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THE TANGANYIKA LAW SOCIETY ACT,
(CAP. 307)

REGULATIONS

(Made under section 31)

TANGANYIKA LAW SOCIETY (MEETINGS) REGULATIONS, 2020

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THE TANGANYIKA LAW SOCIETY ACT,
(CAP. 307)

REGULATIONS

(Made under section 31)

TANGANYIKA LAW SOCIETY (MEETINGS) REGULATIONS, 2020

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Tanganyika Law Society (Meetings) Regulations, 2020.
- Interpretation 2. In these Regulations, unless the context otherwise requires-
- Cap. 307 “Act” means the Tanganyika Law Society Act;
- Cap. 341 “advocate” shall have the meaning ascribed to it under the Advocates Act;
- “Association of Young Lawyers” means an Association as provided for under the Act;
- “Association of Young Lawyers Executive Committee” or “AYL” means the leadership Committee of the Association of Young Lawyers;
- “Council” means the Council of the Tanganyika Law Society as provided for under the Act;
- “Chapter” means a Chapter as provided for under the Act;
- “Chapter Executive Committee” means the Committee governing affairs of a Chapter;
- “Chapter Zone” means a Chapter Zone as provided for under the Act;
- Cap. 341 “disqualified member” means a member who is suspended in accordance with the Act and the Advocates Act;
- “Executive Director” means the Executive Director of the Society as provided under the Act;

“meeting” includes the Society Annual General Meeting, Society General Meeting, Society Extra Ordinary Meeting, Society Requisitioning Meeting, Annual Meeting of the Chapter Zone, Annual Meeting of the Chapter and the Annual Meeting of the Association of Young Lawyers;

“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-practising member” means 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 and the Society’s representatives in various bodies;

“Official dress code” means a dress code determined and communicated by the Council as the case may be;

“Honorary member” shall have the meaning ascribed to it under the Act;

“President” means the President of the Society;

“proxy” means a member in good standing who has been granted power with another member in good standing to attend and transact any business at the meeting on such member behalf;

“Secretariat” means the Secretariat as provided for under the Act;

“Secretary” means Secretary of the Council, Secretary of the Zonal Executive Committee and Secretary of

Chapter Executive Committee, or Secretary of the Association of the Young Lawyers Association as the case may be provided;

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

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

“Zonal Executive Committee” means the Committee governing affairs of a Chapter Zone; and

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

PART II

MEETING PROCEEDINGS AND CONDUCT OF MEMBERS

Annual General Meeting of Society

3. The Council shall, in at least the second week of April of each calendar year, convene an Annual General Meeting of the Society.

General Meeting of Society

4.-(1) There shall be convened by the Council in every year a General Meeting prior to the Annual General Meeting of the Society.

(2) Without prejudice to subregulation (1), the Council may at any time convene other General Meetings of the Society.

Extra Ordinary Meeting of Society

5. Where it deems necessary or expedient in the interest of the Society, the Council may convene Extra-Ordinary General Meetings of the Society at any time in addition to General Meeting referred to under regulation 4.

Annual Meeting of Chapter Zone

6.-(1) There shall be convened by the Chapter Executive Committee in each calendar year a Zonal Annual Meeting at any date and time before the Society General Meeting.

(2) Zonal Executive Committee may convene other meetings of the Chapter Zone at any time in addition to the Zonal Annual Meeting.

(3) Where there is an emergency, any member of the Chapter Zone may cause a meeting of the Chapter Zone to be called, with the approval of the Zonal Executive Committee, at a time and place as may be determined.

(4) The Zonal leader shall be the Chairperson at the Annual Meeting of the Chapter Zone.

(5) Where the Zonal leader is absent, any other member of the Zonal Executive Committee appointed by the Zonal leader shall chair the Annual Meeting of the Chapter Zone or other meetings of the Chapter Zone.

(6) Resolutions and reports made from the Chapter Zone Annual Meeting or other meetings of the members of the Chapter Zone shall be reported and submitted to the Council.

(7) Elections of the Chapter Zone Office bearers shall be a standing agenda at the Zonal Annual Meeting.

Annual Meeting
of Chapter

7.-(1) There shall be convened by the Chapter Executive Committee in each calendar year a Chapter Annual Meeting at any date and time, before the Zonal Annual Meeting.

(2) Chapter Executive Committee may convene other meetings of the Chapter at any time in addition to the Chapter Annual Meeting.

(3) Where there is an emergency matter, a member of the Chapter may cause a meeting of the Chapter to be called, with the approval of the Chapter Executive Committee, at a time and place as may be determined.

(4) The Chapter Convener shall be the Chairperson at the Chapter Annual Meeting and other meetings of the Chapter.

