

TANGANYIKA LAW SOCIETY (ELECTIONS) GUIDELINES, 2020

Made under Section 4 (i) of the TLS Act Cap 307

These Guidelines cover election of various positions and procedures for elections which are not provided for under the Tanganyika Law Society (Elections) Regulations GN 116 of 2018. For matters that are not covered under these Guidelines, the Nomination Committee shall be guided by the Tanganyika Law Society (Elections) Regulations, GN 116 of 2018 as far as they are not inconsistent with the Tanganyika Law Society Act Cap 307 as amended.

Interpretation:

In these guidelines, unless the context otherwise requires;

“Act” means Tanganyika Law Society Act;

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

“Committee” means the Nomination Committee of the Tanganyika Law Society;

“Office bearer” includes members of the Council, elected and appointed Chapter leaders and Chapters’ AGM representatives, elected and appointed Zonal leaders, members of Zonal Executive Committee and Zones’ AGM representatives, elected and appointed Committee members, elected or appointed chairperson of the committees and the Tanganyika Law Society representatives in various bodies;

“Zone” means Zone as established by Tanganyika Law Society pursuant to Section 17A of the TLS Act as amended by Act No 1 of 2020;

“Zonal Executive Committee” means the Governing Board of the Zone chaired by the Zonal Leader; and

“Zonal Leader” means the head of the Zone and the Council member of the Tanganyika Law Society as provided for under the Act.

Elections of 8 Members of the Council:

1. Every member has a right to vote for the President, Vice President, Honorary Treasurer and Young Lawyer representative in the Council during the Society General Elections conducted at the General Meeting.
2. Every member of the Society residing in the Society’s Zone has a right to vote for a Zonal leader of a respective zone during the Society’s General Election conducted during the General Meeting of the Society.

3. Qualifications for Zonal leaders

A member shall be eligible to be elected or nominated as a Zonal leader of the Society if that member:

- a) at the time of submission of a nomination form, is an active member of the Society;
- b) has an established office in the said Zone;
- c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations in force at the time of submission of nomination form;
- d) is of good moral and ethical standing;
- e) is of sound mind;
- f) is not a public servant, a member of Parliament, a Ward counselor or holding a leadership position in a registered political party;
- g) has been practicing as an advocate for a period of not less than five years; and
- h) has served as a member of the Council or any other leadership position of the Society or serving in a senior position in any other organization.

4. (1) Qualifications for Representative of Young Lawyers Association

A member shall be eligible to be elected or nominated as a Representative from Young Lawyer Association of the Society if that member:

- a) at the time of submission of a nomination form, is a young lawyer of not more than 35 years of age and has practiced for a period of less than 5 years and an active member of the Society;
- b) has attained the required minimum number of points as required by the Continuing Legal Education Regulations in force at the time of submission of nomination form;
- c) is of good moral and ethical standing;
- d) is of sound mind;
- e) is not a public servant, a member of Parliament, a Ward counselor or holding a leadership position in a registered political party; and
- f) has served in any leadership position of the Society.

(2) Young lawyers under this guideline means “a member who has practiced for a period of less than five years and is below the age of 35 years”

Elections of Four AGM representatives from Chapters:

- 5. Every member of each chapter shall have a right to vote for four AGM representatives in elections conducted in their respective chapters.

6. Qualifications of members elected as AGM representative from chapters:

- (1) Every chapter shall send one member from the following groups to the Annual General Meeting as Chapter Representatives;
 - a) Young Lawyer;
 - b) Female Lawyer;
 - c) Senior Lawyer; and
 - d) Person with disabilities.

- (2) A member shall be eligible to be elected or nominated as a chapter representative at the Annual General Meeting of the Society if that member:
 - i. for Young Lawyers group; has practiced for a period of less than five years and is below the age of 35 years;
 - ii. for Female Lawyers group; is a female lawyer who has practiced for not less than 5 years. Provided that, in the event the chapter has no female lawyer with such qualification, Nomination committee shall have discretion to allow a female member with less than 5 years of practice to contest for such position;
 - iii. for Senior Lawyers group; has 60 years of age and above. Provided that, in the event the chapter has no senior lawyer with such qualification, Nomination committee shall have discretion to allow a member with less than 60 years to contest for such position; and
 - iv. for Person with disabilities; is a person with disability recognized by the Society Committee on members with disability.

Elections of the Zonal Executive Committee:

7. Zonal Executive Committee shall consist of:
 - a) the Zonal leader who shall be the chairperson,
 - b) all Chapter conveners of a respective Zone, and
 - c) one member from each chapter in the respective zone

8. Member of the Executive Committee referred under para 7(c) of these Guidelines shall be elected from members of chapters in a respective zone during Society general elections conducted at the General meeting of the respective chapter.

