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THE TANGANYIKA LAW SOCIETY ACT,
(CAP. 307)

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REGULATIONS
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(Made under section 31)
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THE TANGANYIKA LAW SOCIETY (ELECTIONS) REGULATIONS, 2020

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THE TANGANYIKA LAW SOCIETY ACT,
(CAP. 307)

REGULATIONS

(Made under section 31)

THE TANGANYIKA LAW SOCIETY (ELECTIONS) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Tanganyika Law Society (Elections) Regulations, 2020.
- Interpretation 2. In these Regulations, unless the context otherwise requires-
- Cap 307 “Act” means the Tanganyika Law Society Act;
“Annual General Meeting” or “AGM” means the Annual General Meeting of the Society as provided for under the Act;
“Annual Meeting of the Chapter” means the Annual Meeting of members of the Chapter as provided under the Tanganyika Law Society (Chapter and Chapter Zone) Regulations;
“Annual Meeting of the Chapter Zone” means the Annual Meeting of members of the Chapter Zone as provided under the Tanganyika Law Society (Chapter and Chapter Zone) Regulations;
“Annual Meeting of the Association of the Young Lawyers” means the Annual Meeting of the young lawyers of the Society as provided under the Tanganyika Law Society (Association of Young Lawyers) Regulations;
“annual period” means the period as provided for under the Act;

“Assistant Returning Officer” means an officer assisting the Returning Officer to supervise the elections process of the Society, Chapter Zone, Chapter or AYL as the case may be;

“Association of Young Lawyers” or “AYL” means an Association of young lawyers as provided for under the Act;

“AYL Chairperson” means the head of the AYL who is a member of the Council of the Society as provided under the Act;

“AYL Executive Committee” means the Committee as provided under the Tanganyika Law Society (Association of Young Lawyers) Regulations;

“ballot” means an election procedure in which the vote is conducted by way of a written ballot or electronic;

“Chairperson” means the Chairperson of the Electoral Committee;

“Chapter” means a Chapter established by the Society as per the Act;

“Chapter Zone” means a Chapter Zone as established by the Society as per the Act;

“Chapter Convener” means the head of a Tanganyika Law Society Chapter;

“Chapter Executive Committee” means the Committee as provided under the Tanganyika Law Society (Chapter and Chapter Zone) Regulations;

“Committee” means the Electoral Committee of the Society;

“Council” means the Council of the Society as provided for under the Act;

“Executive Director” means an employee of the Society who is the head of the Secretariat;

“General Meeting of the Society” means the Meeting of all members of the Society as provided for under the Act;

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

“member” means a member of the Society in good standing;

“member in good standing” means a member who has

renewed membership by complying with requisite conditions for renewal of membership of a particular year and who has not been suspended on any disciplinary matter;

“non-practicing member” means a member other than an honorary member, who has applied for and has been granted membership of the Society;

“Office bearer” includes members of the Council; members of the Chapter Executive Committee, elected and appointed Chapter leaders and Chapters’ AGM representatives; members of the AYL Executive Committee; Zonal leader, members of Zonal Executive Committee and Chapter Zones’ AGM representatives; elected and appointed Committees’ members; National Ethics Chairperson, Trustees of the DATF and Wakili Trust; Directors of the TIAC Board and the Society’s representatives in various bodies;

“practising member” means an advocate who has a practising certificate as stipulated under the Act;

“President” means the President of the Society;

“Returning Officer” means an officer presiding over the elections process of the Society, Chapter Zone, Chapter or AYL as the case may be;

“Society” means the Tanganyika Law Society established under the Act;

“Treasurer” means the Treasurer of the Society;

“Vice-President” means the Vice-President of the Society;

“years of practice” means the period during which an advocate is in practice as a private or public practitioner, or a judicial officer from the date of admission on the Roll of Advocates;;

“young lawyer” means a member of the Society as provided for under the Tanganyika Law Society (Association of the Young Lawyers) Regulations;

“Zonal Executive Committee” means the Committee as established under the Tanganyika Law Society (Chapter and Chapter Zone) Regulations; and

“Zonal leader” means the head of the Chapter Zone who is a Council member of the Society.

