

SUBSIDIARY LEGISLATION

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**THE INSTITUTE OF JUDICIAL ADMINISTRATION LUSHOTO ACT
(CAP.405)**

REGULATIONS

(Made under section 23)

**THE INSTITUTE OF JUDICIAL ADMINISTRATION LUSHOTO (STUDENTS'
PERFORMANCE ASSESSMENT) REGULATIONS, 2015**

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SCHEDULE
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“cheating in examination” means copying from unauthorized source, communicating with unauthorized person and includes any form or kind of dishonesty or destruction or falsification of any evidence or irregularity that may reasonably be linked with the examination in question and during the examination process, irrespective of whether such act or conduct is discovered within or outside the examinations room;

“Council” means the governing body of the Institute established under section 6 of the Act;

“Examination” means end of semester examination and includes a continuous assessment;

“Examination irregularity” means possession of unauthorized material during the examination process; unauthorized absence from the examination; cheating during the examination process or any act or conduct during the examination designed to defeat or interfere with the smooth administration of the examination on a particular subject;

“GPA” means a grade point average;

“Institute” means the Institute of Judicial Administration Lushoto established under section 3 of the Act;

“Minister” means the Minister responsible for Legal Affairs;

“Principal” means the Principal of the Institute appointed under section 10 of the Act and for the purposes of the National Council for Technical Education (NACTE) includes Rector.

“student” means any person enrolled for any programme conducted by the Institute lasting for one academic year or any longer period;

“unauthorized absence from examination” means going out of the examinations room temporarily or otherwise, or staying out of the examinations room for an unduly long period, without

authorization or permission of the invigilator during a particular examination;

“unauthorized material during the examination” means any written or printed material that is generally or specifically prohibited to be in possession of a candidate during the examination process such as phones, radios, audio cassette players, computers; and any other material intended to defeat the purpose of the examination or which may be specified from time to time by the Principal to be unauthorized material.

PART II INSTITUTE'S ACADEMIC COMMITTEES AND BOARDS

Academic
Planning and
Examinations
Committee

3.-(1) There is hereby established a committee to be known as Academic Planning and Examinations Committee which shall consist of the members to be appointed by the Council.

(2) The Academic Planning and Examination Committee shall subject to the provisions of section 14 of the Act be responsible to the Governing Council for the proper conduct of all academic programmes run by the Institute and shall:

- (a) satisfy with regard to the content and academic standard of the relevant course of student offered by the Institute in respect of any professional certificate;
 - (b) advise the Principal, the Chief Justice and the Minister on the standards of proficiency to be obtained in each examination for a relevant certificate;
 - (c) decide whether any candidate for the relevant certificate or other award has attained the standard of proficiency required; and
 - (d) make proposals to the Council on matters relating to the academic and professional activities of the Institute.
- (3) The Committee may, at any of its sittings, co-

opt any person who, in the Committee's opinion, will be of help in its proceedings.

Examination
Office and
Meetings of
Internal
Examiners

4.-(1) The Examination office shall be responsible for preparation of examination timetables, invigilation schedules, collection and printing of examination papers, issue of examination numbers, and recording of examination results and shall make all arrangements for the meetings of internal examiners.

(2) There shall be meetings of internal examiners, which shall consist of:

- (a) the Deputy Rector Academic, Research and Consultancy who shall be the Chairperson;
- (b) the Registrar, who shall be the Secretary; and
- (c) internal examiners.

(3) The Chairperson may invite any other member of the academic or administrative staff of the Institute to attend any meeting or meetings if he considers that their presence would be beneficial to its deliberations.

(4) The meetings of internal examiners shall be responsible for:

- (a) ensuring that each and every examination follows the module;
- (b) ensuring that rules and regulations governing examinations are followed and observed by all candidates;
- (c) receiving and deliberating on proposed examination results;
- (d) considering problems encountered during the year, including any comments made by external examiners and moderators, and to suggest appropriate solutions.