(5) Where the Chapter Convener is absent, the Vice Chapter Convener or any other member of the Chapter Executive Committee appointed by the Chapter Convener, in the absence of the Vice Chapter Convener, shall chair the Annual Meeting of the Chapter or other meetings of the Chapter.

(6) Resolutions and reports made from the Chapter Annual Meeting or other meetings of the Chapter shall be

reported and submitted to the Council.

(7) Elections of the Chapter Office bearers shall be a standing agenda at the Chapter Annual Meeting.

Annual Meeting
of Association
of Young
Lawyers

8.-(1) There shall be convened by the Association of Young Lawyers Executive Committee in each calendar year the Association of Young Lawyers Annual Meeting at any date and time before the Society General Meeting.

(2) Association of the Young Lawyers Executive Committee may convene other meetings of the Association of the Young Lawyers at any time in addition to the Annual Meeting referred to under subregulation (1).

(3) Where there is an emergency, a member of the AYL may cause a meeting of the AYL to be called, with the approval of the Association of the Young Lawyers Executive Committee, at a time and place as may be determined.

(4) The Chairperson shall preside over the AYL Annual Meeting.

(5) Where the Chairperson is absent, the Vice Chairperson or any other member of the Committee appointed by Chairperson, in absence of the Vice Chairperson, shall chair the meeting of the AYL or other meetings of the AYL.

(6) Resolutions and reports made from the AYL Annual Meeting or other meetings of the AYL shall be reported and submitted to the Council

(7) Elections of the Association of the Young Lawyers Office bearers shall be a standing agenda at the Association of the Young Lawyers Annual Meeting.

Requisitioning
Extra Ordinary
General
Meeting

9.-(1) At least one third of members in good standing from each Chapter consisting of equal percentage representation may, at any time, requisition an Extra Ordinary General Meeting by written notice in that behalf signed by them, specifying the object of the proposed meeting and deposit it with the Executive Director.

(2) The written notice shall state the date of the proposed meeting not being less than sixty days from the date of the notice.

(3) Upon receipt of the notice by the Executive Director, the Council shall, as soon as practicable, convene to consider the notice and where sufficient grounds to convene the meeting exist, the Council shall arrange to convene the meeting requested by members.

(4) Notwithstanding subregulation (3), the Council may refuse to convene the meeting requested under this regulation provided that it avails sufficient and reasonable grounds for refusal.

(5) Where the Council does not convene the meeting and fails to avail reasons for refusal within fourteen days after receipt of the notice, the requisitioning members may convene the meeting to be held at any time within two months after the deposit of the notice.

(6) The members shall bear the costs for conducting Requisitioning General Meeting.

Notice of meeting

10.-(1) Notice of every meeting shall be given by the Secretariat upon instructions of the Council, Zonal Executive Committee, Chapter Executive Committee or Association of Young Lawyers Executive Committee as the case may be.

(2) The notice under subregulation (1) shall be given to all members not less than twenty one days before the intended date of the meeting.

Documents of meeting

11.-(1) Subject to regulation 10, once notice of a meeting is issued, documents of the meeting shall be circulated to members within fourteen days prior to the meeting.

(2) For purpose of this regulation, "documents of the meeting" shall include Program of the meeting, Minutes of the previous meeting, Matters arising from the previous meeting, Council Annual Narrative Report, Financial Audited Report, Motions submitted by members and any other document related to the respective meeting.

Proceedings of meeting

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

(2) Every Chapter Zone meeting shall be chaired by Zonal leader or any member of Zonal Executive Committee appointed by Zonal leader in the absence of the Zonal leader.

(3) Every Chapter meeting shall be chaired by the Chapter Convener or the Vice Chapter Convener in the absence of the Chapter Convener:

Provided that, in the event both Chapter Convener and Vice Chapter Convener are absent, the Chapter Treasurer or any member of the Chapter Executive Committee appointed by the Chapter Convener shall act chair the meeting.

(4) Every meeting of the Association of Young Lawyers shall be chaired by the Chairperson or the Vice Chairperson in the absence of the Chairperson:

Provided that, in the event both Chairperson and Vice Chairperson are absence the Treasurer or any member of the Association of Young Lawyers Executive Committee appointed by the Chairperson shall chair the meeting.

(5) Every meeting shall be called to an order when the Secretary announces a quorum of the members present including proxies, if any.

(6) During the meeting, the Chairperson shall have the following powers:

- (a) directing and establishing the order of debates and speeches;
- (b) concluding debates when the Chairperson considers the matter has been discussed sufficiently;
- (c) resolving any doubts arising about the agenda or ancillary to the interpretation of the provisions of these Regulations; and
- (d) exercising any other powers that may be necessary for the orderly proceedings of the meeting.

