



The Tanganyika Law Society

The Bar Association Of Tanzania Mainland

PRE- AGM CLE SEMINARS PROGRAMME.

TO BE HELD IN ARUSHA AT LUSH GARDEN HOTEL

FROM MONDAY, 23RD MAY TO WEDNESDAY, 25TH MAY 2022

S/N	CLE TOPIC	NAME OF THE FACILITATOR	FEES		POINTS
			Physical	Online	
DAY ONE – MONDAY 23RD MAY, 2022					
1.	Foreign Exchange Law in Tanzania: Practical Guidance to Lawyers Advising Investors	Mr. Amedeus T. Shayo	150,000	75,000	3
2.	Regulatory Law and Practice: The Work of Regulatory Agencies Vs. The Practice of Law	Mr. Godwin Ngwilimi	150,000	75,000	3
DAY TWO – TUESDAY 24TH MAY, 2022					
3.	Oil and Gas Contracting: Drafting, Negotiations and Management of Petroleum Contracts. The Case of the Tanzania Production Sharing Agreements	Mr. Raphael Mgaya	150,000	75,000	3
DAY THREE – WEDNESDAY 25TH MAY, 2022					
4.	Practical Legal Aspect of Corporate Governance and new trends	Amb. Mwanaidi Maajar	150,000	75,000	3

DAY TWO AND THREE – 24 TH & 25 TH MAY 2022					
5.	MINERALS, OIL AND GAS:				
	Session One: 24th May 2022		250,000	125,000	5
	Optimizing Advocates' Participation: Understanding Local Content Requirements in Mineral, Oil and Gas Sectors.	Dr. Elifuraha Isaya Laltaika			
	Session Two: 25th May 2022				
	High Level Engagement on Oil and Gas: Opportunities for Tanzanian Lawyers.	Hon. Abdulsamad Abdulrahim			
DAY TWO AND THREE – 24 TH & 25 TH MAY 2022					
6.	FINANCIAL RELATED LAWS AND CRIMES:				
	Session One: 24th May 2022		250,000	125,000	5
	Money Laundering: Detection and reporting of suspicious transaction to financial intelligence, Unit, Technique and tools.	Prof. Edward Hosea			
	Anti-Terrorism and Cyber Crimes (Financial Action Task Force System (FATF)	Police Officer from Arusha			
	Session Two: 25th May 2022				
	Plea bargaining (Including civil bargaining): <ul style="list-style-type: none"> • Experience from the private advocates • Experience from the Public Practitioners (State Attorneys) 	Mr. Jeremiah Mtobesya State Attorneys (From Arusha DPP's Office)			



As the world emerges out of the pandemic, Tanzania is also positioning to be the largest FDI destination in EAC region. With the relaxation of foreign exchange restrictions within the EAC and SADC region, it is expected that there shall be a significant flow of investments into Tanzania. At the same time, Tanzania businesses have been expanding and looking for opportunities for capital, investments and acquisitions overseas. With inbound and outbound investments rising, it is essential to understand the rules, regulations, and policies that govern such capital inflows and outflows. All transactions involving foreign exchange fall under purview of Foreign Exchange Act (FEA) and regulations that are made thereunder.

This CLE shall identify all practical issues and help create a broader understanding of the foreign exchange laws and policy in Tanzania.

Mr. Amedeus Shayo has advanced degree in International Economic Law and he is currently serving as a legal counsel to the central Bank of Tanzania. He is a research fellow of China – Africa Legal Research Centre which is based in Beijing under the auspices of Beijing Foreign Studies University.



Godwin Simba Ngwilimi, LL.M (Research), Aberdeen, Scotland, LL.B (Hons.), UDSM, Tanzania - is an advocate of the High Court of Tanzania. He is an active member of the Tanganyika Law Society (TLS) and the East African Law Society (EALS). He has experience working in central banking, commercial banking, communications and energy sectors environments. He has interests in public and economic law, philosophy and the history of law. He has researched, written and practiced on regulatory law generally, and the regulation of the financial services sector. In his extra time, on part-time basis, he teaches law and banking law and practice.