9. Qualifications of 3 members of the Zonal Executive Committee:

A member shall be eligible to be elected or nominated as a member of the Zonal Executive Committee other than zonal leader and chapter convener, if that member:

- a) at the time of submission of a nomination form, is an active member of the Society;
- b) has an established office in the said Zone;
- c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations in force at the time of submission of nomination form;
- d) is of good moral and ethical standing;
- e) is of sound mind;
- f) is not a public servant, a member of Parliament, a Ward counselor or holding a leadership position in a registered political party;
- g) has been practicing as an Advocate for a period of not less than five years; and
- h) has served as a member of the Council or any other leadership position of the society or serving in a senior position in any other organization.

Elections of 2 AGM representatives from the Zone:

- 10. Every Zone shall send two members to the Annual General Meeting of the Society as Zonal representatives
- 11. Every member of a respective zone shall have a right to vote for the two AGM representatives during elections conducted in their respective Zonal Annual General Meeting
- 12. Qualifications of two members elected as AGM representative from a respective Zone:
A member shall be eligible to be elected or nominated as a zone representative at the Annual General Meeting of the Society if that member:
 - a) at the time of submission of a nomination form, is an active member of the Society;
 - b) has an established office in the said Zone;
 - c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations in force at the time of submission of nomination form;
 - d) is of good moral and ethical standing;
 - e) is of sound mind;
 - f) is not a public servant, a member of Parliament, a Ward counselor or holding a leadership position in a registered political party; and
 - g) has been practicing as an advocate for a period of not less than five years.

Procedure for Nomination:

13. In addition to the procedures provided under Elections Regulations GN 116 of 2018, the Nomination Committee shall ensure adherence to the following Procedures:
 - (a) Nomination shall be in writing, as prescribed in the Nomination Form, signed by the nominator and nominee and seconded by at least 3 members for the position of zonal leader, young lawyer representative from young lawyer association, 4 chapter representatives, and two zonal representatives to the AGM
 - (b) The Nomination for zonal officers shall specify the zone for which the candidate is nominated and in each case, the candidate and all members who have signed the nomination form shall either be residing, practicing, or employed in the zone
 - (c) The Nomination for Chapter officers shall specify the chapter for which the candidate is nominated and in each case, the candidate and all members who have signed the nomination form shall either be residing, practicing, or employed in the said chapter

Procedure for Elections

14. Every member of the Society in good standing has a right to vote for zonal leaders during the Society General Elections conducted during the General Meeting
15. Every member of the society in good standing has a right to vote in Chapter's and Zone's elections for which the member resides at the respective Chapter or Zone or during the Society's General Meeting as the case may be.
16. Voting for Council members, Zones and Chapters office bearers shall be by secret ballot or electronically provided that the nomination committee shall have discretion to determine the manner of the voting process.
17. Elections of Zones' office bearers
 - (1) Every member of each Zone is eligible to vote for the zonal office bearers, save for zonal leaders, in their respective zone during elections conducted in their respective zone or during the Society General Meeting.
 - (2) A member who is in the record of the Zone and whose name is listed in the voters' list is eligible to vote.
 - (3) A member referred to in this guideline shall cast only one vote for a particular candidate.
 - (4) A candidate with the highest number of votes for a particular position of a zone, shall be elected in such position.

18. (1) Chairperson of the Nomination Committee shall be the Returning Officer of the Society General Elections,
 2. The Governing Council may appoint Assistant Returning Officers to assist the Nomination Committee to oversee the TLS Elections.
19. Returning officer of chapters' and zone's election shall record and sign elections results, in a prescribed form and submit the same to the Chairperson of the Nomination Committee for Committee compilation of General Election results
20. Chairperson of the Nomination Committee shall be required to record the compiled elections results and announce the Society General Elections results at the General Meeting.
21. The elected members of the Council, chapter office bearers and zonal office bearers elected during chapters' and zone's elections shall be sworn in at the Annual General Meeting by the most senior counsel present at the Annual General Meeting.

Elections Forms:

FORM No. TLS-E.1

NOMINATION FORM FOR ELECTION OF COUNCIL MEMBERS

I, (Male/Female), aged....., Roll no., being a member of the Society residing in zone, hereby nominate myself /(Male/Female) aged....., Roll no.....residing in* for the post of (President/ Vice President/ Treasurer/ Young Lawyer representative /zonal leader for.....zone) for the year

.....
NOMINATOR

.....
NOMINEE

Date:.....

Date:.....