PART II
ELECTORAL COMMITTEE

Establishment of
Electoral
Committee

3.-(1) There shall be established an Electoral Committee by the Council of the Tanganyika Law Society.

(2) The Council shall appoint members of the Electoral Committee within six weeks before the General Meeting or at any other time as may be determined by the Council.

Composition of
Electoral
Committee

4.-(1) The Electoral Committee shall consist of-

- (a) the Chairperson who shall be a member in good standing and a past President who is not contesting for any post and who has been in practice for ten years or more;
- (b) the Vice Chairperson who is a retired judge and a member of the Society in good standing;
- (c) the Chairperson of the Ethics Committee of the Society;
- (d) a senior member of the Society in good standing, who has been in practice for twenty years or more; and
- (e) a past Chapter Convener who is a member in good standing.

(2) The Chairperson of the Electoral Committee shall be the Returning Officer in the Society General Elections.

(3) In the absence of the Chairperson, the Vice Chairperson shall be the Returning Officer.

(4) In the absence of both the Chairperson and Vice Chairperson, the most senior member of the Committee shall act as the Returning Officer.

(5) The Council may appoint Assistant Returning Officers for purposes of the Society General Elections.

Functions and
powers of
Electoral
Committee

5. The Electoral Committee shall have the following powers and functions:

- (a) to ensure that qualified candidates for all

elective positions comply with all requirements of these Regulations regarding experience, geographic distribution, gender balance, and age by considering the best interest of the Society;

- (b) to prepare a report on the nominations and vetting process;
- (c) to organise and conduct elections by supervising and overseeing Society elections including Society General elections, Chapter Zone elections, Chapter elections and AYL elections with assistance of the Assistant Returning Officers, TLS staff responsible for elections, Chapter conveners and Chapter Coordinator;
- (d) to hear and determine objections on the vetting, election process, and election results; and
- (e) to prepare a report on Society General Elections and give recommendations on the Elections.

Position for
members of
Council

6.-(1) Subject to the provisions of the Act and these Regulations, the positions for elected members of the Council shall consist of:

- (a) the President;
 - (b) the Vice President;
 - (c) the Honorary Treasurer; and
 - (d) the eight council members.
- (2) The eight council members shall include:
- (a) seven zonal leaders; and
 - (b) the Chairperson of the Association of Young Lawyers.

Position for
Chapter Zone
Office bearers

7.-(1) Subject to the provisions of the Act and these Regulations, the positions for elected Chapter Zone office bearers shall consist of-

- (a) the Zonal leader;
 - (b) the Zonal Executive Committee members; and
 - (c) two Chapter Zone AGM representatives.
- (2) Zonal Executive Committee members shall

consist of:

- (a) The Zonal leader who shall be the Chairperson;
- (b) all Chapter conveners in the Chapter Zone;
- (c) one senior member representative in the Chapter Zone;
- (d) one young lawyer representative in the Chapter Zone who is a member of the AYL Executive Committee;
- (e) one female member representative in the Chapter Zone; and
- (f) one member with disability representative in the Chapter Zone, if any.

Position for
Chapter office
bearers

8.-(1) Subject to the provisions of the Act and these Regulations, the positions for elected Chapter office bearers shall consist of-

- (a) the Chapter Convener;
- (b) the Vice Chapter Convener;
- (c) the Chapter Treasurer;
- (d) the Chapter Executive Committee members; and
- (e) four Chapter representatives at the AGM.

(2) Chapter Executive Committee members shall consist of

- (a) the Chapter Convener who shall be the Chairperson;
- (b) Vice Chapter Convener;
- (c) Chapter Treasurer;
- (d) Chairperson of the Chapter Ethics Committee;
- (e) Chairperson of the Chapter Pro bono Committee;
- (f) Chairperson of the Chapter Continuing Legal Education Committee;
- (g) Chairperson of the Members' Welfare Committee; and
- (h) one member appointed from amongst members of the Chapters.

(3) Chapter representatives at the AGM shall be elected from the following groups:

- (a) young lawyers;

- (b) female lawyers;
- (c) senior lawyers; and
- (d) members with disability.

