

GOVERNMENT NOTICE NO. ...

MZUZU UNIVERSITY ACT

(NO. 12 OF 1997)

MZUZU UNIVERSITY STATUTES, 1998

IN EXERCISE of the powers conferred by section 35 of the Mzuzu University Act, (I, BROWN MPINGANJIRA), Minister of Education, make the following Statutes -

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| Citation | 1. | These Statutes may be cited as the Mzuzu University Statutes, 1998. |
| Governing and administering of the University | 2. | The Mzuzu University shall be governed and administered in accordance with the following Statutes - |
| | 3. | Nothing in these statutes shall be interpreted in such a manner as to conflict with the provisions of the Mzuzu University Act. |

STATUTE I
INTERPRETATION

In these Statutes, unless the context otherwise requires -

"academic staff" means all persons for the time being holding appointments, whether full-time or part-time, under contract with the Council, as professors, associate professors, senior lecturers, assistant lecturers, instructors or demonstrators of the University, including those whose conditions of service contain the obligation to undertake research and the senior professional staff of library, or any other post declared by the Senate by category or title to be an academic post;

"academic year" means such period not exceeding twelve consecutive months and "Semester" and "academic Semester" mean such part of an academic year, as the Senate may from time to time determine:

Provided that the Senate may, at any time, extend any academic year beyond the period of twelve months, and, in such event, such period so extended shall, for all purposes constitute such academic year.

"administrative staff" means all persons for the time being holding appointments, whether full-time or part-time, under contract with the Council, in the administration of the affairs of the University;

"hall" means a residential or a non-residential hall;

"lecturer" includes an assistant lecturer;

"Statutory Committees" means the Senate, the Executive Committee of Senate, the Faculties, the Centres, the Institutes, the Appointments Committee and the Finance Committee;

"student" means an undergraduate or graduate of the University, or other person, who is currently registered full time, part time or in service for a Degree, Diploma or Certificate of the University, or a person who is in a category of persons classified by the Council as students for any purpose.

STATUTE II CONGREGATIONS

1. With the approval of Council, the time, place and procedure of the Congregations of the whole University shall be determined by the authority of Senate.
2. Degrees, Diplomas, Certificates and other academic distinctions shall be conferred in the presence of the Congregation.
3. The Chancellor, or in his absence the Vice-Chancellor, or in the absence of both, the Deputy Vice-Chancellor, or in the absence of the Chancellor, Vice-Chancellor and Deputy Vice-Chancellor, a member of the Council appointed for the purpose by the Council, shall preside at all Congregations.
4. At least one Congregation shall be held in each academic year.

STATUTE III

DEGREES AND OTHER ACADEMIC
DISTINCTIONS

1. The titles and abbreviation of first degrees are given below and may be conferred at ordinary or honours level. Honours Degrees will be classified as First Class, Second Class (Upper Division) Second Class (Lower Division), and Third Class. Those candidate who are deemed by Senate obtain of Degree level but not at honours level shall be conferred a Degree at ordinary level.,
 - (a) Bachelor of Arts - B.A.
 - (b) Bachelor of Arts in Public Administration - B.A. (Pub. Admin.)
 - (c) Bachelor of Education - B.Ed.
 - (d) Bachelor of Laws - LL.B.
 - (e) Bachelor of Science in Agriculture - B.Sc. (Agric.)
 - (f) Bachelor of Science in Fisheries - B.Sc. (Fisheries)
 - (g) Bachelor of Science in Forestry - B.Sc. (Forestry)
 - (h) Bachelor of Science in Mining Engineering - B.Sc. (Min. Eng.)
 - (i) Bachelor of Science - B.Sc.
 - (j) Bachelor of Social Science - B.Soc.Sc.
 - (k) Bachelor of Commerce in Accountancy - B.Com. (Acc.)
 - (l) Bachelor of Business Administration (B.B.A.)
 - (m) Bachelor of Science in Engineering - B.Sc. (Eng.)

- (n) Bachelor of Veterinary Medicine - B.V.M.
- (o) Master of Arts - M.A.
- (p) Master of Education - MEd.
- (q) Master of Science - M.Sc.
- (r) Master of Laws - LL.M.
- (s) Master of Business Administration (M.B.A.)
- (t) Masters of Public Administration (M.P.A.)
- (u) Doctor of Philosophy - Ph.D.
- (v) Doctor of Education
- (w) Doctor of Letter - D.Litt.
- (x) Doctor of Laws - LL.D.
- (aa) Doctor of Science - D.Sc.

Any postgraduate degree described in Statute III may be awarded *honoris causa*.

2. The University may award any of the following Diplomas and Certificates -

- (a) Diploma in Agriculture - Dip. Agric.
- (b) Diploma in Business Studies - Dip.Bus. Studies
- (c) Diploma in Education - Dip. Ed.
- (d) Diploma in Engineering - Dip. Eng.
- (e) Diploma in Fisheries - Dip. Fish.
- (f) Diploma in Forestry - Dip. For.
- (g) Diploma in Public Administration - Dip. Pub. Admin.
- (h) Diploma in Communication Studies - Dip. Comm.
- (i) Diploma in Management Studies - Dip. Mgt.
- (j) Diploma in Mining Engineering - Dip. Min. Eng.

- (k) Diploma in Technical Teaching - Dip.Tech. Teaching
- (l) Diploma in Public Health - Dip. Pub. Health
- (m) Postgraduate Diploma in Education - P.G. Dip.Ed..
- (n) University Certificate in Education - U.C.E.

