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TECHNICAL UNIVERSITY OF MOMBASA STUDENTS' ASSOCIATION

TUMSA STALL ALLOCATION POLICY





TECHNICAL UNIVERSITY OF MOMBASA
STUDENT ASSOCIATION

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**TECHNICAL UNIVERSITY OF
MOMBASA STUDENT ASSOCIATION
STALL ALLOCATION POLICY**

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ACRONYMS

TUM Technical University of Mombasa

TUMSA Technical University of Mombasa Student Association

DEFINITIONS

Bonafide Student means a person registered by the University during a current academic year as approved by the University Senate or Academic Board.

University Stakeholder means staff, students and any person with an interest in Technical University of Mombasa.

Student means a registered and bonafide student of Technical University of Mombasa.

Student Council means Technical University of Mombasa Students Association Executive.

University means Technical University of Mombasa.

1.0 INTRODUCTION

The Technical University of Mombasa Student's Association is established under the Universities Act 2012, Section 41 and the Technical University of Mombasa Charter 2013 section 22. The Association is the official voice of the student fraternity and therefore has the mandate to make policies that will aid and guide in the day to day management of student affairs at the University in consultation with the University Administration as prescribed by law.

This policy is guided by the following:

1.1 Vision

A Technical University of Global Excellence in Advancing Knowledge, Science and Technology.

1.2 Mission

To advance knowledge and its practical application through teaching, research and innovation to serve both industry and the community.

1.3 Philosophy

Technical University of Mombasa shall endeavour to offer opportunities for access of commensurate Scientific, Technical, Entrepreneurship and Research skills for Innovation and Creativity to enhance employment opportunities for wealth creation.

1.4 Core Values

The Council, Senate, Management, staff and students of TUM will endeavour to institutionalize and inculcate values fostering a strong corporate culture while

promoting quality service delivery, cohesion in our diverse community and achieving the targeted goals. These will be realized by espousing the following values:

- i) *Excellence.*
- ii) *Integrity and Professionalism.*
- iii) *Equity.*
- iv) *Teamwork.*
- v) *Creativity, innovativeness and environmental sustainability.*

1.5 Motto

Jiddu Tajidu (Endeavor and Achieve)

1.6 Policy Statement

The Technical University of Mombasa Students Association (TUMSA) Shall enact a policy to guide the allocation and management of stalls at the Student Centre. TUMSA recognizes that all students have the equal rights of access to services provided by the Association hence, the adoption of of this policy would ensure fairness in the allocation of the students stalls.

1.7 Guiding Principles

The policy shall be guided by the following principles:

- i) Ensure equity in the allocation of stalls to students;
- ii) Generate income for the Student fraternity through the allocation of stalls;
- iii) Provide opportunities for entrepreneurship to aid in income generation for needy students.

1.8 Policy Objectives

The policy shall be guided by the following objectives:

- i) To create an income-generating organ of the student association.
- ii) To provide opportunities for entrepreneurship to aid in income generation for needy students.
- iii) To ensure equity in the allocation of TUMSA stalls.

1.9 Legal Instruments and Institutional Policies

The following but not limited to, legal instruments and institutional policies shall apply to this policy:

- i) The Constitution of Kenya, 2010;
- ii) The Universities Act, 2012;
- iii) The Technical University of Mombasa Charter, 2013;
- iv) The Technical University of Mombasa Statutes, 2019;
- v) The Technical University of Mombasa Students' Handbook.

1.10 Responsibilities

The TUMSA Chairperson shall be the Accounting Officer and responsible for implementing this policy.

1.11 Policy Scope

The policy applies to all students of the Technical University of Mombasa.

2.0 STALL ALLOCATION POLICY

2.1 Parties

- i) Technical University of Mombasa (TUM) is the landlord with an overriding claim on the stalls. TUM shall delegate to TUMSA the status of Landlord.
- ii) TUMSA as far as this policy is concerned, shall oversee the allocation of the stalls to the students. The students allocated the stalls shall be the tenants. The relationship between TUMSA and the tenants shall be that of landlord and tenant.