Position for
AYL office
bearers

9.-(1) Subject to the provisions of the Act and these Regulations, the positions for the elected Association of Young Lawyers office bearers shall consist of-

- (a) a representative of the AYL in the Council who is the Chairperson of the AYL Executive Committee; and
- (b) members of the AYL Executive Committee.

(2) Members of the AYL Executive Committee shall consist of:

- (a) the Chairperson;
- (b) the Vice Chairperson;
- (c) the Secretary; and
- (d) a young lawyer representative from each chapter zone, who is a member of the Zonal Executive Committee.

Qualifications
for President
Position

10. A member shall be eligible for nomination or election as the President of the Society if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society;
- (b) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and
- (f) has been practising as an advocate for a period of not less than ten years and has served as a member of the Council or he is serving or has served in a senior position in any other

organisation in the legal profession.

Qualifications
for Vice
President
position

11. A member shall be eligible for nomination or election as the Vice President of the Society if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society;
- (b) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and
- (f) has been practising as an advocate for a period of not less than ten years and has served as a member of the Council, or he is serving or has served in a senior position in any other organisation in the legal profession.

Qualifications
for Honorary
Treasurer
Position

12.-(1) A member shall be eligible for nomination or election as the Honorary Treasurer of the Society if that member-

- (a) at the time of submission of a nomination form, is a member in good standing of the Society ;
- (b) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and

(f) has experience in financial management for a period of not less than five years.

(2) Possession of a certificate of practice as a certified public accountant or CPA shall be an added advantage.

Qualifications
for zonal leader
position

13.-(1) A member shall be eligible for nomination or election as the zonal leader of the Society if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society ;
- (b) has been registered in any Chapter within a respective Chapter Zone;
- (c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and
- (g) has been practising as an advocate for a period of not less than seven years and has served in any committee or leadership position of the Society or has served in a senior position in any other organization in the legal profession;

(2) Notwithstanding the provisions of subregulation (1), where a Zone does not have a candidate who meets the qualifications specified in subregulation (1)(g) the Electoral Committee may give directions as it deems proper.

Qualifications
for
Representative
of AYL in
Council

14. A member shall be eligible for nomination or election as the representative of the Association of Young Lawyers in the Council if that member:

- (a) at the time of submission of the nomination form, is a member in good standing of the Association of Young Lawyers;
- (b) has thirty five years of age or below or has been practising for not less than two years but not more than five years;
- (c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations at the time of submission of nomination form;
- (d) is of good moral and ethical standing;
- (e) is of sound mind; and
- (f) is not a public servant, a Member of Parliament, a ward councilor or holding a leadership position in a registered political party.

Qualifications
for Chapter
Zone office
bearers

15.-(1) A member shall be eligible for nomination or election 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 a member in good standing of the Society;
- (b) has been registered in any Chapter within a respective Chapter Zone;
- (c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations at the time of submission of the 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 councilor or holding a leadership position in a registered political party;
- (g) has served in any Committee or leadership position of the Society or serving in a senior position in any other organisation in the legal profession;

- (h) in the case of senior member representative, is a member who has practised for not less than ten years;
- (i) for female member representative, is a female lawyer;
- (j) in the case of young lawyers representative, has thirty-five years of age or below or has been practising for a period of not less than two years but not more than five years; and
- (k) in the case of member with disability, is a member with disability recognised by the Society Committee on members with disability.

(2) Notwithstanding the provisions of subregulation (1), where a Chapter Zone does not have a senior member, young lawyer, female member or member with disability with the qualifications mentioned under subregulation (1)(h)(i)(j) and (k), the Electoral Committee may give directions as it deems proper.

(3) A member shall be eligible for nomination or election as the AGM representative from the Chapter Zone if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society ;
- (b) has been registered in any Chapter within the respective Chapter Zone;
- (c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and
- (g) has been practising as an advocate for a period of not less than five years.

Qualifications
for Chapter
office bearers

16. A member shall be eligible for nomination or election as the Chapter Convener, Vice Chapter Convener, Chapter Treasurer or other member of the Chapter Executive Committee if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society;
 - (b) has a place of business and has been registered in the respective Chapter;
 - (c) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and
 - (g) has been practising as an advocate for a period of not less than five years and he is serving or has served in a senior position in any other organisation in the legal profession.
- (h) for Chapter Treasurer, has demonstrated experience in financial management.