3. Subject to paragraph 6, the University may, award such other academic honour as the Council may determine.

4. Degrees shall be conferred by the Chancellor, or in his absence by the Vice-Chancellor, or in the absence of both of them by the Deputy Vice-Chancellor, at Congregation of the whole University:

Provided that where the Chancellor, Vice-Chancellor and Deputy Vice-Chancellor are not available, the Council may appoint a member of the Council to confer the Degrees at any such Congregation.

5. No person shall be allowed to proceed to any Degree except an aegrotat Degree without examination or other adequate test, but Honorary Degrees may be conferred by the University on the approval of the Council, as advised by the Honorary Degrees Committee.

6. No new Degree shall be established or other distinction of honour or merit adopted by the Council save on the recommendation, or with the approval, of the Senate.

STATUTE IV

THE VICE-CHANCELLOR

1. The Vice-Chancellor is the Chief Executive of the University. He shall be a member of every committee of the Council and Senate and of every Statutory Committee but shall not be a member of the committee established under subsection (2) of section 16 of the Act.
2. The Vice-Chancellor shall have power to appoint a person to act as the Director of Studies, Director of Research, Dean of a Faculty, as the Head of a Department, as a Director of a Centre or Institute, as the Registrar, as the Finance Officer, or as the Librarian, during a temporary vacancy in such a post or the temporary absence from duty or inability of the holder of such a post. The person so appointed may exercise all or any of the powers, perform all or any of the duties, and have such of the privileges of the holder of the post to which he is appointed to act, as the Vice-Chancellor may determine.
3. The Vice Chancellor shall within six months after the end of each academic year, report to the Council upon the activities of the University and shall submit that report through the Senate, who may comment on but shall not have the power to alter its contents or to delay the Vice-Chancellor's report. He shall also report on any matter

which may be referred to him by the Council or the Senate.

4. (i) The Vice Chancellor shall be responsible to the Council for maintaining and promoting the reputation, efficiency and good order of the University including the discipline of the students, and shall have all such powers as are necessary or expedient for him to perform these duties.
- (ii) Subject to such regulations as the Council may approve, the Vice-Chancellor may, in the performance of his duties;
 - a. prohibit the admission as a student or any person to the University;
 - b. prohibit, for such period as he specify, any student from attending classes or a particular class;
 - c. prohibit any student from entering or remaining on such part or parts of the University precinct as he shall specify;
 - d. dismiss or suspend, for such period as he shall specify, any student or group of students.
- (iii) The Vice-Chancellor may appoint a disciplinary committee, with membership as he deems appropriate, to assist him in the performance of his duties under this Statute.

- (iv) The Vice-Chancellor shall not be required by any person or body other than the Council to give any reason for the exercise of his powers, or for the manner in which he has performed his duties, under this Statute.
 - (v) The Vice-Chancellor shall not be required by any person or body other than the Council to give any reason for the exercise of his powers, or for the manner in which he has performed his duties, under this Statute.
 - (vi) The provisions of this Statute IV, shall not be construed to restrict or limit the general powers, functions or duties, or any of them, of the Vice-Chancellor conferred in any other Statute.
5. The Vice-Chancellor may delegate any of his powers, duties or functions as he may deem fit and prescribe conditions governing the exercise of any delegated power, duty or function, provided that, in the absence of express provision made by him a power delegated shall not include a power of sub-delegation.

STATUTE V

THE DEPUTY VICE-CHANCELLOR

1. The Deputy Vice-Chancellor shall be a member of every committee of the Council and Senate and of every Statutory Committee but shall not be a member of the committee established under subsection (2) of section 16 of the Act.
2. In the absence of the Vice-Chancellor through illness or otherwise the Deputy Vice-Chancellor shall be entitled to exercise all of the powers and perform all of the duties of the Vice-Chancellor.

STATUTE VI

THE FINANCE OFFICER

1. The Finance Officer shall be appointed by the Council.
2. (i) The Finance Officer shall be responsible to the Vice Chancellor for:
 - a. Developing and directing the financial administration of the University;
 - b. The preparation of financial statements, financial statistical reports and special studies;
 - c. the oversight of University properties (movable and immovable);
 - d. The preparation and control of the capital and recurrent budgets;
 - e. The administration of funds, and insurance;
 - f. The preparation and payment of salaries, other

emoluments and taxes; and

- g. The supervision of maintenance and domestic services.
- (ii) The Finance Officer shall perform such other duties as may assigned to him by the Vice-Chancellor or Council.

- 3. In exceptional circumstances the Finance Officer shall be entitled to report directly to the Council on any matter involving the finances of the University.
- 4. The Finance Officer shall extend to the auditor or auditors such co-operation as the auditor or auditors deem necessary for the auditing of the accounts and the preparation of any auditors' report.

STATUTE VII

THE DEANS OF FACULTIES

- 1. The Dean of each Faculty shall be responsible to the Vice-Chancellor for maintaining and promoting the efficiency and good order of the Faculty of which he/she is Dean.
- 2. The Dean of each Faculty shall, within such Faculty, exercise such disciplinary control over the students as is, from time to time, assigned to him/her by these Statutes or by any regulations made thereunder, or determined from time to time by resolutions Senate, or such as may be delegated to him/her from time to time by the Vice-Chancellor.

3. Subject to the Act and these Statutes, and the general or special directions of the Council, the Dean of each Faculty shall;
 - (i) be responsible to the Senate for the selection of persons to be registered as students engaging in schemes of study or research assigned to the Faculty of which he/she is Dean.
 - (ii) within such Faculty, exercise and discharge such other duties in connection with student affairs as may be determined by the Senate.
4. In the execution of his/her responsibilities and duties, every Dean shall, to such extent as he/she may deem necessary for the satisfactory running of the Faculty, consult with the Deans of the various Faculties and with other members of the academic staff assigned to the Faculty of which he/she is Dean.