Time to attend
and leave
meeting

13.-(1) Members attending the meeting shall be required to be present at the venue of the meeting at the time indicated in the notice and program of the meeting.

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

Registration during meeting

14.-(1) Secretariat shall cause a member attending the meeting to register his or her attendance at the beginning and closure of the meeting.

(2) A member shall not register attendance on behalf of another member except those holding proxies duly authenticated by the Executive Director.

(3) A member who registers only once at the meeting shall be awarded half of the total points allocated in a respective meeting.

Dress code during meeting

15.-(1) Members and Secretariat staff attending the meeting shall be in a formal or business casual dress code.

(2) A member or Secretariat staff who does not abide to the dress code as provided under subregulation (1) shall not be allowed to attend the meeting.

Sanctions on attendance

16.-(1) Subject to the provisions of subregulation (2), a member who arrives late at the meeting or departs before the closure of the meeting without justifiable reasons commits a misconduct and shall be liable to the following sanctions:

(a) where the misconduct is committed at first and second instance, the Council, Zonal Executive Committee, Chapter Executive Committee or Association of Young Lawyers Executive Committee as the case may be, shall order reduction, by half, of CLE points apportioned for that particular meeting; or

(b) where the misconduct is repeated thrice, the Council, Zonal Executive Committee, Chapter Executive Committee or Association of Young Lawyers Executive Committee as the case may be, shall order deduction of all the apportioned CLE points for that particular meeting.

(2) For the purpose of this regulation, the following shall amount to justifiable reasons for non-attendance, late

attendance or departure before closure from the meeting:

- (a) serious sickness;
- (b) bereavement of a family member or close relative;
- (c) force majeure; and
- (d) any other occurrence of serious emergency.

(3) For purposes of this regulation, a member shall be deemed-

- (a) to be late in a meeting if such member enters the venue one hour after the closure of registration; and
- (b) to depart before the closure of the meeting if the member departs before the Chairperson declares the meeting closed.

Attendance by proxy

17.-(1) A member shall be excused from attending a meeting and entitled to appoint a proxy for any of the following grounds:

- (a) serious sickness;
- (b) the occurrence of an emergency notified as soon as possible before the meeting; or
- (c) any other reasonable cause notified to the Secretariat at least one week before the meeting:

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

(2) A proxy referred to under these regulations shall be a member in good standing

(3) A member shall notify the Secretariat of his or her attendance by proxy by filling and submitting Form TLS No.1 set out in the Schedule.

(4) The proxy form shall be valid if it bears the applicable stamp duty or endorsement and shall be received by the Secretariat at least three days before the meeting.

Quorum of meeting

18. Quorum of the meeting shall be one third of the members of the Society, Chapter Zone, Chapter and Association of Young Lawyers in good standing, as the case may be, attending in person or by proxy.

Records of attendance, proxy, minutes and resolutions

19.-(1) The Secretariat shall, under the guidance of the Council, Zone Executive Committee, Chapter Executive Committee or Association of Young Lawyers Executive Committee as the case may be, issue the agenda and the notice of every meeting, keep proper minutes of all meetings and shall maintain record of attendants at every such meeting, including members attending by proxy.

(2) There shall be kept by the Secretariat a duly dated memorial of all resolutions of the meetings of the Society in the form of minutes.

Decision making during meeting

20.-(1) Any matter for deliberation at a meeting shall be decided or resolved by members present at the meeting by casting of votes through show of hands or by ballot papers.

(2) In the event of tie of votes, the Chairperson shall have a casting vote in addition to his deliberative vote.

(3) Ballot papers for the purpose of this regulation shall be in Form TLS No. 2 set out in the Schedule.

(4) Proxies shall be allowed to vote.

Business to be transacted at meeting

21.-(1) The main business to be transacted at the Annual General Meeting of the Society shall be-

(a) to confirm and approve minutes of the previous meeting;

(b) to receive, discuss and deliberate Matters Arising from the minutes of the previous meeting;

(c) to receive for endorsement all deliberations and resolutions made on motions and reports including financial reports emanating from the Society General Meeting;

(d) to endorse the auditor appointed by the General Meeting; and

(e) to endorse and swear in the elected leaders of the Society.