(2) Notwithstanding subregulation (1)(g), the Committee shall not be precluded from nominating members with less than five years of practise but not less than three years if it deems necessary to do so.

(3) A member shall be eligible for nomination or election as a Chapter Representative at the AGM if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society ;
- (b) has been registered in the respective Chapter provided that such member has not been registered in more than one Chapter;
- (c) has attained the required minimum number of points as required by the Continuing Legal

- Education Regulations 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 councilor or holding a leadership position in a registered political party;
 - (g) in the case of senior member representative, is a member who has practised for ten years or above;
 - (h) in the case of a female member representative, is a female lawyer;
 - (i) in the case of young lawyers representative, has thirty five years of age or below or has been practising for a period of not less than two years but not exceeding five years; and
 - (j) in the case of a member with disability, is a member with disability recognised by the Society Committee on members with disability.

(4) In the event that the Chapter has no senior member, young lawyer, female member or member with disability with the qualifications mentioned under subregulation (3)(g), (h), (i) and (j), the Electoral Committee shall have discretion to decide on the way forward.

Qualifications
for AYL office
bearers

17. A member shall be eligible for nomination or election as a member of the Association of Young Lawyers Executive Committee if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Association of Young Lawyers ;
- (b) has thirty five years of age or below or has been practising for a period of not less than two years but not exceeding five years;
- (c) has attained the required minimum number of points as prescribed by the Continuing Legal Education Regulations at the time of

- submission of nomination form;
- (d) is of good moral and ethical standing;
- (e) is of sound mind; and
- (f) is not a public servant, a Member of Parliament, a ward councilor or holding a leadership position in a registered political party.

Qualifications
for other
positions

18.-(1) A member shall be eligible for nomination or election as the National Chairperson of the Ethics Committee, Society representative in the Advocates Committee, Society representatives in the Council for Legal Education, Trustees of the DATF, Trustees of the Wakili Trust, or Director of the TIAC Board if that member:

- (a) at the time of submission of a nomination form, is a member in good standing of the Society;
- (b) has attained the required minimum number of points as required by the Continuing Legal Education Regulations 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 councilor or holding a leadership position in a registered political party; and
- (f) has been practising as an advocate for a period of not less than ten years.

(2) The Society representatives in the Council for Legal Education shall be two in number and shall hold the office for three years and shall be eligible for re-election for one further term.

(3) The National Chairperson of the Ethics Committee shall hold office for three years and shall be eligible for re-election for one further term.

(4) The Society representatives in the Advocates Committee shall be nominated by the Council as provided under the Act and shall hold office for three years and

shall be eligible for re-election for one further term.

(5) The Committee shall have power to call for nomination, set qualifications and conduct elections of any other position in the Society or affiliate institution or organisation that is not specifically provided for in these Regulations.

PART IV NOMINATIONS

Right of
nomination

19. Any member in good standing may nominate him or herself where such member meets the qualifications criteria set out in these Regulations or nominate a member of the Society to be elected as office bearer of the Society by submitting to the Society Secretariat a nomination form, as provided in the Schedule to these Regulations.

Right of
members to be
elected

20. Subject to the provisions of these Regulations, every member of the Society who has the rights and privileges of membership shall be eligible for election to any post in the Society in accordance with these Regulations.

Procedure for
nominations

21. The Electoral Committee shall ensure adherence to the following procedures:

- (a) to issue notice to all members and the public through widely circulating newspapers or media that the nominations are open to all elected positions for the ensuing year;
- (b) the notice referred to under paragraph (a) shall be issued two months before the date of the elections;
- (c) all nominations shall be submitted to the Society Secretariat not later than three weeks from the date of the notice;
- (d) nominations shall be in writing as prescribed in the Schedule to these Regulations, signed by the nominator and nominee and seconded by at least five members for the President, Vice