STATUTE VIII

THE DIRECTORS OF CENTRES

AND INSTITUTES

1. The Director of each Centre or Institute shall be responsible to the Vice Chancellor for maintaining and promoting the efficiency and good order of the Centre or Institute of which he/she is Director.

2. The Director of each Centre or Institute shall, within such Centre or Institute, exercise such disciplinary control over the students as is, from time to time, assigned to him by these Statutes or by any regulations made thereunder, or determined from time to time by resolutions of the Council, or such as may be delegated to him/her from time to time by the Vice Chancellor.

3. Subject to the Act and these Statutes, and the general or special directions of the Council, the Director of each Centre or Institute be responsible to the Senate for;
 - i. the selection of persons to be registered as students engaging in schemes of study or research assigned to the Centre or Institute of which he/she is Director.

 - ii. within such Centre or Institute, exercise and discharge such other duties in connection with student affairs as may be determined by the Senate.

4. In the execution of his responsibilities and duties, every Director shall, to such extent as he may deem necessary for the satisfactory running of the Centre or Institute, consult with the Director of the various Centres or Institutes and with other members of staff assigned to the Centre or Institute of which he is Director.

STATUTE IX
THE REGISTRAR

1. The Registrar shall be responsible to the Vice Chancellor for:
 - i. the co-ordination and control of the administrative functioning of the University and all its subsidiaries other than in respect of financial matters.
 - ii. all administrative functions in relation to admissions to University.
 - iii. The scheduling and security of examinations and the issuing of results and official transcripts.
 - iv. The preparation of teaching time tables in cooperation with Faculties.
 - v. All administrative work in relation to appointments, renewals of contracts, confirmation of appointments, promotions and terminations.
 - vi. The Registrar shall act as Secretary to the Council, Senate and Executive Committee of Senate and shall arrange for the servicing of other Statutory Committees

2. The Registrar shall keep a register of all members of the University, as specified in section 4(3) of the Act including a record of their respective qualifications..
3. In the absence of the Registrar through illness or otherwise his/her deputy shall be entitled to exercise all of the powers and perform all of the duties of the Registrar.

STATUTE X

THE LIBRARIAN

1. The Librarian to the University shall be appointed by the Council.
2. The Librarian shall be the principal officer in charge of the University Library.
3. The Librarian shall discharge such duties as may be determined from time to time by the Council.
4. In the exercise of his/her duties the Librarian shall be immediately responsible to the Vice-Chancellor and shall perform such duties under the general supervision and control of the Vice-Chancellor.
5. The Librarian may delegate his/her authority in respect of any Faculty Library to any Assistant Librarian, who shall be immediately responsible to the Librarian for the management and control of such Faculty Library.

STATUTE XI

THE DIRECTOR OF INVESTMENTS

1. The Director of Investments shall be appointed by the Council.
2. The Director of Investments shall be the principal officer in charge of investments of the University.
3. The Director of Investments shall discharge such duties as may be determined from time to time by the Council.
4. In the exercise of his/her duties the Director of Investments shall be immediately responsible to the Vice-Chancellor and shall perform such duties under the general supervision and control of the Vice-Chancellor.
5. He will work in close liaison with the Board of Trustees.

STATUTE XII

THE DIRECTOR OF RESEARCH

1. The Director of Research shall be appointed by the Council.
2. The Director of Research shall be the principal officer in charge of research in the University.
3. Subject to the Act, and these Statutes and the general or special directions of the Council, Director of Research shall

discharge such duties as may be determined from time to time by the Senate.

4. In the exercise of his/her duties the Director of Research shall be immediately responsible to the Vice-Chancellor and shall perform such duties under the general supervision and control of the Vice-Chancellor.

STATUTE XIII

DIRECTOR OF STUDIES

- 1 The Director of Studies shall be appointed by Council.
2. In the exercise of his/her duties the Director of Studies shall immediately be responsible to the Vice Chancellor and shall perform such duties under the general supervision and control of the Vice Chancellor.
3. Subject to the Act, these Statues under the general or special directions of Council, the Director of Studies shall discharge such duties as may be determine from time to time by Senate. He/she will have particular responsibility to the Senate for the creation and coordination of academic initiatives and, maximising the efficient use of teaching staff across the Faculties and the Centre for Continuing Education.

4. To advise Senate on possible initiatives involving the people of Malawi and the donor community.

STATUTE XIV
THE AUDITOR

Subject to the Act -

- (a) the auditor or auditors to the University shall be appointed by the Council from among persons or firms practising as public accountants in Malawi;
- (b) the following persons shall be ineligible for appointment as auditor -
 - (i) any member of the Council or Senate or of any committee of the Council or Senate;
 - (ii) any business or professional partner of any member of the Council or Senate or of any member of any committee of the Council or Senate;
 - (iii) any firm of which any partner is a member of the Council or the Senate or of any committee of the Council or Senate;
 - (iv) any member of the staff of the University;

- (c) no person or firm shall be appointed as auditor to the University if he/she, or any member of the firm of accountants of which he/she is a partner, or, in the case of a firm, if any member of the firm, is a member of the Council, the Senate, or of any committee of the said Council or Senate;
- (d) auditors shall be appointed for one year, but shall be eligible for re-appointment.

STATUTE XV

HONORARY, VISITING AND EMERITUS PROFESSORS

1. Upon the recommendation of the Senate, the Council may appoint honorary and visiting professors and may confer the title of Emeritus Professor upon any professor who has retired from office.
2. An honorary, visiting or Emeritus Professor shall not ex officio be a member of the Council, the Senate or of any Faculty.

