President shall be informed to de-appoint the Prime Minister and dissolve the cabinet.
- (ix) In the event the office of the Prime Minister falls vacant by any reason, the President shall appoint a new Prime Minister within duration of not less than Five (5) days and forward the name of the appointee to the CSP for approval.

21.5 The Speaker/Deputy Speaker

The Speaker should discharge the following duties:

- (i) To chair all meetings of the students' Assembly and the CSP;
- (ii) To convene meetings of the CSP and where appropriate of the students' Assembly in accordance with provisions of this Constitution;
- (iii) To reconvene, after consultation with the Chief Secretary, meetings of CSP, which shall be postponed for lack of quorum;

- (iv) To receive complaints from the students' community relating to violation of this Constitution by the President and his Cabinet and forward the same to the CSP before they are submitted to the Students' Assembly for final decision;
- (v) To ensure, in collaboration with the President, availability of this Constitution to members; and
- (vi) Receive any motion or agenda from CSP members on any matter of interest to students' community and present the motion or agenda from members on any matter of interest to the students for discussion either before the students' Assembly or the CSP provided that the said motion or agenda is supported by not less than two-thirds of members.

21.6 The Chief Secretary

The Chief Secretary shall have the following functions:

- (i) To assist the Prime Minister on CBESO day-to-day activities;
- (ii) To convene meetings of the Student Baraza/Assembly;
- (iii) To be the Secretary in all meetings of the Student Baraza/Assembly; and
- (iv) To carry out any other function(s) as may be assigned by the President or Vice President and Prime Minister.

ARTICLE 22

DISQUALIFICATION FROM LEADERSHIP

22.1 A leader elected in accordance with the provision of this Constitution shall cease to hold office if:-

- (i) Completes his studies;
- (ii) Is discontinued from studies on any basis;
- (iii) Is removed from office by the organ or person who elected or appointed him to that office except five CSP Members appointed by the President who then will be removed by the CSP;
- (iv) Is unable to discharge the functions of his duties due to physical or mental incapacity;
- (v) If he dies;
- (vi) By resignation;
- (vii) The member transfers to another College/Institution or another CBE campus;

- (viii) The elected CSP member upon transfer to another stream or hostel within the same campus;
 - (ix) If he/she postpones a year of study; and
 - (x) If he/she has been penalized by the Students' Disciplinary Committee or Students' Disciplinary Appeals Committee.
- 22.2 (i) Where the office of the President becomes vacant by any reason provided under this Constitution other than being absence, there shall be by-election of the President unless the President has stayed in for more than half of his tenure and in such a case, there shall be no by-election and the Vice President shall resume the duties of the President.
- (ii) Under such circumstances, the Vice President shall be deemed to team up with the elected President and work as a team.
- (iii) Any vacant post shall be filled in accordance with provisions of this Constitution within the period of 40 days from the day of occurrence of the said vacancy.

ARTICLE 23

FINANCIAL PROVISIONS

- 23.1 The President and his cabinet shall be responsible to the CSP for management of CBESO funds and all assets including properties, both movable and immovable.
- 23.2 The CBESO funds and other resources shall consist of the following: -
- (i) Government subventions as voted for through the College budget;
 - (ii) Such sums as may accrue to CBESO from or by way of membership fees and subscriptions;
 - (iii) Such sums as may accrue to CBESO from investments, leases, consultancies and services offered by CBESO;
 - (iv) Such sums as may accrue to CBESO by way of donations grants and the like;
 - (v) Such sums as CBESO, with the approval of the College Management, may borrow from time to time; and
 - (vi) Such sums as may in any manner become payable to or vested in CBESO.
- 23.3 The CBESO funds shall be kept in a Bank Account operated in the name of CBESO by one of the reputable Banks in the country or by the College Management as the case may be. Wherever CBESO funds are in bank account, the signatories to the Account shall be College Staff appointed by the Rector.

- 23.4 (i) No withdrawal of any funds from the Bank Account shall be made without the Expense Claim Form bearing the signature of the President/ the Vice President, the Prime Minister, the Minister for Finance and the Dean of Students or Warden.
- (ii) Notwithstanding the provision of Article 23.4(i) no withdrawal of any CBESO funds from the Bank Account shall be made without the Payment Voucher bearing the signature of the Minister for Finance and two College Staff appointed by the Rector as signatories of CBESO bank account.
- 23.5 The CBESO funds shall be kept and maintained in accordance with the statutory financial regulations and directives as may be issued by the College from time to time.
- 23.6 The CBESO generated funds shall be deposited and kept direct in CBESO account to enhance proper management and also to provide convenient acquisition of funds by CBESO whenever necessary. Such monies shall include but not limited to annual subscription fee, leadership application fee and contract funds.

ARTICLE 24

AUDIT

- 24.1 The CBESO accounts shall be audited at least once in each financial year by a competent auditor appointed by the CBE Management.
- 24.2 The auditor's report shall be submitted to the CSP for consideration before it is finally submitted to the Students' Assembly.
- 24.3 The CSP may attach any comments on the auditor's report and both shall be forwarded to the Students' Assembly for determination.
- 24.4 Notwithstanding Article 24.2, the Dean of Students or Warden may take disciplinary actions against any CBESO leader alleged to have embezzled CBESO funds.
- 24.5 CBESO in each campus shall set aside funds to facilitate auditing of CBESO accounts.