- President, Honorary Treasurer; Zonal leader and Young lawyers representative in the Council; three members for Chapter Zone, Chapter and AYL office bearers and three members for other posts;
- (e) in case the nominator has nominated himself or herself, the form shall be signed by him or her and seconded by at least five members for the President, Vice President, Honorary Treasurer, Zonal leader and Young lawyers' representative in the Council, three members for Chapter Zone, Chapter and AYL office bearers and three members for other posts;
 - (f) the nominations shall specify the position for which the candidate is contesting;
 - (g) nominations for a Chapter Zone Office bearer shall specify the Chapter Zone for which the candidate is nominated and in each case, the candidate and all members who have signed the nomination form shall be members registered in any Chapter within the respective Zone;
 - (h) nomination for Chapter office bearer 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 be members registered in the respective Chapter;
 - (i) ensure that there is a sufficient number of candidates nominated to run for every electable vacant position;
 - (j) may extend the deadline for receipt of the nominations but such extension shall not exceed seven days;
 - (k) where the number of nominated candidates is insufficient after the lapse of the deadline for which nominations may be received, the Electoral Committee shall seek authorization from the Council to nominate any additional candidate;

- (l) gender balance while nominating candidates and taking into account the best interest of the Society;
- (m) preparing a list of nominated candidates for each elected positions and delivering the list to the Council; and
- (n) making any other procedure as the Committee may deem necessary for the best interest of the Society.

Electronic filing of nomination form

22. Nomination forms may be submitted by means of electronic communication provided that the hard copy of the original form is delivered to the Chairperson and the Secretariat within fourteen days after the lapse of the deadline for receipt of the nominations.

Submission of nomination forms to Committee by Secretariat

23. All nomination forms received by the Secretariat shall be submitted to the Committee within three days after the lapse of the deadline for receiving nominations.

Committee to publish names of nominees

24. The Chairperson of the Electoral Committee shall cause to be sent to every member of the Society the names of all members who have been nominated and the positions for which they are nominated.

Vetting process

25. The Electoral Committee shall conduct a vetting process to determine eligibility of members nominated in all the positions.

Committee to publish names of qualified candidates

26. The Chairperson of the Electoral Committee shall, immediately after completion of the vetting process, cause to be sent to every member of the Society the names of all candidates eligible to vie for elections and the positions for which they are seeking for elections.

Objections and appeals against vetting process

27.-(1) A candidate or member who is not satisfied with the vetting process may apply for review to the Electoral Committee through the Society Secretariat explaining the grounds for review with sufficient proof

within three days from the day the vetting results are announced by the Electoral Committee.

(2) Every application for review made shall be in writing and shall be submitted to the Secretariat.

(3) Upon receipt of the application for review, the Committee shall summon the applicant for hearing and determination of his or her application within seven days.

(4) The hearing referred to under subregulation (3) may be conducted physically or electronically.

(5) The decision of the Committee under this regulation shall be final and conclusive.

PART V PROCEDURE FOR ELECTIONS

Elections
procedure

28. The Electoral Committee shall conduct an election where it is satisfied that there are candidates to vie for vacant positions.

Campaign by
candidates

29.-(1) Prior to an election conducted under these Regulations, candidates shall be allowed to conduct campaigns for the position they are vying for.

(2) Subject to these regulations, candidates and their supporters shall not, during campaign and on election day, conduct themselves as members of any registered political party.

(3) The Electoral Committee shall ensure that:

(a) campaigning time is announced according to the timing schedule planned by the Electoral Committee;

(b) all candidates are provided with equal opportunity to campaign and post information about their candidature on the Society's website and other communication platform of the Society;

(c) the Secretariat is neutral throughout the elections and any member of the staff does not take sides during the campaigns;

(d) candidates and their supporters do not conduct themselves in a manner contrary to the code of

conduct governing advocates and the legal profession generally including use of violence, bad language or any other conduct that may harm their own standing or personality of other candidates; and

(e) candidates observe the schedule set by the Committee for campaigning.

(3) Subject to the provisions of these Regulations, the Electoral Committee may disqualify any candidate who violates the provisions of these Regulations.

(4) Final campaigning shall be conducted on the day preceding the elections:

Provided that, the Committee may decide otherwise on the deadline for the final campaigning depending on the circumstances.

(5) The Electoral Committee shall, before disqualifying any candidate, give such candidate the right to be heard.