STATUTE XVI

PROCEDURE GENERALLY

1. Save as provided in these Statutes, the Council, Senate, Executive Committee of Senate, Faculties and any committees thereof shall determine and make rules for the time, place and procedure of their respective meetings.
2. The minutes of all meetings of every committee held since the last preceding meeting of the parent body of such committee shall be laid on the table at each meeting of that body, whether it be the Council, the Senate, the Executive Committee of Senate or one of the Faculties.
3. The minutes of all meetings of the Faculties held since the last preceding meeting of the Senate shall be laid on the table at each meeting of the Senate.
4. The minutes of all meetings of the Senate shall be sent to the Council.
5. In the event of an equality of votes on any question, motion or resolution at a meeting of the Council, Senate, Faculties or of any committee, the chairman or person presiding at such meeting shall have a casting vote in addition to his/her deliberative vote.
6. The Council, the Senate, Faculties and any committee thereof shall have power to co-opt further persons to membership thereof for such period and on such terms as they may in each case determine.

STATUTE XVII

FINANCE COMMITTEE

1. There shall be appointed pursuant to paragraph 3 a Finance Committee which shall make recommendations to the Council upon the following matters, and to which the Council may delegate any or all of its executive functions with regard to such matters, subject to the general policy, control and guidance of the Council -
 - (a) the investment and management of the University's funds;
 - (b) the incurring of, or the authorization of persons or bodies in the University to incur expenditure from University funds, including any income accruing to any section of, or body in, the University;
 - (c) the annual budget of the University;
 - (d) the control of expenditure from budgetary allocations by means of financial regulations and such other conditions;
 - (e) the preparation and presentation of the annual accounts of the University.

2. The Council shall appoint, from among those members of the Council appointed by the Chancellor, or by the Mzuzu University Alumni, or under section 11(h) of the Act, a chairperson of the Finance Committee who shall, subject to his/her remaining a member of the Council, hold office until the end of the third year following his/her appointment or until such earlier date as the Council may in his case determine, and who shall be eligible for re-appointment.
3. The Finance Committee shall consist of the chairman of the Finance Committee, the Chairman of the Council, the Vice-Chancellor, the Secretary to the Treasury or his/her nominee, the Secretary for Education or his/her nominee, the person appointed under section 11(j) of the Act and one member from Senate. The Finance Officer shall be the Secretary of the Committee. The Finance Committee shall have power to co-opt, with the consent of the Council, further persons to membership thereof for such period and on such terms as it may in each case determine.
4. The member of the Finance Committee appointed under section 11(j) of the Act shall, subject to his/her remaining a member of the Council and of the Senate, serve until the end of the third year following his/her appointment or until such earlier date as the Council may in each case determine and shall be eligible for re-appointment.

STATUTE XVIII

POWERS AND FUNCTIONS OF THE SENATE

Subject to the Act and to any other powers or functions prescribed by these Statutes, the powers and functions of the Senate shall include the following -

- (a) The Vice Chancellor shall be the Chairperson of Senate and his absence the Deputy Vice Chancellor shall act as the Chairperson
- (b) to confirm or otherwise the subjects recommended by Faculties. Department or other such academic sections of the University; to confirm what schemes of study and research the University shall offer (whether leading to a qualification or not) and to assign each such scheme to a Faculty and accordingly to allocate each post on the academic staff of the University to a Faculty and, after consultation with the Dean of that Faculty to allocate each such post to a Faculty; and at any time to change such assignments of schemes and allocations of posts on the same terms;
- (c) to keep under review the academic organization and development of the University with special reference to the effectiveness of the University's work in relation to the objects and functions of the University as set out in sections 5 and 6 of the Act;

- (d) to make recommendations to the Council for the institution of new Faculties, Centres or Institutes or other such academic sections; for the establishment of additional posts on the academic staff, and for the provision of any other new academic development;
- (e) to appoint consultative committees on subjects in which the University engages in teaching or research, consisting of members of the academic staff and persons outside the University with a special interest in and responsibility for the subject of concern to such consultative committee. Such committees shall seek and obtain from the Government and other bodies reports on their policy and needs in the various fields of research or employment involving the relevant subject, and shall also obtain reports from the Deans concerned, on the teaching or research being carried out in the subject in the University and on any proposed academic developments therein. Each such committee shall, with regard to the subject concerned, advise the Senate on the relevance of the curricula to the national need, on employment requirements, and on aspects thereof in which further teaching or research is required;
- (f) subject to the powers of the Council, to determine matters concerning academic staff, including the subjects in which academic staff appointments are made, and the conditions under which academic staff

carry out teaching or research in the University;

- (g) to control all matters relating to content and methods of teaching, and to content and methods of assessment by examination or otherwise for the award of Degrees, Diplomas and other academic distinctions other than Honorary Degrees or distinctions;
- (h) to appoint, with such duties and under such conditions as it may determine, external examiners and academic consultants for examinations for Degrees and Diplomas; to appoint internal examiners, to terminate the appointment of any external or internal examiner; and to recommend to Council the Fee Payable to examiners.
- (i) to call meetings of academic and administrative staff or groups of such staff, under such arrangements as it shall determine, in order to consider and report upon matters which it wishes to refer to such bodies;
- (j) to review, amend, refer back or, subject to legal implications, disallow any actions of a Faculty, Centre or Institute or such other academic body in the University, and to give guidance and direction to any such body;
- (k) with the approval of the Council, to determine what formalities and conditions shall attach to the

conferment of Degrees, Diplomas and other academic distinctions, and to determine all matters relating to academic ceremonies, including academic dress;