ARTICLE 25

CAPACITY TO CONTRACT

- 25.1 The President or, in his absence, the Vice President, shall have the capacity to enter the contracts for and on behalf of CBESO subject to approval by the CSP.
- 25.2 Contracts executed by the President or the Vice President without prior approval of the CSP shall be null and void.

- 25.3 Any contract entered into by any leader in contravention of the provisions of this Article shall not bind CBESO and the leader shall be personally responsible for any debt or liability accruing under the contract.
- 25.4 Any contract entered by CBESO before commencement or implementation shall be submitted to the Head of CBE Legal Services for legal opinion which shall be final and conclusive.
- 25.5 Notwithstanding the provision of Article 25.3, a copy of the agreed contract incorporating the legal opinion of the Head of CBE Legal Services Unit shall be submitted to Dean of Students/Warden for noting and future reference.
- 25.6 Each contract entered by CBESO shall have a provision for review each year subject to approval by both parties.

ARTICLE 26

PRIZES AND AWARDS TO MEMBERS

- 26.1 CBESO shall have full discretion to give prizes, presents and awards in monetary terms to any member who performs at an outstanding level in any activity, both academic and non-academic.
- 26.2 Proposals to present prizes or rewards to any member shall be forwarded to the Prime Minister who will, in return, submit them to the CSP for approval.

ARTICLE 27

AMMENDMENT

- 27.1 This Constitution may be amended by 2/3 of CSP members.
- 27.2 The Dean of Students shall instruct the students' organization to review or amend the Constitution as Government regulations may require.
- 27.3 Whenever the needs for amendments arise, the following process shall be adhered to:
- (i) There shall be Constitutional meetings which shall comprise the following members from each Campus: President, CSP Speaker, Chairperson of Judicial Organ, Minister of Constitution and Legal Affairs and Chairperson of the Constitution Committee.
 - (ii) For a meeting to be properly convened, each campus shall be represented by at least three members.

- (iii) The quorum of Constitutional meetings shall be 2/3 of all members.
- (iv) Constitutional Meetings shall have the following functions: -
 - a. To substantiate fundamental issues to be considered in the amendments, for example, government regulations;
 - b. To deliberate on proposed amendments from CSP of each campus.
 - c. To prepare a draft of the proposed amendments to be submitted to CSP for approval.
 - d. The proposed amendments shall be deemed to be valid if it is approved by the CSP in at least two Campuses.
- (v) There shall be a Constitution Committee in each Campus, which shall be responsible for gathering, screening and compilation of the Constitution Bill according to students' needs and suggestions;
- (vi) There shall be a CSP special meeting in each Campus for constitution amendment which shall discuss the constitution bill and approve it to be an enforceable Constitution.
- (vii) The amended constitution shall be presented to Students' Assembly for noting.

ARTICLE 28

DISSOLUTION

- 28.1 CBESO may be dissolved by a resolution passed to the effect by two-thirds majority of all voting members of the Students' Assembly, provided that the notice of the proposed intention to dissolve CBESO shall have been communicated to members forty (40) days prior to the meeting called for the purpose of the dissolution of CBESO.
- 28.2 In the event of the dissolution of CBESO, the net assets of CBESO, after fully meeting all its liabilities, shall be held by the Rector until such time as an association with similar objects shall be established and to which such net assets shall be transferred.

ARTICLE 29

CBESO RECORDS AND DOCUMENTS

- 29.1 Records, documents and portraits of past office bearers of CBESO shall be kept in CBESO office under proper filing system.

- 29.2 The CBESO in consultation with the Office of the Dean of Students or Warden shall engage a person with expertise in records management who will assist the management of CBESO records.
- 29.3 No member or group of members shall use the name of CBESO in any activity or engagement without prior written consent of the office of President in consultation with the Dean of Students or Warden.
- 29.4 The outgoing leaders shall make proper handover of all documents to new leaders within 14 days after the first CSP meeting.
- 29.5 Failure of the outgoing leaders to handover documents within the prescribed time shall be deemed as disciplinary offence.

ARTICLE 30
MISCELLANEOUS

- 30.1 For avoidance of doubts in any circumstances that may force the current CBESO Government cease to exist, the Rector shall have the power to form an interim Government thereof.
- 30.2 In coming into operation of this Constitution, the CBESO Constitution of 2009 shall hereby be repealed.
- 30.3 Where the campus does not award Diploma, Bachelor Degree, and Postgraduate programs, CBESO shall exist in the same structure as provided for in this Constitution.

APPROVAL

Approved by the Governing Board, College of Business Education on **14th January 2021** at its **124th** meeting held at Dar es Salaam, College of Business Education Main Campus.

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Dr. Esther K. Ishengoma
Chairperson, CBE Governing Body