(6) The decision of the Committee to disqualify a candidate shall be final.

Right to vote
and be voted

30.-(1) Every member of the Society in good standing has a right to vote for the President, Vice President, and Honorary Treasurer during the Society General Elections conducted at the General Meeting of the Society.

(2) Every member of the Society residing in any Chapter within a respective Chapter Zone has a right to vote for office bearers of the said Chapter zone during the Society General Election conducted at the Chapter Zone Annual Meeting.

(3) Every member of the Society registered in a respective Chapter has a right to vote for office bearers of the said Chapter during the Society General Election conducted at the Chapter Annual Meeting.

(4) Every member of the Association of Young Lawyers has a right to vote for the office bearers of the AYL during the Society General Elections conducted at the Annual Meeting of the AYL.

(5) Every member of the Society in good standing

who has been vetted and qualified for elections shall be entitled to be voted in the election.

Voters list

31.-(1) The Council shall, in every year of election, prepare a list of members who are eligible to vote.

(2) The Zonal Executive Committee, Chapter Executive Committee or AYL Executive Committee shall, in every year of elections, prepare a list of members from the list obtained from the Council, who are eligible to vote in their respective Chapter Zone, Chapter or AYL.

(3) The list of voters shall be in a manner prescribed in the roll of advocates.

(4) A member of the Society may examine the voters list at the Society, Chapter Zone, Chapter office or on the Society's website as the case may be, during normal office hours.

(5) A member of the Society who has a reason to believe that a voters list improperly includes or omits such member's name, or contains an error in respect of the Chapter in which a member is entitled to vote may, before the election, report the error to the Executive Director.

(6) The Executive Director shall promptly investigate a report made and correct any existing error.

(7) A member of the Society who is not satisfied with the action taken by the Executive Director under subregulation (6) may apply in writing to the Chairman of the Electoral Committee for a review.

(8) The Electoral Committee shall promptly review an application made under subregulation (7) and shall:

- (a) confirm the decision of the Executive Director;
- or
- (b) order the Executive Director to correct the voters list as the Committee directs.

(9) The decision of the Committee under subregulation (8) shall be final.

Member to be elected in one elected position

32.-(1) A member may be nominated or run in an election for only one elected position at a time.

(2) Subject to subregulation (1), where a person

has been nominated in more than one elected position, the Electoral Committee shall direct that candidate to accept one nomination.

Voting by secret ballot or electronically

33.-(1) Voting for the Society's office bearers shall be by secret ballot or electronically provided that the Committee may determine the manner of the voting process of a particular election.

(2) The ballot papers shall be prepared in the format recommended by the Electoral Committee.

(4) The order of names on a ballot paper shall be in alphabetical order starting from letter "A" until the placing of all candidates' names on the ballot has been determined.

Voting by proxy

34. During elections, voting by proxy shall be allowed unless where provided otherwise by special resolution passed by members during the general meeting.

Procedure for elections of Society's office bearers

35.-(1) The election of the Society office bearers at the Society General Meeting, Chapter Zone Annual Meeting, Chapter Annual Meeting or AYL Annual Meeting as the case may be, shall be held in accordance with the following procedure:

- (a) the Secretariat shall publish in the Society's official communication tools a short description of each candidate in whatever format as the Electoral Committee may prescribe ;
- (b) the Returning Officer or any officer designated by the Returning Officer shall ensure that the number of ballot papers is equal to the number of members entitled to vote as appearing in the voters list;
- (c) ballots for different elective positions shall be differentiated by colours and shall be casted into different boxes or any other devices as determined by the Committee;
- (d) only ballots received at the General Meeting and before the closure of voting session by the Returning Officer shall be counted;

- (e) subject to the provisions of these Regulations, each member shall have one vote for each elected position;
- (f) a member who submits more than one ballot for one elected position shall have his ballots rejected;
- (g) the candidate with the highest number of votes shall be elected to that office; and
- (h) Assistant Returning Officer of the Chapter Zone, Chapter or AYL elections as the case may be, shall record and sign elections results in a prescribed form and submit the same to the Returning Officer for compilation of the elections results by the Committee.