(2) The main business to be transacted at the General Meeting of the Society shall be-

(a) to confirm and approve minutes of the previous

- meeting;
 - (b) to receive, discuss and deliberate Matters arising from the minutes of the previous meeting;
 - (c) to review and deliberate on:
 - (i) the progress report of the activities of the Society or Chapter as the case may be;
 - (ii) the financial report of the Society or Chapter as the case may be;
 - (iii) motion notified to the Secretary by member of the Society in good standing for which advance notice of two weeks has been given; and
 - (iv) any other matter with the leave of the Chairperson.
 - (d) appointment of the Society's auditor; and
 - (e) to conduct elections of Society or Chapter Office bearers as the case may be.
- (3) The main business to be transacted at the Chapter Zone and Association of Young Lawyers Annual Meetings shall be-
- (a) to confirm and approve minutes of the previous meeting;
 - (b) to receive, discuss and deliberate Matters Arising from the minutes of the previous meeting;
 - (c) to review and deliberate on the progress report of the activities of the Chapter Zone or Association of Young Lawyer as the case may be;
 - (d) to deliberate on motion notified to the Secretary by members in good standing for which advance notice of two weeks has been given;
 - (e) to deliberate on any other matter with the leave of the Chairperson; and
 - (f) to conduct elections of the Chapter Zone or Association of Young Lawyers Office bearers as the case may be.

Compulsory
attendance of
meeting

22.-(1) Attendance of the meeting of the Society shall be as follows:

- (a) upon notice by the Secretariat, all members of the Society in good standing shall attend in person or by proxy every General Meeting of the Society, save for the Annual General Meeting which shall be convened in accordance with the Act;
- (b) no member shall attend by proxy at more than two consecutive General Meetings without a justifiable reason permitted under these Regulations; and
- (c) members who have attained the age of sixty five years shall be exempted from compulsory attendance of the Society's meetings.

(2) Attendance of the Annual Meeting of the Chapter Zone and Chapter shall be as follows:

- (a) upon the notice by the Secretariat of the Chapter Zone or Chapter, all members in good standing of the Chapter Zone or Chapter respectively shall attend in person or by proxy every Annual Meeting of the Chapter Zone or Chapter as the case may be;
- (b) no member shall attend by proxy at more than two consecutive Annual Meetings without a justifiable reason permitted under these Regulations; and
- (c) members who have attained the age of sixty five years shall be exempted from compulsory attendance of the Chapter Zone or Chapter Annual Meeting.

(3) Attendance of the Annual Meeting of the Association of Young Lawyers shall be as follows:

- (a) upon the notice by Secretary of the Association of Young Lawyers, all young lawyers in good standing shall attend in person or by proxy every Annual Meeting of the Association of Young Lawyers; and
- (b) no member shall attend by proxy at more than two consecutive Annual Meetings without a

justifiable reason permitted under these Regulations.

Consequences
for non-
attendance of
meeting

23.-(1) A member who has absconded from four consecutive meetings without a justifiable reason shall not be allowed to renew membership unless he or she submits a letter to the Council, Zonal Executive Committee, Chapter Executive Committee or Association of Young Lawyers as the case may be, explaining why disciplinary action should not be taken against him or her.

(2) Upon receipt of letters submitted under subregulation (1), the Zonal Executive Committee, Chapter Executive Committee or Association of Young Lawyers Executive Committee as the case may be, shall before sending their recommendations to the Council for deliberation, afford a member an opportunity to be heard.

(3) After receiving the letter submitted under subregulation (1) or the recommendations referred to under subregulation (2), the Council may do either of the following:

- (a) give a written warning to a member;
- (b) reduce, at the Council's discretion, number of CLE points which a member has already accrued in a particular year; and
- (c) order the member to be suspended for a period not exceeding four months:

Provided that, the Council shall afford an opportunity to the member to be heard before ordering any sanction.

(4) A report of the sanctions taken against the member under subregulation (3) shall be tabled before the subsequent meeting of the Society for information.

Review on
sanctions

24.-(1) Any member aggrieved by the penalty imposed under these Regulations may apply for a review to the Council within thirty days from the date of imposition of the penalty complained of.

(2) The application shall contain in concise words the grounds for review.

(3) The panel for reviewing a penalty under these

Regulations shall consist of three members of the Council.

(4) The Council shall give its decision within thirty days after receipt of the application.

(5) The decision made under subregulation (4) shall be final.

Revocation of
General
Meetings
Regulations,
2018

25. Tanganyika Law Society (General Meetings) Regulations, 2018 are hereby revoked.

SCHEDULE

(Made under regulation 16)

Form TLS No. 1

PROXY FORM

I..... Roll No.....of Post Office box.....residing atChapter....., Zone..... being a member in good standing of the Tanganyika Law Society and due to do hereby appoint Mr/Miss/Mrs/Ms..... Roll No.....of Post Office Box..... residing at..... Chapter.....Zone 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 any election conducted at the Meeting of the Society / Chapter Zone / Chapter/ Association of Young Lawyers to be held on theday of....., 20..... and at any adjournment thereof.

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

Before Me:

Name:
Address:
Qualification:
Signature:

.....
(Put a TRA Stamp)

BALLOT PAPER
(Made under regulation 19)

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

Dar es Salaam
1st July, 2020

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