(5) The Chairperson of the meetings of internal examiners shall report to the Principal and advise him on examination matters, issues concerning examiners and examinations generally, examinations results and all other academic matters of the Institute.

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Examinations
Irregularities
Board

5.-(1) There is hereby established a body to be known as the Examinations Irregularities Board which shall consist of:

- (a) the Deputy Rector Academic, Research and Consultancy; who shall be the Chairperson;
- (b) the Head of Department of Judicial and Legal Studies;
- (c) the Registrar; and
- (d) the Examinations Officer, who shall be the Secretary.

(2) Where an examination irregularity has occurred in any of the Institute's branches, the Principal shall constitute a board to handle the matter.

(3) The functions of the Examinations Irregularities Board shall be to consider any reported examination irregularity and decide the appropriate action for any student found responsible for or guilty of such irregularity.

(4) No member of the Board shall sit in any meeting where an irregularity involves an examination which he was teaching or supervising.

(5) Where a member has been disqualified in terms of the provisions of sub-regulation (4), the Principal shall appoint another person to replace the member so disqualified.

(6) The Examinations Irregularities Board may co-opt any person who, in its opinion, shall be of help in its deliberations at any of its sittings.

Appeals Board

6.-(1) There is hereby established an appellate body within the Academic Planning and Examination Committee to be known as the Appeals Board which shall consist of the members to be appointed by the Council.

(2) The functions of the Appeals Board shall be to decide appeals on examination irregularities and examination results.

PART III

GN. No. 510(contd.)

AWARDS AND MODE OF ASSESSMENT BY THE INSTITUTE

Awards of the
Institute

7.-(1) Pursuant to section 5 of the Act, the Institute shall have the power to grant the following awards:

- (a) Ordinary diploma in law (NTA Level 6);
- (b) Certificate in law (NTA Level 4);
- (c) A Certificate of Attendance for a successful completion of a programme of study lasting less than one academic year.

(2) Every award of the Institute shall be so titled as to refer to the programme of study the successful completion of which entitles the candidate to be granted the award.

(3) The Governing Council may designate and set condition for other awards of the Institute in addition to those established by this Regulation.

Computation of
Cumulative
GPA

8.-(1) A cumulative grade point average (cum GPA) for each candidate shall be based on the average performance for the first and second semester results.

(2) The Grade Point Average (GPA) shall be computed and truncated to single decimal point.

Grading system

9.-(1) The marks obtained from different assessment components shall be awarded out of 100.

(2) For NTA Level 4 and 5 the grading system shall be as follows:

S/N	SCORE RANGE	GRADE	DEFINITION
1.	80 – 100	A	EXCELLENT
2.	65 – 79	B	GOOD
3.	50 – 64	C	AVERAGE
4.	40 – 49	D	POOR
5.	0 – 39	F	FAILURE
6.	-	I	INCOMPLETE
7.	0	Q	DISQUALIFIED

(3) Grade for the different score ranges shall be assigned points as follows:

A – 4

B – 3

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C – 2

D – 1

F – 0

Awards

(4) The Grade Point Average (GPA) shall be computed from credits and grade weights and classified as shown below:

CLASS AWARD	CUMULATIVE GPA
FIRST CLASS	3.5 – 4.0
SECOND CLASS	3.0 – 3.4
PASS	2.0 – 2.9

Grading system

10.- (1) For NTA Level 6, the grading system shall be as follows:

S/N	SCORE RANGE	GRADE	DEFINITION
1.	75 – 100	A	EXCELLENT
2.	65 – 74	B+	VERY GOOD
3.	55 – 64	B	GOOD
4.	45 – 54	C	SATISFACTORY
5.	35 – 44	D	POOR
6.	0 – 34	F	FAILURE
7.	-	I	INCOMPLETE
8.	0	Q	DISQUALIFICATION

(2) Grade for the different score ranges are assigned points as follows:

A – 5

B+ - 4

B – 3

C – 2

D – 1

F – 0

Awards

11. The Grade Point Average (GPA) shall be computed from credits and grade weights and classified as follows:

CLASS AWARD	CUMULATIVE GPA
First Class	4.4 – 5.0
Upper Second Class	3.5 – 4.3
Lower Second Class	2.7 – 3.4
Pass	2.0 – 2.6

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Mode of
Assessment

12.-(1) Assessment of students shall be through continuous assessment and end of semester examinations.