Secoded by;

1..... Roll no. Signature:Date :

2..... Roll no. Signature:Date :

3..... Roll no. Signature: Date:

4..... Roll no. Signature: Date :

5..... Roll no. Signature: Date :

NOMINEE'S DECLARATION

Ido hereby declare that I am neither a public servant, a Member of Parliament, a Ward Councilor nor a member holding a leadership position in any of a registered political parties as provided by section 15(1)(2)(3)(4) of the TLS Act, Cap 307 as amended.

I hereby further declare that this information is true and I shall be held accountable in case the said information is false

Nominee's Signature:

Date:

*Delete whichever is inapplicable

FORM No. TLS-E.2

NOMINATION FORM FOR ELECTION OF ZONAL OFFICE BEARERS

I, (Male/Female), aged....., Roll no., being a member of the Society residing in zone, hereby nominate myself /(Male/Female) aged....., Roll no.....residing in* to the post of (Zonal Executive Committee members/Zone AGM representatives) of Zone for the year.....

.....
NOMINATOR

.....
NOMINEE

Date:.....

Date:.....

Seconded by;

1..... Roll no. Signature:Date :

2..... Roll no.Signature:Date :

3 Roll no.Signature:Date :

NOMINEE'S DECLARATION

I Do hereby declare that I am neither a public servant, a Member of Parliament, a Ward Councilor nor a member holding a leadership position in any of the registered political parties.

I hereby further declare that this information is true and I shall be held accountable in case the said information is false.

Nominee's Signature:

Date:

*Delete whichever is inapplicable

FORM No.TLS-E.3

NOMINATION FORM FOR CHAPTER OFFICE BEARERS

I, (Male/Female), aged....., Roll No., being a member of the Society residing in Chapter, hereby nominate myself /(Male/Female) aged....., Roll no.....residing in chapter* to the post of (Chapter Convener/Vice Chapter Convener / Chapter Treasurer/AGM Chapter Representative representing young lawyers/female lawyers/senior lawyers/members with disability) of Chapter for the year.....

.....
NOMINATOR

Date:.....

.....
NOMINEE

Date:.....

Seconded by;

- 1..... Roll no. Signature: Date :
- 2..... Roll no. Signature: Date :
- 3..... Roll no. Signature: Date :

NOMINEE'S DECLARATION

I I do hereby declare that I am neither a public servant, a Member of Parliament, a Ward Councilor nor a member holding a leadership position in any of the registered political parties.

I hereby further declare that this information is true and I shall be held accountable in case the said information is false.

Nominee's Signature:

Date:

*Delete whichever is inapplicable

FORM No.TLS-E.4

NOMINATION FORM FOR OTHER POSITIONS

Chairperson of the Ethics Committee / TLS Representative in the Advocates Committee / TLS Representative in the Council for Legal Education)

I, (Male/Female), aged....., Roll no., being a member of the Society residing in Chapter, hereby nominate myself /(Male/Female) aged....., Roll no.....residing in chapter* for the post offor the year

.....
NOMINATOR

.....
NOMINEE

Date:.....

Date:.....

Seconded by;

1..... Roll no. Signature: Date :

2..... Roll no. Signature: Date :

NOMINEE'S DECLARATION

I Do hereby declare that I am neither a public servant, a Member of Parliament, a Ward Councilor nor a member holding a leadership position in any of the registered political parties.

I hereby further declare that this information is true and I shall be held accountable in case the said information is false.

Nominee's Signature:

Date:

*Delete whichever is inapplicable

FORM No.TLS-E.5

ELECTION RESULTS FORM

POSITION	NAMES OF CANDIDATES	NUMBER OF VOTES			CANDIDATE NAME AND SIGNATURE	AGENT AND SIGNATURE
		YES	NO	SPOILT		
PRESIDENT						
VICE PRESIDENT						
HONORARY TREASURER						
YOUNG LAWYER REPRESENTATIVE						
ZONAL LEADER						

MEMBERS OF THE ZONAL EXECUTIVE COMMITTEE					
ZONES REPRESENTATIVES AT THE AGM					
CHAPTER CONVENOR					
VICE CHAPTER CONVERNOR					
CHAPTER TREASURER					
CHAPTER REPRESENTATIVES AT THE AGM					
CHAIRPERSON OF THE ETHICS COMMITTEE					
TLS REPRESENTATIVE IN THE ADVOCATE COMMITTEE					

TLS REPRESENTATIVE IN THE COUNCIL FOR LEGAL DUCATION					
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I, the Returning Officer of
 General /Zone/chapter* hereby confirm that the above results for elections conducted on
 At General /zone/chapter* are correct.

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RETURNING OFFICER

Guidelines made by the Governing Council, this 13th day of March, 2020.



**Dr. Rugemeleza Nshala
 PRESIDENT,
 TANGANYIKA LAW SOCIETY.**