

THE TANGANYIKA LAW SOCIETY ACT (CAP 307 R.E. 2002)

REGULATIONS

Made under sections 26 and 31(1) (f), (g) and (h)

**THE TANGANYIKA LAW SOCIETY (GENERAL MEETINGS)
REGULATIONS, 2018**

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**PART I
PRELIMINARY**

Citation 1. These Regulations may be cited as the Tanganyika Law Society (General Meetings) Regulations, 2018 and shall be deemed to have come into operation on 1st day of January, 2018.

Interpretation 2. In these Regulations, unless the context otherwise requires-

“Act” means the Tanganyika Law Society Act;

“Advocate” shall have the meaning as defined under the Advocates Act;

“Annual General Meeting” means the Annual General Meeting of the Tanganyika Law Society as provided for under the Act;

“Council” means the Governing Council of the Tanganyika Law Society as defined under section 15 of the Act;

“Disqualified member” means a member who is under disciplinary action or suspended;

“Meeting” means the Ordinary Annual General Meeting, the Half Annual General Meeting, The Extra-Ordinary General Meeting and the Requisitioned General Meeting of the Society;

“Member” means a Tanganyika Law Society member in good standing;

“Member in good standing” means advocate who has paid his TLS membership fees and has renewed his or her practicing licence of a particular year;

“Non practicing member” means any public practitioner or any other person other than an honorary member, who has applied for and has been granted membership of the Tanganyika Law Society;

“Office bearer” includes members of the Council, Elected or appointed Chapter Officers, elected or appointed Committee members, and the Tanganyika Law Society representatives to various bodies;

“Honorary member” means any member elected as such by the Council under section 9 of the Act;

“Honorary Treasurer” means the treasurer of the Society

“President” means the President of the Society;

“Proxy” means a member who has been granted power with other member in good standing to attend and transact any business of the Meeting, save for transactions regulated under Elections Regulations, on his behalf.

“Society” means the Tanganyika Law Society established under section 3 of the Act;

“Secretary” means the Chief Executive Officer of the Society.

“TLS” means Tanganyika Law Society

“Vice President” means the Vice president of the Society

PART II GENERAL MEETING PROCEEDINGS AND DISCIPLINE OF MEMBERS

- Ordinary General Meeting
3. There shall be convened by the Council in every year an Ordinary Annual General Meeting within six weeks after the 31st day of December and an Ordinary Half Annual General Meeting within 30th day of June and may at any time or times, at the discretion of the Council, convene a General Meeting of the Society.
- Extra Ordinary General Meeting
4. Where it deems necessary or expedient in the interest of the Society, the Council may convene an Extra-Ordinary General Meeting of the members at any time in addition to the Annual and Half Annual General Meetings prescribed under Regulation 3.
- Requisitioning General Meeting
- 5.
- (1) Any fifteen members of the Society may at any time requisition a General Meeting by written notice in that behalf signed by them, specifying the object of the proposed meeting, and deposited with the Secretary of the Society.
- (2) The memorandum shall state the date of the proposed meeting not being less than sixty days from the date of the memorandum.
- (3) Upon receipt of the memorandum by the Secretary, the Council shall sit as soon as practicable to consider the memorandum and if satisfied with the need for the meeting shall arrange to convene the meeting requested by members pursuant to this Regulation.
- (4) The Council may refuse to convene the meeting requested under this regulations provided that it avails a sufficient and reasonable grounds for refusal
- (5) If Council fails to convene the Meeting, without availing reasons for refusal for 14 days after receipt of memorandum, the requisitioning members may themselves convene the Meeting to be held anytime within two months after such deposit.

(6) Members shall bear the costs for conducting Requisitioned General Meetings.

Notice of the
General
Meeting

6. Notice of every Meeting shall be made by the Secretariat on the instructions of the Council and shall be communicated to all members of the Society not less than twenty-one days before the date of the Meeting.

Save that a requisitioned meeting shall be notified at least 21 days before the intended date of the meeting.

7.

Proceedings
of the
General
Meeting

(1) Every Meeting of the Society shall be chaired by the President or the Vice President in the absence of the President.

(2) In the event both the President and Vice President are absent in the meeting, the Honorary Treasurer shall act as Chairman pro tempore.

(3) The meeting shall be called to order when the Secretariat announces a quorum of the members present including the proxies if any.

(4) During Meeting, the Chairperson shall have the following powers;

(a) direct and establish the order of debates and speeches,

(b) conclude debates when he/she considers the matter has been discussed sufficiently,

(c) resolve any doubts arising about the agenda or ancillary to the interpretation of the provisions of these regulations, and

(d) generally, exercise all the powers that may be necessary for the orderly proceedings of the Meeting.

Time to attend
and leave to
the Meeting

8.

(1) Members attending the Meeting shall be at the venue of the Meeting at the time indicated in the Notice and Program of the Meeting.

(2) Members attending the General Meeting shall remain at the venue until the Chairperson declares the Meeting closed.

Sanctions for
late
attendance
and early
departure
from the
Meeting

9.

(1) Subject to provision of sub regulation (2), a member who comes late at the Meeting or departs before the closure of the Meeting without justifiable reasons commits misconduct and shall be liable to the following sanctions;

(a) Where the misconduct is committed at first and second instance, the Council shall order reduction, by half, CLE points apportioned for that particular Meeting

(2) Where the misconduct is repeated thrice, the Council shall order deduction of all the apportioned CLE points for that particular Meeting. For the purpose of this regulation, the following shall amount to justifiable reasons;

- (a) Serious sickness
- (b) Bereavement of a family member or close relative
- (c) Force Majure
- (d) Life threatening or other serious emergence

(3) Notwithstanding the provision of regulation 8 and for purpose of these regulations, a member shall be deemed to be late in a Meeting if he enters the venue one hour after the closure of registration; and deemed to depart before the closure of the Meeting if he departs before the Chairperson declares the Meeting closed.