Field
Attachment

13.-(1) Every student enrolled for the Institute's programmes shall undergo practical training in the form of field attachment.

(2) There shall be a Field Studies Coordinator who shall be responsible for the general conduct of the field attachment under the supervision of the Head of the Department of Judicial and Legal Studies.

(3) The Field Studies Coordinator shall in consultation with the academic staff prepare topics for field attachment.

(4) Students sponsored by the Judiciary shall, as far as possible, undertake their fieldwork in courts.

(5) Students not sponsored by the Judiciary may undertake their fieldwork either in courts or in any other places as may be determined by the Field Studies Coordinator.

(6) Any student who absconds from a field attachment shall be deemed to have failed in that field attachment and be discontinued.

Fieldwork for
NTA Level 4

14.-(1) For the NTA Level 4, the fieldwork shall be for four weeks.

(2) At the end of the field attachment, each student shall submit to his internal supervisor a field report not later than twenty-one days after the commencement of the semester detailing the activities at his field station.

Fieldwork for
NTA Level 5

15.-(1) For the NTA Level 5, the practical fieldwork shall be for six weeks.

(2) At the end of the field attachment, each student shall submit to his internal supervisor a field report not later than twenty-one days after the commencement of the semester detailing the activities at his field station.

Provided that a student, who was attached to a court

shall, in addition to the field report, submit to his internal supervisor his own record of court proceedings.

Submission of records

16.-(1) Late submission of record(s) or report shall result in outright rejection of the record(s) or report where no sufficient grounds have been shown for such late submission.

(2) A student shall be discontinued from his studies for plagiarism or unless a sufficient cause is given, for failure to submit record(s) of proceedings or field report or for submitting somebody else's work.

PART IV GENERAL EXAMINATIONS REGULATIONS

Conditions for passing and progress from semester to semester

17.-(1) A candidate shall, before being promoted to the next level, pass all prescribed modules in a prerequisite level through a first sitting examination, a special examination or a supplementary examination.

(2) A candidate shall be considered to have passed a particular module if:

(a) For NTA Level 4 and 5, the candidate scores 50 marks in both the end of semester examination and the continuous assessment provided that the candidate must score 25 marks in an end of semester examination.

(b) For NTA Level 6, the candidate scores 45 marks in both the end of semester examination and the continuous assessment provided that in an end of semester examination the candidate must score 27 marks.

(3) A candidate shall be considered to have passed his or her field attachment if he or she scores at least fifty percent (50%) in it.

Registration for semester examinations

18.-(1) Every person registered as a student at the Institute shall be deemed to have been registered for the appropriate examinations in the relevant programme.

(2) No student shall sit for examination without being registered.

Eligibility for assessment

19.-(1) Every student shall be required to attain a minimum attendance of eighty percent (80%) of all lectures and seminars scheduled by the Institute for the programme of study.

(2) Any student who, without reasonable cause, fails or refuses to comply with this Regulation shall be disqualified from sitting for any or all end of the semester examinations during which non-compliance occurred and be required to repeat the module when next offered.

(3) Where a student is discontinued from a programme of study on disciplinary grounds in accordance with the Institute of Judicial Administration Lushoto (Students' General Welfare, Conduct and Disciplinary Matters) Regulations, 2014, and the execution of such punishment is not stayed, he shall not be eligible for any form of assessment under these Regulations.

Conduct of examinations

20.-(1) Every examination in a semester shall be held on a date prescribed under the Institute's Almanac.

(2) Every examination shall be set and marked by Internal Examiners and will be moderated by external moderators and examiners respectively.