(2) In the event there is a need to have elections outside the Society General Elections in respect of Chapter Zone, Chapter or AYL office bearers, the procedures governing the Society General Elections of the Chapter Zone, Chapter or AYL office bearers as the case may be, shall apply.

(3) The elected office bearers from elections conducted under subregulation (2) shall be confirmed by the Governing Council in lieu of the General Meeting and sworn in by a senior advocate in good standing of the Society, Chapter Zone or Chapter as the case may be.

(4) Upon being confirmed and sworn in, office bearers elected under sub-regulation (2) shall proceed with the governance of their respective Chapter Zone, Chapter or AYL.

(5) In case of the establishment of a new Chapter, the Council shall table the list of established Chapters and their leaders before the General Meeting for notification.

(6) In case of elections of Chapter Zone or AYL office bearers, the Council shall table the names of the said office bearers before the General Meeting for notification.

Candidate's
right to have
agent

35. A candidate shall have the right to appoint or select an agent during the voting process and counting of the votes.

Conditions and guidelines for agents

36. Agents shall be guided by the following procedures and conditions:

- (a) an agent shall be an advocate of sound mind;
- (b) agents shall be prohibited from using telephones during counting, after counting and before announcement of the election results; and
- (c) polling agents shall be prohibited from announcing election results before formal announcement of the election results.

(2) Electoral Committee Chairperson may expel an agent who acts contrary to the procedures and conditions issued by the Committee during the election process.

Counting of ballots

37. The cast ballots shall be counted in accordance with the following procedures:

- (a) for each elective position, the ballots shall be opened and removed from the box or any other device as determined by the Committee;
- (b) each voter declaration shall be read aloud;
- (c) all votes shall be counted and recorded unless void or rejected; and
- (d) ballots which are rejected shall be kept separately.

Rejection of ballots

38.-(1) A ballot shall be rejected where:

- (a) it contains or is enclosed in an envelope that contains a marking that identifies the voter;
- (b) it contains votes for more candidates than the number to be elected;
- (c) it is not a ballot issued by the Committee; or
- (d) it is received by the Committee after the election time.

(2) A vote shall be void where it is:

- (a) casted for a candidate whose name does not appear on the ballot; or
- (b) ambiguous or unclear as to the candidate voted

for.

Elections to be fair

39. The Chairperson of the Electoral Committee or Assistant Returning Officer shall supervise the counting of votes and ensure that the elections are fair and conducted in accordance with the procedures stipulated in these Regulations.

Where there is equal number of votes

40. Where in the election for any position the number of votes ties between the first two or more candidates, the Chairperson of the Electoral Committee shall call for election re-run:

Provided that, only the tied candidates shall be eligible for an election re-run.

Attendance of election proceedings in person

41.-(1) A candidate shall attend the election proceedings in person unless such candidate has valid and strong reasons for non-attendance.

(2) The Committee may decide whether or not to consider the grounds advanced by the candidate for non-attendance.

Right to withdraw from contesting

42. Candidates shall have the right to withdraw from contesting a position within fourteen days before election by informing the Chairman of the Electoral Committee in writing.

Announcement of the Society General Elections results

43. Upon compilation of all election results from the Society, Chapter Zone, Chapter or AYL, the Chairperson of the Electoral Committee shall record all elections results in a prescribed form as provided in the Schedule and announce the results at the Society's General Meeting.

(2) Notwithstanding subregulation (1), upon completion of counting of the ballots, the Assistant Returning Officer shall announce elections results of the respective Chapter Zone, Chapter or AYL as the case may be.

Swearing of candidates elect

44.-(1) The elected Society's office bearers shall

be sworn in at the Annual General Meeting by the most senior counsel present at the Annual General Meeting.

(2) The persons referred to under subregulation (1) shall take office after the completion of the Annual General Meeting.

(3) The elected Society's Office bearers who are not present during the swearing-in ceremony shall be sworn in by the most senior counsel in their respective Chapters.

Record of elections results

45.-(1) The Electoral Committee shall ensure that the number of votes received by each candidate are kept and reported in the Committee report on Society's General Elections.

(2) The report under subregulation (1) shall be published in the Society's media of communication.

(3) The information referred to in subregulation (1) shall be public information.