- (l) to determine dates of Semester;
- (m) to recommend to the Council the conferring of the title of Emeritus Professor, visiting Professor, honorary professor or lecturer or such other academic titles, including personal chairs;
- (n) on what it deems to be good cause, to recommend to the Council the deprivation of persons of any Degrees, Diplomas or any other academic distinctions, or of any academic titles, conferred upon or awarded to them by the University;
- (o) within available resources, to institute, control, regulate, award or discontinue, under terms and conditions determined by it (but subject to any conditions acceptable that may be made by donors), fellowships, studentships, scholarships, exhibitions, bursaries, prizes and other such awards to students for the encouragement of study and research;
- (p) to determine general policy matters relating to library and laboratory facilities, teaching aids services, workshops and such other academic services which are in its view necessary to the furtherance of the academic objectives of the University;

- (q) to determine and control the terms and conditions under which research or any other activity may be conducted or carried out in the University, or by members of the staff of the University, or under the sponsorship of or in collaboration with the University or with members of its staff;
- (r) to determine the conditions under which, and the extent, if any, to which, periods and courses of study followed and examinations passed at other institutions may be regarded as equivalent to periods and courses of study followed and examinations passed in the University;
- (s) to enter into relations, subject to the powers of the Council, with other bodies, whether academic or otherwise, for the furtherance of the objects of the University, with special regard to the advancement of education or research in Malawi;
- (t) subject to the Act and these Statutes, to take such steps to give advice, and guidance regarding the constitution, functions and activities of any organization of members of the University eligible to receive and expend University funds;
- (u) subject to the provisions of the Act and these Statutes ;
to discuss and express an opinion on any academic or research matter relating to the University programmes.

- (v) The Senate shall, in consultation with the Finance Officer, cause to be prepared estimates of expenditure required to carry out academic and research work of University and to submit them to Council for approval through the Finance Committee.

STATUTE XIX

EXECUTIVE COMMITTEE OF SENATE

- (a) The Executive Committee of Senate shall consist of the following members:
 - Vice Chancellor
 - Deputy Vice Chancellor
 - Dean of Faculties
 - Director of Studies
 - Director of the Centre Continuing Education
 - Director of Research
 - Librarian
 - Two members of Senate, elected by Senate
- (b) The Committee may arrange the time and place of its meetings and make rules and regulations for governing its proceedings, provided the Vice Chancellor may summon meetings wherever he may deem it necessary to do so.
- (c) The quorum of its Committee shall be four members.

- (d) The Vice Chancellor shall be Chairman and in his absence the acting Vice Chancellor.
- (e) The Registrar shall be Secretary of the Committee or in his absence his nominee.
- (f) The Executive Committee may act on behalf of the Senate on urgent matters between meetings of Senate. Act on the call of the Vice Chancellor, as an advisory body to the Vice Chancellor.

STATUTE XX

THE FACULTIES

1. Subject to the Act and these Statutes, the functions of each Faculty shall, without prejudice to any other functions expressly prescribed therefore, include the following -
 - (a) to consider and make recommendations to the Senate upon all matters relating to teaching and research in the subjects of the Faculty including curricula and examinations;
 - (b) to consider and make recommendations to the Senate upon all matters relating to the progress of students following schemes of study or research assigned to the Faculty ;
 - (c) to make recommendations to the Senate for the making of regulations for schemes of study or research;

- (d) to make recommendations to the Senate, in a manner prescribed by the Senate, for the award of Degrees, diplomas and other academic distinctions in the subjects of the Faculty;
 - (e) to submit proposals to the Senate, in a manner prescribed by the Senate, for academic developments;
 - (f) to put before the Senate any matter of concern to the Faculty upon which the Senate is empowered to act;
 - (g) to deal with and, if requested, report on any matters referred to it by the Senate.
2. Recommendations and proposals issuing from any Faculty to the Senate shall be presented to the Senate by the Dean of the Faculty to which such Faculty is assigned, together with his comments.

STATUTE XXI

DEPARTMENTAL BOARDS

- (i) For every Department there shall be a Departmental Board which shall consist of:
 - a. the Vice Chancellor
 - b. the Deputy Vice Chancellor
 - c. The Director of Studies
 - d. The Director of Research
 - e. The Dean of the Faculty

- f. The Head of the Department who shall be Chairman of the Departmental Board;
 - g. All full-time members of the academic staff of the Department; and
 - h. Not more than two students elected annually for one year by the students of the Department from among themselves, whose membership shall cease when they cease to be registered students of the University.
- (ii) Staff Development Fellows and part-time members of the academic staff may attend the meeting of the Departmental Board at the discretion of the Head of Department but shall have no vote.
- (iii) A Departmental Board may co-opt the tutors of the Faculty of which the Department forms a part and representatives of Departments with related interests.
- (iv) The members of a Departmental Board referred to in Statute XXI (h) shall vacate their seats at the end of each academic year.
- (v) A quorum of a Departmental Board shall be one-half of the membership thereof, excluding the Vice Chancellor, the Deputy Vice Chancellor, the Director of Studies, Director of Research and the Dean of the Faculty.
- (i) The functions of a Departmental Board shall be to:
- a. Make recommendations for courses in the Department;

- b. Consider the general organisation of courses of study and research within the Department and make recommendations to the Faculty Board;
 - c. In consultation with the Dean of the Faculty and the Registrar, make arrangements for the examination of each course in the Department;
 - d. Recommend candidates for appointment to posts within the Department;
 - e. From time to time consider the progress and conduct of the students of the Department and make regular reports to the Faculty Boards
 - f. All new initiatives submitted to the Faculty Board must be costed.
- (i) The head of a Department shall convene at least two meetings of the Department Board each Semester
 - (ii) Subject to the Statutes, every Departmental Board shall regulate its own procedure.