(3) The Deputy Principal, Academic, Research and Consultancy shall have powers to issue instructions, notes or guidelines to candidates, invigilators and examiners of Institutes' examinations, as he shall deem appropriate for the proper, efficient and effective conduct of such examinations.

(4) The guidelines or instructions by the Deputy Rector, Academic, Research and Consultancy under this regulation shall form part of these Regulations.

(5) Instructions on the examination papers and answer booklets shall form part of these Regulations.

Invigilation
instructions

21. There shall be an invigilator for every examination whose duty shall be to ensure compliance with these Regulations

Conduct of
candidates

22.-(1) A candidate who qualifies to sit for any examination shall be issued with the examination number which will be used for end of semester examinations.

(2) Every candidate shall use examination number on the script and should not use his name or student registration number in any part of the answer or on the front sheet.

(3) Use of a student name, registration number, examination number; or fellow student's name, registration number, examination number may lead to disqualification of the examination attempted.

(4) Every candidate shall assemble outside the examination room and will only enter if and when instructed to do so by the invigilator.

(5) Before entering an examination room, each candidate shall be required to ensure that he or she is not carrying any unauthorized material with him.

(6) Each candidate shall look around his or her seat and check if there is any unauthorized material, if any, the candidate shall notify the invigilator before the examination starts.

(7) No candidate shall be allowed to leave the examination room until (30) minutes have expired and (30) minutes before the end of examination.

(8) Any candidate who wishes to leave an examination room before the time specified for the examination in question shall hand in his answer sheet to the invigilator before leaving the examination room.

(9) At the end of the examination, every candidate shall remain in his place until an invigilator has collected his answers book(s), the answer books have been checked, and the invigilator has announced that candidates may leave the examination room.

(10) Every candidate shall write his examination number and sign in the attendance sheet given by the invigilator to prove his attendance.

(11) Each candidate shall sit at the desk indicated by the invigilator or indicated on the notice at the examination room entrance.

(12) At the start of the examination, a candidate shall not turn over the examination paper on the desk until required to do so by the Invigilator.

(13) A candidate shall have a current student identity card in all examinations.

(14) A candidate shall leave his current student identity card visible on his desk for the purpose of checking, without undue disturbance, after the start of the examination.

(15) A candidate who fails to produce a current student identity card shall not be allowed to sit for examination.

(16) An invigilator shall advise all candidates how to complete the cover sheet of the answer book. Candidates are supposed to read the instructions at the head of the question paper before attempting examination questions.

(17) It is the responsibility of each candidate to ensure that he/she has an adequate supply of materials, required for an examination.

(18) The borrowing of an examination material will not be permitted during the examination.

(19) A candidate shall not bring blank paper into the examination room. All papers will be supplied by the invigilators.

(20) No candidate shall be allowed to write anything on question papers.

(21) A candidate may do rough work on the back pages of the answer books on the understanding that this is crossed out at the end of the examination.

(22) A candidate shall not possess in the examination room books, written booklets or any other

materials other than those provided for in the examinations instructions or issued by an invigilator.

(23) Every candidate shall observe silence in the examination room.

(24) No candidate shall, during any part of the examination session, communicate with any other candidate in any manner except through the invigilator.

(25) Smoking, drinking except for water or eating is not allowed in an examination room.

(26) A candidate shall not bring mobile phones or any electronic device into the examination room.

(27) In cases of impersonation, the personator and the personated shall both be deemed to be in breach of these Regulations.

(28) A candidate shall stop writing as soon as the invigilator declares the examination time is over.

(29) A candidate leaving the examinations room temporarily shall be checked before being allowed to resume the examination and his absence shall be supervised to the extent that is possible.

(30) It is the responsibility of each candidate to ensure that his answer booklet(s) are handed to the invigilator.

Absence from examination

23.-(1) If a candidate is absent from any examination, he shall submit a detailed explanation to the Examinations Office immediately, together with a medical certificate if the absence was due to illness.

(2) A candidate who gets sick during the examination may be permitted to leave the examination room for up to twenty minutes during an examination, accompanied by an invigilator, and may thereafter return to complete the examination, provided the continuity and quality of supervision is not affected.