2.2 Application, Selection and Allocation Criteria for stalls

The Technical University of Mombasa Student Centre is located at the Main Campus of the University. All stalls within the campus shall be marked and clearly labelled and allocated to bona fide members as follows:

- i) The Student Council shall invite *bona fide* members to apply for stall allocation through a notice given on the 1st Day of every Academic Year which shall be circulated and displayed on all University notice boards;
- ii) The notice period shall be 5 days;
- iii) All applications shall include a business proposal, fee statement, copy of the Student Identity Card, and the National Identity Card;
- iv) All applications shall bear the applicants names and registration number as they appear on the University Admissions Register, and registration only for purposes of the disclosure;

- v) Upon the elapse of the notice period, the Student Council shall meet to review all applications;
- vi) The quorum for this meeting shall be not less than 2/3 membership attendance to review the applications;
- vii) The Dean of Students shall be present during the review to ensure that quorum is met and that there is equity in allocation;
- viii) Priority shall be given to needy students depending on the viability of their Business Proposal;
- ix) The remaining criteria used shall consider gender, regional balance, and viability of the applicant's Business Proposal;
- x) All shortlisted applicants shall be invited for an interview to select successful tenants;
- xi) The Dean of Students or his representative shall Chair the interview panel;
- xii) Successful and unsuccessful applicants shall be notified in writing of the outcome of their application within 7 days of the verdict.

2.3 Tenure of stall Lease Agreements

All stall lease agreements shall be valid for two academic years. In the case of a restaurant, it shall be three academic years non-renewable. This is to allow all students to benefit from the stalls.

2.4 General terms and conditions of the lease of the stalls

- i) The rental terms shall be set annually by the Student Council and shall be payable in advance;
- ii) The Student Council shall terminate any lease should the tenant fail to pay rent for two consecutive months;

- iii) The Tenant shall be required to deposit one month's rent before occupying the premises;
- iv) The lease agreements are non-renewable;
- v) The Student Council members shall not be allocated stalls due to conflict of interest;
- vi) The tenants shall pay their electricity and water bills;
- vii) The premises shall only be utilised for the disclosed business purposes and any unauthorised use shall be in breach of the lease;
- viii) The premises and all fixtures and fittings shall be kept in a good and tenable state of repair;
- ix) Structural alterations or additions to the premises shall not be done without the prior written consent of the Landlord;
- x) The tenant shall be responsible for any damages to the property; and
- xi) All monies paid shall be deposited into the TUMSA Account and receipts forwarded to the Vice Chairperson by the 5th of every month.

2.5 Stall Lease Agreements

- i) All Stall lease agreements shall be signed by the Chairperson of TUMSA, Vice-Chairperson, and the Secretary-General and shall be witnessed by the Dean of Students and the University Legal Officer, for the Students' Council and a registered student or member of the university staff, for the tenant;
- ii) The lease agreements shall be in triplicate.

2.6 Review of Rent and Terms of stall lease agreements

- i) The Students' Council reserves the right to review the rent and any other terms of the Lease Agreement, and where such review shall be deemed necessary; it shall be effected ONLY at the start of every academic year;

2.7 Procedure for settlement of Rent Disputes

- i) Should any tenant feel aggrieved by the decisions of the Student Council, the tenant may write to the Deputy Vice-Chancellor (Academics, Research and Extension) stating the grievance after paying a mandatory fee of Kshs 2500 (Two-Thousand Five Hundred) to TUMSA;
- ii) The DVC (ARE) shall upon receipt of the grievance constitute (where applicable) a committee to assist him in reviewing the grievance and may invite the tenant to make his/her submissions before the committee. The decision of the committee shall be final.

3.0 POLICY IMPLEMENTATION FRAMEWORK

3.1 Enforcement and Monitoring

- i) The TUMSA Chairperson shall be responsible for the enforcement of the policy;
- ii) The University Administration through the Dean of Students shall be responsible for oversight of this policy.

4.0 POLICY REVIEW

This policy shall be reviewed after every five years and/or when circumstances demand.

**THIS STALL ALLOCATION POLICY IS EFFECTIVE FROM THIS 29TH DAY OF
MAY 2020**

**DR. ROBERT ARUNGA
COUNCIL CHAIRPERSON**



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