Complaints on elections process and results

46.-(1) A candidate or his agent who is not satisfied the election process may apply to the Electoral Committee for a review of the election immediately after the election and before the results are announced.

(2) The application under subregulation (1) may be made orally or in writing.

(3) The Electoral Committee shall promptly review the election in that particular position and determine the complaint immediately before the next stage of the election process.

(4) On determination of the application, the Electoral Committee shall either:

(a) dismiss the application where it is not meritorious; or

(b) rescind the election process and commence that particular process afresh.

(5) The decision made by the Electoral Committee under subregulation (4) shall be final and conclusive.

(6) Complaints on elections process during the Chapter Zone, Chapter or AYL elections shall be reported to and determined by the Assistant Returning Officer of

such election and in such case procedures under subregulations (2) and (4) shall apply and the decision of such Assistant Returning Officer shall be final and conclusive.

First Council meeting to appoint standing committees

47. Within thirty days of being elected, the President shall convene a meeting of the Council and during that meeting the Council shall appoint members of all standing committees.

Maximum term to serve in position

48. The Society office bearers shall not be eligible to serve for more than two terms in their respective positions.

Minimum numbers of voters

49.- (1) For the purpose of passing election results, the minimum number of the voters shall be two thirds of the members on the voters list of the Society, Chapter Zone, Chapter or AYL as the case may be.

(2) If the number of voters is less than two third of the number of voters in the voters list, the Electoral Committee shall have the discretion to decide by majority on whether or not to proceed with the voting process as far as the quorum is concerned.

(3) For the purpose of this regulation, “voters list” means the list of all members of the Society in good standing released by the Committee as issued by the Registrar of the High Court.

Revocation of GN. No. 116 of 2018

50. The Tanganyika Law Society (Elections) Regulations, of 2018 are hereby revoked.

SCHEDULE

(Made under regulations 19; 21(d)(e),(f),(g); 35(1)(h); and 44(1))

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 Chapter Zone, hereby nominate myself/(male/female) aged....., Roll No.....residing in* for the post of (President/ Vice President/ Treasurer/ Young Lawyer representative in the Council /Zonal leader for.....Chapter 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:
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 political party in the United Republic of Tanzania.

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 CHAPTER ZONE OFFICE BEARERS

I, (male/female), aged....., Roll No., being a member of the Society residing in Chapter Zone, hereby nominate myself /(male/female) aged....., roll No.....residing in* to the post of (Chapter Zone AGM representative/Zonal Executive Committee member representing young lawyer/senior lawyer/member with disability/female lawyer) ofChapter 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 in the United Republic of Tanzania. 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

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/Chairperson of Chapter Ethics Committee/ Chairperson of the Chapter Probono Committee/ Chairperson of the Chapter CLE Committee/Chairperson of the Members' welfare Committee/ Member representative in the Chapter Executive Committee / AGM Chapter Representative representing young lawyers/female lawyers/senior lawyers/members with disability) of Chapter 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 in the United Republic of Tanzania. 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

NOMINATION FORM FOR ASSOCIATION OF YOUNG LAWYERS 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 (Vice Chairperson / Secretary) 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 in the United Republic of Tanzania. 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

NOMINATION FORM FOR OTHER POSITIONS

(National Chairperson of the Ethics Committee / TLS Representative in the Council for Legal Education/ Trustees of the DATF/Trustees of the Wakili Trust)

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 :

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 in the United Republic of Tanzania.

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 inapplicabl

ELECTION RESULTS FORM

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

MEMBERS OF THE ZONAL EXECUTIVE COMMITTEE					
CHAPTER ZONE 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 EDUCATION					
TRAUSTEES OF THE WAKILI TRUST					

Tanganyika Law Society (Elections)

GN. No. 526 (Contd.)

TRUSTEES OF THE DATF					
DIRECTORS OF THE TIAC BOARD					

I, the Returning Officer of
..... General /Zone/Chapter/AYL* hereby confirm
that the above results for elections conducted on At
..... General /Zone/Chapter/AYL* are correct.

.....
RETURNING OFFICER

Dar es Salaam
1st July, 2020

RUGEMELEZA A.K NSHALA,
President of the Tanganyika Law Society