(3) The Invigilator may, after consultation with the Examination Officer and the internal examiner if deemed necessary, give a time extension to such a candidate at the end of the examination equal to the period of absence, or arrange for such a candidate to

complete the examination in a separate room under separate supervision.

(4) Any student who absconds from any examination shall be deemed to have failed in that examination.

Supplementary examinations

24.-(1) A candidate who scores a mark of less than 50% (C) in NTA Level 4 and 5 or 45% (C) for NTA Level 6 for a particular module shall be considered to have failed that module and shall be allowed to sit for supplementary examination if he scores a GPA of 1.5 or above.

(2) Any supplementary examination sat and passed shall be assigned a 'C' grade.

(3) A candidate who fails a supplementary examination shall be discontinued.

Special examinations

25.-(1) Where a student pursuing any programme of study at the Institute fails to attend the whole or part of an examination under circumstances beyond his control, may, subject to production of authentic evidence and the approval of the Registrar, be allowed to sit for special examinations in the module he or she did not do or complete.

(2) A candidate who sits for special examinations at the time of supplementary examinations as under this regulation shall be considered to be sitting, for that examination for the first time.

(3) A candidate who fails in his special examinations shall sit for his supplementary examinations in the next examination session.

Examination irregularities

26.-(1) A candidate shall not possess any unauthorized object or material in the examination room.

(2) It shall not be a defence that the candidate did not intend to use any unauthorized object or material in the examination.

(3) Copying from another candidate or source shall be construed as cheating.

(4) The following acts shall constitute an examination irregularity :

- (a) taking another person's work without permission;
- (b) permitting another candidate to copy from, or use one's scripts;
- (c) removing answer sheets from the examination room;
- (d) detaching sheets from an answer sheet to facilitate copying by other candidate(s);
- (e) distortion and violation of officially arranged sitting plan in an examination room;
- (f) destroying or falsification of any evidence of irregularity or cheating; and
- (g) causing disturbance in or near any examination room.

(5) Any of the following acts shall constitute an examination irregularity amounting to an examination offence:

- (a) having access to examination questions prior to sitting for the examination;
- (b) possessing examination not formally released;
- (c) selling or purchasing of examinations;
- (d) plagiarism;
- (e) allowing somebody to write answers on the candidate's behalf during examination;
- (f) helping or receiving help from other candidates to impersonate;
- (g) signing attendance sheet on behalf of another candidate either partial or completely;
- (h) moving into another candidate's examination during the course of examination; and
- (i) providing identity card to another person to enable him to appear on behalf of the candidate.

irregularities

Irregularities Board.

(2) A candidate alleged of any examination offence shall be expelled from the examination room immediately and if found guilty his examination results shall be cancelled.

(3) In the case of an examination irregularity not amounting to an examination offence, a candidate shall not be prevented from continuing doing the examination but the invigilator may take any action which in his view is necessary and reasonable under the circumstances.

(4) A candidate found cheating shall be required to sign on the invigilator's written report of the issue on the material time and place, in front of the invigilator.

(5) If a candidate is in possession of unauthorized material or object, the invigilator shall approach the candidate immediately and where possible confiscate all the unauthorized material or object and the candidate shall not be allowed to continue with the examination.

(6) Once a candidate is found with unauthorized material, the invigilator shall ask the candidate to sign on the materials for confirmation that they belong to such candidate in the presence of a witness.

(7) Where a candidate refuses to sign the unauthorised material, the invigilator shall indicate that in his report and, where possible, provide witness statement to that effect.

(8) In all cases of cheating a candidate shall be informed accordingly and a written report shall be sent by the invigilator to the Examination Officer detailing the alleged contravention.

(9) The Examinations Officer upon receipt of the report shall convene the meeting of the Examinations Irregularities Board which shall deliberate on the alleged irregularity and make appropriate recommendations.