Quorum for
General
Meeting

10. The quorum for the Meeting of the members of the Society shall be 1/3 of members in good standing attending in person or by proxy.

Records of
attendance,
proxies and
Resolutions

11.

- (1) The Secretariat under the guidance of the Council shall issue the agenda and the notice of every meeting, and shall keep proper minutes of all Meetings, and shall maintain a record of the members attending every such meeting, including members attending by proxy.
- (2) There shall be kept by the Secretariat duly dated a memorial of all resolutions of the Meetings of the Society in the form of minutes.
- (3) A proxy shall be submitted on Form TLS No.1 set out in the Schedule.
- (4) A proxy shall be valid if it bears the applicable stamp duty or endorsement and shall be received by the Secretariat at least seven days before the meeting.
- (5) The referred proxy to these regulations shall be a member in good standing.

Voting
during
General
Meeting

12.

- (1) Save for elections conducted under regulations governing TLS elections, any matter which needs to be resolved by the Meeting shall be by casting of votes through either show of hands or by ballot papers.
- (2) Ballot papers for the purpose of this Regulation shall be on Form TLS No. 2 set out in the schedule.
- (3) Following members shall not be allowed to vote during the Meeting
 - (a) Honorary members
 - (b) Disqualified members
- (4) Proxy shall be allowed to vote.

- (5) In the event of an equality of votes the Chairperson shall have a casting vote in addition to his deliberative vote.

13. The main business transacted at a Meeting shall be;

- (1) to confirm and approve minutes of the previous Meeting;
- (2) to receive, discuss and deliberate Matters arising from the minutes of the previous Meeting;
- (3) to review and deliberate on;
- (a) the progress report of the activities of the Council;
 - (b) the financial report of the Society; and
 - (c) any other matter notified to the Secretariat in advance for which advance notice of two weeks has been given and with leave of the Chair.
- (4) to conduct elections of office bearer, if so required.

14.

- (1) Every member in good standing shall attend in person or by proxy every Meeting convened through the Secretariat subject to the provisions herein contained.
- (2) No member shall attend by proxy more than two consecutive general meetings without a justifiable excuse save as permitted under these Regulations.
- (3) Members who have attained the age of sixty years shall be exempted from compulsory attendance of General Meetings of the Society.

15. A member shall be excused from attending a Meeting and entitled to appoint proxy on any of the following grounds;

- (a) serious sickness,
- (b) apology for a reasonable cause notified to the Secretariat at least one week before the Meeting,
- (c) the occurrence of an emergency notified as soon as possible before the meeting, or
- (d) by reason of old age as provided under regulation 14(3).

Provided that suspended members or disqualified members shall not be entitled to appoint proxy.

16.

- (1) Member who has absconded from 4 consecutive Meetings without a justifiable excuse shall not be allowed to renew his membership during the renewal period unless he submits a letter to the Council explaining why disciplinary action should not be taken against him.
- (2) The Council, after receiving the letter submitted under sub-regulation (1), may do either of the following;
- (a) give a written warning to a member, or

(b) order the member to be suspended for a period not exceeding four months,
or

(c) recommend disciplinary action by the Advocates Committee under the provisions of the Advocates Act;

Provided that the Council shall afford an opportunity to the member to be heard before ordering suspension or recommend disciplinary action by Advocates Committee

(3) A report of the sanctions or other disciplinary steps taken against the member under sub-regulation (1) of this regulation shall be tabled before the subsequent Meeting of the Society for information.

17.

Review on
sanctions

(1) Any member aggrieved by the penalty imposed on him under these Regulations may apply for a review to the Council within thirty days of the verdict complained of.

(2) The application shall state in concise the grounds thereof.

(3) The panel for reviewing a penalty meted out under these Regulations shall consist of three members of the Council.

(4) The Council shall give out the verdict of the review within 30 days after receipt of the application.

(5) The decision made under sub regulation (3) shall be final.

Repeal

18. The Tanganyika Law Society (General Meetings) Regulations, 2008 are hereby repealed.

SCHEDULE

TANGANYIKA LAW SOCIETY (GENERAL MEETINGS) REGULATIONS, 2018

PROXY FORM

(Made under Regulation 11(3), 15)

I..... Roll No.of Post Office Box.....
being a member in good standing of the Tanganyika Law Society due to do hereby
appoints Mr/Miss/Mrs..... Roll No.....of Post Office
Box..... as my proxy to vote for me on my behalf on any matter that requires voting,
and where required, to vote for me on my behalf on elections which regulated by the Tanganyika
Law Society Elections Regulations , at the Annual/Half Annual/Extra-Ordinary/Requisitioned
General Meeting of the Society to be held on theday of....., 20..... and at any
adjournment thereof.

Signed this.....day of.....20.....

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TANGANYIKA LAW SOCIETY (GENERAL MEETINGS) REGULATIONS, 2018

BALLOT PAPER

(Made under Regulation 12)

VOTING AGENDA:	
Please put a tick (√) in the box next to your choice	
YES	
NO	

**Dar es Salaam,
07th April, 2018**

.....
**Godwin Simba Ngwilimi,
Vice President
Tanganyika Law Society**