STATUTE XXII

HEADS OF DEPARTMENTS

The Head of Department shall be appointed by the Vice Chancellor after consultation with the Dean of the Faculty concerned, who shall make his/her recommendation after consulting the full-time members of the academic staff of the Department.

Subject to these Statutes, the Head of a Department shall hold his/her appointment as such for not longer than two years, and shall be eligible for re-appointment. The period as Head of Department

shall not exceed 6 years.

(ii) The Head of each Department shall be responsible to the Dean, in the first instance, for the satisfactory performance of the Department within the Faculty.

(ii) The Head of a Department shall be responsible for:

(a) the coordination of the courses and programmes offered within the Department and, in consultation with the Dean and other Deans in the University, their coordination with the programmes of other Departments of the University;

(b) the development, in cooperation with members of the department, of proposals for the extension, revision and improvement of the courses and programmes offered by the Department;

(c) the promotion of research within the Department.;

(d) the implementations, in cooperation with the Dean and members of the department, of academic policy as approved by the Senate and the Council;

(e) the preparation of the Departmental budget, in response to the needs of the Department, taking into account the policies and resources of the University;

(f) the quality and performance of the academic staff and other required in the Department and for making recommendations for the recruitment of new staff in consultation with the Dean of the Faculty;

- (g) advising the Dean and any relevant Committee on matters relating to academic personnel (such as appointments renewals of contracts, confirmation of appointments and salary adjustments) after satisfying him/herself that he/she is fully aware of the views of the Department;
- (h) the welfare and progress of students whose major field of study lies within the Department and, in cooperation with the Registrar, the handling of such students' academic problems and the referral of their non-academic problems to relevant authority;
- (i) advising the Dean on any matters relating to the students, staff and programmes of the Department, and ensuring that the Dean is fully informed of the opinion of members of the Department on the matter concerned, including any minority views not supported by the Department as a whole.

STATUTE XXIII

ACADEMIC AND SENIOR ADMINISTRATIVE STAFF

APPOINTMENTS AND PROMOTIONS COMMITTEE

- (i) There shall be an Academic and Senior Administrative Staff Appointments and Promotions Committee of Council (in this part referred to as "the Committee") which shall consist of:
 - (a) the Chairman of Council
 - (b) the Vice Chancellor
 - (c) the Deputy Vice Chancellor
 - (d) the Director of Studies
 - (e) the Deans of the Faculties
 - (f) the Director of Research

- (g) the Head of Department under consideration, but only when the business of that Department is being considered;
 - (h) one person appointed by the Council from among those of its members who are not members of the academic staff of the University;
 - (i) one member of staff of a cognate Department, if applicable, appointed by the Vice Chancellor;
 - (j) at the discretion of the Vice Chancellor, not more than one additional member with special competence from within or outside the University.
- (ii) A quorum of the Committee shall be five members thereof.
- (iii) Subject to any directions which may be given by the Council, the Committee shall regulate its own procedure.
- (iv) Subject to the Act, Statutes and such directions as may be given by the Council, every appointment to the academic or senior administrative staff of the University and every promotion of a member of the academic or senior administrative staff of the University shall be made by the Committee, except that every appointment to a Personal Chair shall be approved by the Council.
- (v) Where a member of the Committee constituted under this Statute is himself/herself a candidate for appointment or promotion under consideration by the Committee, she/he shall take no part in the consideration or discussion of, nor vote on

any question relating to, that appointment or promotion.

- (vi) Notwithstanding the other provisions of this Statute, where the Vice Chancellor is satisfied that exceptional circumstances so require, she/he may, after appropriate consultation, appoint a visiting member of the academic or other staff of the University in a full-time contract or part-time contract.
- (vii) A visiting member of the academic or other staff appointed under this Statute shall hold his appointment for such period, not being more than two years, as the Vice Chancellor shall determine.
- (viii) The Vice Chancellor shall inform the Committee of every appointment made under sub-Statute (vi).
- (ix) The Vice Chancellor may refer decisions of the Committee in respect of University staff appointments or promotions to Council and defer their implementation until Council has taken a decision on them.
- (x) For purposes of Statute XXIII, the offices of the Registrar, of the Finance Officer and of the Librarian, any Institutes and any other group of staff which Council shall specify, shall be regarded as Departments and the term Head of Department shall be correspondingly interpreted.

STATUTE XXIV

NON-ACADEMIC STAFF APPOINTMENTS AND PROMOTIONS COMMITTEE

- (i) There shall be a Non-Academic Staff Appointments and Promotions Committee of the Council (referred to as “the Committee”) which shall consist of:
 - (a) the Vice Chancellor, Chairman of the Committee or his nominee;
 - (b) the Deputy Vice Chancellor;
 - (c) a person appointed by the Council from among those of its members who are not members of the academic staff of the University;
 - (d) two members appointed by the Senate;
 - (e) the Head of Department within which the appointment of promotion is to be made;
 - (f) one member of staff of a cognate Department, if applicable, appointed by the Vice Chancellor;
 - (g) at the discretion of the Vice Chancellor, not more than one additional member with special competence from within or outside the University.
- (ii) Subject to any direction which may be given by the Council, the Committee shall regulate its own procedure.
- (iii) For the purposes of Statute XXIV, the offices of the Registrar, the Finance Officer, the Librarian and any Institute and any other group of staff which Council shall specify, shall be regarded as Departments and the term Head of Department shall be correspondingly interpreted.

