

Tanzania

University of Dar-es-Salaam Act

## University of Dar es Salaam (Accountability for University Companies to the Council) Regulations 2004

Government Notice 554 of 2004

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University of Dar es Salaam (Accountability for University Companies to the Council) Regulations 2004  
(Government Notice 554 of 2004)

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## Tanzania

### University of Dar-es-Salaam Act

# University of Dar es Salaam (Accountability for University Companies to the Council) Regulations 2004 Government Notice 554 of 2004

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**Assented to on 1 September 2004**

**Commenced on 24 December 2004**

*[This is the version of this document from 24 December 2004.]*

*[Made under section 57(1)]*

WHEREAS section 12(2) of the University of Dar es Salaam Act, 1970 empowers the Council to administer the properties of the University, both movable and immovable, and to administer the funds and other assets of the University;

AND WHEREAS the objects and functions of the University under section 4 of the University of Dar es Salaam Act, 1970 include, *inter alia*, the obligation to assume responsibility for University education within the centres of learning, education, training and research;

AND WHEREAS in pursuance of the objects and functions stated above, the University has endeavoured and continues to endeavour to establish University companies charged with, among others, the tasks of providing better services in their areas of competence to the University staff and students, the rest of the University community and the public generally; to undertake business operations in their areas of competence in a flexible manner based on the prevailing market forces and to declare and remit dividends arising from the said business operations to the University of Dar es Salaam;

AND WHEREAS it was observed by the University Council in its 155<sup>th</sup> meeting held on 22<sup>nd</sup> August, 2003 that currently there are no rules or regulations rendering the existing and future companies to be established by the University of Dar es Salaam accountable in the above premises to the University Council which is the statutory custodian of all University properties, funds and other assets.

NOW, THEREFORE, this 155<sup>th</sup> meeting of the Council held on 22<sup>nd</sup> day of August 2003 resolves and enacts as follows:

**1.**

These Regulations may be cited as the University of Dar es Salaam (Accountability for University Companies to the Council) Regulations 2004.

**2.**

In these Regulations, unless the context otherwise requires:

“**the Act**” means the University of Dar es Salaam Act 1970, No. 12 of 1970;

“**member of the company**” means any person who is named in the memorandum and articles of association of the company as shareholder in the company;

“**the Ordinance**” means the Companies Ordinance, [Cap. 212](#);

“**the University**” means the University as defined in the Act;

“**University company**” means any company registered under the Ordinance in which the University has subscribed for shares;

“**University member**” means an official of the University who signs or subscribes to the memorandum and articles of association of a company for acquisition of shares for and on behalf of the University.

### 3. Convening annual general meeting

- (1) Every University company shall be required to convene and hold an annual general meeting as required by the provision of the Ordinance and of the memorandum and articles of association.
- (2) Without prejudice to the provisions of the Ordinance and the relevant memorandum and articles of association, an annual general meeting of a University company shall be convened by the Directors of the company and, in default thereof, by any one or two members of the company in the same manner, as nearly as possible, as that in which meetings are convened by Directors.
- (3) Every University member shall attend the annual general meeting of a University company in person.
- (4) Where a University member is, for any reasonable cause, unable to attend an annual general meeting, such member shall appoint in writing any one of the senior officers of the University mentioned in sections 9 and 10 of the Act to attend the meeting on his behalf.
- (5) Where a senior officer attends an annual general meeting of a University company, the officer shall, within 21 days from the date of holding the meeting prepare a report in writing briefing fully the University member who appointed him to attend such meeting on what was transacted at the annual general meeting which the substantive University member did not attend.

### 4. Convening extra-ordinary general meeting

- (1) The Directors of a University company may, wherever they think fit, convene an extra-ordinary general meeting.
- (2) An extra-ordinary general meeting may also be convened by the Directors on requisition by the members as stipulated in section 114 of the Ordinance.

### 5. Business for annual

- (1) Without prejudice to the provisions of the memorandum and articles of association of a University company, the following matters shall be transacted at an annual general meeting:
  - (a) declaration of dividends of the company;
  - (b) consideration of the accounts of the company, adoption and signature thereof;
  - (c) consideration of the report of the directors of the company;
  - (c) consideration of the Auditor’s report;
  - (d) appointment and fixing the remuneration of the Auditor;
  - (e) election of directors in the place of those retiring.
- (2) An annual general meeting may transact any other business in addition to the business mentioned in sub-paragraph (1).

### 6. Reporting to Council

- (1) Every University member who attends an annual or extraordinary general meeting of a University company shall prepare a report in writing of the business which was transacted at the meeting and submit it to the Vice-Chancellor.

- (2) The members of the Council shall be entitled to receive a copy of the report of the Vice-Chancellor 14 days before the date on which the meeting of the Council shall convene to consider the report.
- (3) The report of a University member and/or of the Vice-Chancellor shall be tabled before the Council for noting at its regular meeting next following upon the holding of an annual or extra-ordinary general meeting of the University company in question.
- (4) In preparing the report of the Council, the University member may attach as annexures any of the paper reports, documents, etc., which were submitted to and considered by the annual or extra-ordinary general meeting and the resolutions thereof, if any.