(10) A candidate found guilty of examination irregularity shall, subject to the confirmation of the Academic Planning and Examinations Committee, be discontinued from studies and liable to any other penalty

in the case of an examination irregularity amounting to an examination offence.

(11) The Examinations Irregularities Board may impose such a lesser penalty on a candidate found guilty of commission of an examination irregularity not amounting to an examination offence, depending on the gravity of the facts of circumstances constituting the case, as the Board may deem appropriate.

Discontinuation
from studies

28. Without prejudice to the provisions of the Institute of Judicial Administration Lushoto (Students' General Welfare, Conduct and Disciplinary Matters), 2014, a student shall be discontinued from studies by the Academic Planning and Examinations Committee if he :

- (a) absconds from a field attachment under Regulation 13.
- (b) non-compliance with the conditions for submitting field report or court proceedings in terms of Regulation 16;
- (c) fails to obtain a GPA of 1.4 in the first sitting.
- (d) fails to pass a supplementary examination under Regulation 24
- (e) founds guilty of an examination irregularity under the procedure set out in Regulation 27.

PART V MARKING AND MODERATION

Marking

29.-(1) Before marking commences, the Deputy Rector Academic Research and Consultancy shall produce a set of common guidelines to aid internal examiners in the marking process.

(2) The guidelines made under sub-regulation (1) shall set out some agreed notion of what is expected from candidates in relation to individual questions.

Moderation

30.-(1) Every examination question and script shall be moderated by an external moderator and

examiner respectively.

(2) The variation of more than five marks between an internal examiner and an external examiner shall be supported by written justification.

(3) In case of dispute, the internal examiners shall go through the internal and external examiners' reports to determine either the appropriate marks to be awarded to the candidate or to appoint another internal examiner whose marks shall be binding on the internal examiners.

(4) The Deputy Rector Academic, Research and Consultancy shall ensure that as soon as practicable every examination script is sent to the appointed external examiner for examining together with instruction letters.

(5) The Deputy Rector Academic, Research and Consultancy shall make available the comments of the external examiners or to the internal examiners.

(6) Internal marking shall be completed promptly to leave enough time for external examiners to complete their task.

(7) Wherever possible, internal examiners shall allow at least one week for scripts to be sent to the external examiners and returned in time for the meeting of internal examiners.

Purpose of external examining and moderation

31.-(1) The purpose of the Institute's external examining and moderating system shall be:

- (a) to ensure that that its assessment policies and practices are fair and fairly operated, and that the principles of clarity, equity, consistency and openness are observed;
- (b) to ensure that assessment methods are appropriate;
- (c) to ensure that the structure and content of programmes of study are appropriate; and
- (d) to ensure comparability of standards with other similar institutions.

(2) External moderators shall ensure that the form and content of the examination properly reflects the curriculum and that the examination paper is accurate and presented in the specified format.

(3) External examiners and moderators may be asked to:

- (a) review the appropriateness of programme structure and content, including the appropriateness of the learning outcomes of the programme (and all its elements) to its educational aims and those of the students;
- (b) review, evaluate and advise on all forms of assessment and assessment practices;
- (c) assess methods, coverage of learning outcomes and whether the assessment processes and marking schemes applied by internal examiners are appropriate and appropriately used;
- (d) assess the standard of students' performances in terms of their knowledge, skills and understanding and comparison with those of students on similar programmes elsewhere;
- (e) make advisory comments on draft examination question papers; and
- (f) scrutinize examination scripts.

Nomination and
Appointment

32.-(1) The external moderators and examiners shall be appointed by the Principal in consultation with the Deputy Rector Academic, Research and Consultancy from a list of recognized academicians and professionals of the modules taught at the Institute as prescribed by National Council for Technical Education procedures.

(2) A former member of staff shall not be appointed as an external examiner or moderator before a period of three years has lapsed since he left the Institute's services.

(3) The appointment of external moderators or examiners shall be limited to two consecutive academic years, save that a person may be reappointed after a lapse

of two academic years.

(4) The appointment or reappointment may be revoked at any time where the Institute is dissatisfied with the performance of any external examiner or moderator.