- (iv) The Committee on behalf, and subject to the directive, if any, of the Vice Chancellor shall determine all matters relating to point of entry upon salary scales.
- (v) A quorum of the Committee shall be 4 members thereof;

STATUTE XXV
PROCEDURE RELATING TO CONTRACTS
OF APPOINTMENT

Subject to the Act and these Statutes, procedure relating to contracts of appointment, renewal of contracts and resignation, retirement and dismissal of academic and administrative staff shall be determined by the Council, and such procedure shall incorporate the following conditions -

- (a) that any member of the staff shall be at liberty to resign from his/her appointment and thereby to terminate his/her engagement with the University on giving in writing to the Registrar such notice as is stipulated in the terms of his appointment;
- (b) that, save as may be provided otherwise by the Council in special cases, or as may, in such special cases relating to academic staff, be so provided by the Council on the recommendation of the Senate, a person appointed to the full-time staff of the University shall retire from his/her appointment, from any office he/she holds, and from membership of any Statutory Committee or any committee at such time as may be stipulated in the terms of his/her appointment;
- (c) that the procedure for discontinuing the appointment of a member of the staff who would not, in the normal

course of events, have had his/her appointment discontinued, shall be so framed that the member of the staff concerned shall have a right of appeal to the Council, whose decision thereon shall be final.

STATUTE XXVI

PROCEDURE OF STATUTORY COMMITTEES

1. Every Statutory Committee shall hold an ordinary meeting at least three times in each year at such date, time and place as shall be notified to the members at least two weeks before the date of such meeting.
2. A special meeting of any Statutory Committee may be called by the Vice Chancellor, at such time and place, and in such manner, as may be determined in consultation, but subject to the following -
 - (a)
 - (i) in the case of the Finance Committee, at the discretion of the Chairperson of the Finance Committee;
 - (ii) in the case of a Faculty, after consultation with the Dean of the Faculty to which such Faculty is allocated; or
 - (b) on request in writing to the Chairperson, stating the purpose of the meeting, by at least a third of the number of members of that Statutory Committee.
3. No matter shall be considered at a special meeting of a Statutory Committee other than that for which the meeting was called unless the Statutory Committee unanimously otherwise decides.
4. It shall be open to any member of a Statutory Committee to raise any matter he/she wishes for consideration at an ordinary meeting of such Statutory Committee, provided that, in the

view of the chairperson, the matter comes within the functions of such Statutory Committee and that the matter is brought to the attention of the chairperson at least one week before the date of the ordinary meeting of the Statutory Committee at which the member wishes the matter to be raised.

5. The Secretary of the meeting shall be responsible for sending to the members of a Statutory Committee and of the Council. The agenda and documents shall be sent to members at least three days before the date of such meeting. Documents sent less than such number of days before the meeting, or tabled at the meeting, shall be considered only if the Statutory Committee by a majority of its members present agrees to do so.
6. A Statutory Committee may appoint such sub-committees /Task Forces thereof, consisting wholly or partly of its members, as it deems fit.
7. A Statutory Committee may delegate any of its functions to such of its sub-committees/Task Forces as it deems fit.
8. Every Statutory Committee shall review periodically the work of any sub-committee/Task Force it has appointed, and if a committee is to be re-appointed, shall, subject to these Statutes, review its terms of reference and membership.
9. The minutes of proceedings of all meetings of a committee of a Statutory Committee shall be put before the Statutory Committee which appointed it, and for this purpose the Faculties shall be regarded as committees of the Senate.
10. Subject to the provisions of the Act and Statutes, there shall be a quorum at any meeting of a Statutory Committee or committee when one-third of the membership is present . In the invent of one third of total number of the Statutory Committee being less than four, then the minimum shall be four members for a quorum. In the absence of a quorum no business other than the adjournment of the meeting shall be transacted.

11. In the absence of a person who is chairman or vice-chairman by appointment or ex officio, the members present at any Statutory Committee meeting or committee meeting, provided there is a quorum, shall elect from among those present a member to preside at that meeting who shall, during that meeting, or until the meeting is adjourned, exercise all the functions of the chairperson.
12. The decisions of the chairperson or other member presiding shall, on all procedural matters, be final.
13. Pursuant to paragraph 9 of this Statute, the chairperson of a committee shall present the minutes of any meetings of that committee to the Statutory Committee which has appointed it, provided that recommendations and proposals from Faculties to the Senate shall be presented by the Dean of the Faculty to which that Faculty is assigned. In the absence of the chairperson of the said committee or the Dean of the said Faculty as the case may be, any other member of the committee, or of the relevant Faculty shall present such minutes to the said Statutory Committee.
14. Whether specifically empowered to do so or not, the chairperson of any Statutory Committee or committee thereof shall have the power to take action on behalf of the Statutory Committee or committee, as the case may be, of which he/she is the chairperson, provided he/she reports any such action to the next meeting, and in his/her absence he/she may delegate such power to a person appointed as vice-chairperson of the Statutory Committee or committee.
15. Decisions at meetings of any Statutory Committee or committee shall, except where otherwise provided, be taken by a consensus of agreement or, where, in the opinion of the chairperson, a vote needs to be taken, shall be determined by a simple majority of the members present and voting on the matter. In the case of an equality of votes, the chairperson shall have the power to exercise a casting vote in addition to his/her deliberate vote. Voting shall not be recorded in the

minutes of the proceedings.