(5) Any external examiner or moderator must declare any conflict of interest to the Principal at the earliest opportunity.

Reporting

33.-(1) External examiners' reports shall be considered at meetings of the internal examiners.

(2) The meetings shall consider amongst other items:

(a) a description of the key issues arising from external examiners' reports;

(b) a list of matters for the attention of the Institutes' Management; and

(c) an action plan, recording actions identified as part of the examination process.

PART VI

RELEASE OF EXAMINATION RESULTS

Examination results

34. The Academic Planning and Examinations Committee shall convene, soon after the meeting of internal examiners to receive, deliberate and declare examinations results.

Appeals against examination results

35.-(1) A candidate may appeal to the Appeals Board against examination results on any of the following grounds only:

(a) prejudice, incompetence or lack of integrity of the internal examiner;

(b) that there was a material administrative error or a material irregularity in assessment procedures which have made a real and substantial difference to the candidate's result.

(2) The procedure for handling of examination appeals shall be as prescribed in the Schedule to these Regulations.

(3) Appeals shall be lodged in writing stating grounds of appeal to the Secretary of the Academic Planning and Examinations Committee within ten (10) days after the declaration of examinations results by the Academic Planning and Examinations Committee.

(4) No appeal shall be accepted for processing unless a prescribed fee for a module appealed against has been paid for and such fee shall not be refunded.

PART VII GENERAL PROVISIONS

Preservation of
scripts

36. The Institute shall preserve the candidates' scripts for the purpose of reference for a period of three years after which they may be destroyed.

Postponement of
studies or
examinations

37.-(1) A candidate may postpone studies or examinations for reasons of proven ill-health supported by a doctor's medical certificate, or for any other reason which in the opinion of the Principal is strong enough to prevent one from pursuing studies effectively.

(2) The period allowed for the postponement of studies or examinations shall be one academic year only unless the nature of the case dictates otherwise.

(3) No candidate shall be allowed to proceed to the next academic year unless he or she has passed all modules of the previous academic year.

Conditions for
re-admission

38.-(1) A candidate who is discontinued from studies on academic grounds under these Regulations may be considered for re-admission two years after such discontinuation.

(2) Without prejudice to the provisions of Regulation 27(10) of these Regulations, any candidate who has been discontinued by reason of an examination irregularity not amounting to examination offences may

be considered for re-admission three years after such discontinuation but a candidate who has been discontinued for an examination irregularity amounting to an examination offence shall be readmitted after five years from the date of such disqualification.

Revocation

39. The Institute of Judicial Administration Lushoto (Students Performance Assessment) Regulations, 2006 are hereby revoked.

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SCHEDULE
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(Under Regulation 35(2))
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PROCEDURE IN DETERMINING EXAMINATIONS APPEALS

1. On receipt of an appeal, the Secretary to the Academic Planning and Examinations Committee shall submit the appeal to the Appeals Board, which shall satisfy itself whether the conditions stipulated in Regulation 34 have been fulfilled.
2. After reading through the appellant's grounds of appeal, the Appeals Board may, where it finds that any of the mandatory conditions set out in Regulation 35 was not fulfilled, dismiss the appeal forthwith.
3. The Appeals Board shall have the power to adopt its own procedure to handle a meritorious appeal, to appoint an independent moderator or examiner or to take other steps in this regard as it deems necessary, as the case may be.
4. The Appeals Board shall have the power to require any appellant to bear the cost of any investigation into the matter.
5. The Appeals Board shall reach its decision based upon simple majority of its members but in case of equality of votes the Chairperson shall have the casting vote.
6. The Appeals Board's Chairperson shall send the appeal's results to the Principal who shall declare the results subject to the approval of the Academic Planning and Examinations Committee.

Dated this 17th day of September, 2015

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Chairman of the Council

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Secretary to the Council

I APPROVE

Dar es Salaam,
24/9/2015

ASHA-ROSE MIGIRO,
*Minister of Constitutional
and Legal Affairs*