16. The proceedings and decisions of any Statutory Committee or committee thereof shall not be invalidated by any vacancy in its number, nor by any defect in the election, appointment or qualification of any of the members whether present or absent, nor by any defect in the service of notices or documents, nor by any other administrative defect.
17. The chairperson of any Statutory Committee or committee thereof shall have the power to invite any person to attend any meeting for the whole or part of the meeting, subject to the approval of his/her action by the said Statutory Committee or committee, as the case may be, at the beginning of the meeting. Persons invited to attend meetings shall participate in the proceedings only when invited to do so by the chairperson and shall have no vote.
18. The chairperson of, or the member presiding at, a meeting of any Statutory Committee or committee thereof shall have the power to adjourn such meeting and to determine the date, time, place and means of re-convening the meeting.
19. Members of Statutory Committees or committees thereof, other than ex officio members, may resign from membership at any time by writing addressed to the chairperson of such Statutory Committee or committee thereof, as the case may be.
20. Except where the Act or Statutes provide otherwise, items of business of Statutory Committees or committees thereof may, at the discretion in each case of the chairperson of the Statutory Committee, or committee thereof, as the case may be, be conducted by sending proposals to each member of the said Statutory Committee, or committee thereof, in writing, in which case a decision shall be valid only if all members of the said Statutory Committee or committee thereof, having been given a reasonable time to reply, agree to the proposal sent to them.

21. Subject to its power to declare certain items or categories of business confidential, the minutes of all meetings of each Statutory Committee shall be available for consultation by members of the University by such means as the Statutory Committee may from time to time decide. All such minutes whether confidential or otherwise shall be available for consultation by any member of the Council.
22. Subject to these Statutes, Statutory Committees or committees thereof may make such further standing orders relating to their proceedings as they deem fit.

STATUTE XXVII HONORARY DEGREES

When and as often as the Council wishes to award Honorary Degrees pursuant to its powers under section 10(s) of the Act the following procedure shall be followed -

- (a) the Council shall appoint a Committee consisting of the Chairperson of the Council as Chairperson, the Vice-Chancellor, and four other members of the Council, two of whom shall be members of the Senate, to propose persons for the award of Honorary Degrees, which Committee shall be known as the Honorary Degrees Committee;
- (b) the Honorary Degrees Committee shall invite the Chancellor, all members of the Council and the Senate, and the Registrar, to submit to the Vice-Chancellor in confidence proposals for the award of Honorary Degrees, and all such proposals shall be considered by the Committee. It shall be open to those so invited to seek suggestions from other members of the University;
- (c) the Committee, having considered the proposals submitted to it, shall submit to the Council a list of those persons who it recommends for the award of Honorary Degrees, listing the Honorary Degree it

considers appropriate for award in each individual case;

- (d) the Council shall consider the recommendations of the Committee and shall determine to whom of those persons recommended by the Committee such Honorary Degrees shall be awarded, and the Degree to be so awarded in each individual case;
- (e) no person shall be approached regarding his willingness to accept conferment of an Honorary Degree until the Council has approved all the names, and the approved names shall be published only when all the persons named in the list have signified their willingness to accept conferment of an Honorary Degree;
- (f) the Honorary Degree conferred shall be that deemed appropriate by the Council;
- (g) an Honorary Degree shall not be conferred in the absence of the person on whom such Degree is to be conferred; and
- (h) serving members of Statutory Committees, members of staff and students of the University shall not be eligible for the award of Honorary Degrees.

STATUTE XXVIII
ELECTIONS TO DEANSHIPS AND
TO THE SENATE

1. An election of a Dean and of elected members of the Senate, pursuant to section 26 and to paragraph (e) of section 21 of the Act, respectively, shall take place whenever there is a vacancy, provided that the whole process of the election is conducted during University term-time. All arrangements of such elections shall be the sole responsibility of the Registrar or his representative, who shall act as returning officer.

2. It shall be open to a Faculty if at least two thirds of those entitled to vote in an election indicate their wish to do so, to carry out an election of elected members of the Senate at a meeting rather than by nomination and secret ballot.
3. The persons entitled to vote in an election of a Dean or of elected members of the Senate, and to be nominated and elected, shall be those persons whose names shall appear, as members of the full-time academic staff holding posts allocated to the Faculty concerned, in the master copy of the staff list kept in the Registrar's office.
4.
 - (1) No election shall be invalidated by reason only that the administrative procedure relating to such election was defective.
 - (2) Notwithstanding paragraph (1), the Registrar may, with the approval of the Vice-Chancellor declare an election null and void on grounds of administrative or other defects.
5. If an elected member of the Senate is to be absent from the University for a period during which two or more ordinary meetings of the Senate will be held, the Faculty, or as the case may be, may nominate a person to serve in his/her place during his/her said absence.

STATUTE XXIX

SERVICE OF NOTICES AND DOCUMENTS

1. Any notice or document required, by or for the purposes of the Act or the Statutes, to be given or sent to a member of the University, or of the Council or of any Statutory or other committee may be given to him/her personally or may be sent to him/her by post, to the last postal address of which the Registrar has cognizance.
2. Where a notice or other document is sent by post, pursuant to paragraph 1, service thereof shall be deemed to have been properly effected by properly addressing and posting a letter

containing the notice or other document, and shall be deemed to have been effected at the time at which the letter would be delivered in the ordinary course of post.

STATUTE XXX
AFFILIATED INSTITUTIONS

- (i) The Council may, on the recommendation of the Senate approve the affiliation with the University of any other institution of teaching or research situated within or outside Malawi and may designate it an affiliated institution of the University.
- (ii) In respect to any Affiliated Institution the Senate may, with a mutual agreement,
 - a. Advise on and assist in the preparation of programmes of instruction;
 - b. Validate programmes of instruction, examinations and the granting of certificates and other awards of the Affiliated Institutions.

STATUTE XXXI
STUDENTS' REPRESENTATIVE COUNCIL

- (i) The affairs of the students of the University shall be governed by a Student's Representative Council.
- (ii) The Constitution of the students' Representative Council shall be subject to the approval of the Council.
- (iii) The functions of the Students' Representative Council shall be:
 - (a) to represent the students in relations with the authorities of the University and other relevant bodies;
 - (b) to develop the cultural, social recreational and