Raphael Mgaya ACG has over fifteen (15) years' experience in the legal profession, eleven (11) of which being post-qualification experience. Mr. Mgaya acquired hands-on experience in the oil and gas industry while working as a Senior Legal Officer for TPDC from 2010 to 2015 and as Senior Legal Officer for the former Ministry of Energy and Minerals, from 2015 to 2016.

He has also worked previously as a Legal Manager for Hansa Group, where he was in charge of the East African Region advising the employer on various areas of Mr. Mgaya works as the Executive Director of the Tanzania Association of Oil Marketing Companies (TAOMAC). He is also the Chairman and Founder of Jurisolutions & Associates Attorneys, a firm based in Dar es Salaam, providing legal and business advisory services with a focus on corporate, mining, oil and gas law.

He holds LLB (Hons) from UDSM, LLM in Oil and Gas with Distinction from the University of Robert Gordon and a Master of Laws in international laws and Human Rights from the University of Warwick in the United Kingdom. He also holds an MBA (Corporate Management) from Mzumbe University and MSc in Finance and Investment from the Institute of Finance Management. Mr. Mgaya is currently a PhD Candidate at the University of Dar es Salaam School of Law. He is also a certified Chartered Secretary. He is an associate member of the Chartered Governance Institute (CGI) and a Member of the International Bar Association.

In 2021, Mr. Mgaya attended training and was awarded a certificate of completion for the Leadership and Character in Uncertain Times Program, 4/2021, John F. Kennedy School of Government at Harvard University, Executive Education. He is a member of the Board of Director for Tanzania Institute of Managers, Karibu Tanzania Organization (KTO).



AMBASSADOR MWANAIDI SINARE MAAJAR

Mwanaidi Sinare Maajar was Tanzania's Ambassador to the USA and High Commissioner to the UK, (2006 - 2013). She holds an LL. M, and an LL. B (Hons) from the University of Dar es Salaam.

She is Chair of REX Advocates with extensive experience in commercial corporate practice, both as a practitioner and from her role as chair and director of public and private companies. Currently on the TANESCO Board, the UDSM Council and Senate and President of the Convocation. Was chair Bank of Africa, Centre for Foreign Relations, Vodacom Tanzania, and Ngorongoro Conservation Area Authority.



DR. ELIFURAHA ISAYA LALTAIKA BIO

Dr. Elifuraha Laltaika (advocate) has consulted numerous local and international organizations on various legal and policy aspects of minerals, oil, and gas. They include the Natural Resources Governance Institute and the East African Crude Oil Pipeline. A Senior Law Lecturer at Tumaini University Makumira, he teaches *Natural Resources Law* and *Mining, Oil and Gas Law*. Dr. Laltaika served as a Harvard Law School Visiting Scholar to examine the interface of extractive industry and human rights under international law. He

holds a PhD from the University of Arizona, LL.Ms from Oregon and Kwazulu Natal Universities, and LL. B from the University of Dar-Es-Salaam.



BIOGRAPHY

Hon. Abdulsamad Abdulrahim is a Tanzanian successful entrepreneur, diplomat, patron and public speaker for various Policy and Oil & Gas Conferences.

He serves as Co-founder & Chairman of Association of Tanzania Oil & Gas (ATOGS) a Policy advocacy for promotion of Local Content in the development of the oil & gas sector, engages regularly with the senior government leadership of Tanzania to find solutions for the country's economy. He also serves as Director of Ocean Business Partners, an indigenous multi-discipline consulting company in Tanzania specialized in energy and infrastructure. Abdulsamad served as Board Director for Tanzania Private Sector Foundation (TPSF); Board Director for East African Business Council (EABC) and currently serving as Diplomat as Honorary Consul of the Federative Republic of Brazil in Zanzibar, Tanzania.

Highly respected, effective individual with high-distinguished record of ethical leadership, unblemished record and diversified experience in various industries including Oil & Gas. He possesses a Diploma in Hotel Management, Bachelor's Degree in International Relations and Economics and completed World Legal, Fiscal Systems & Contracts for Oil & Gas in England (UK).

Hon. Abdulsamad has exhibited an unrelenting passion for Tanzania as is evident in his activities. He brings people and investors together by hosting public programs and private events featuring leaders, financiers and experts with diverse views on a wide range of global and regional topics through task forces, executive forums, luncheons, conferences, studies, and leadership dialogue.

The majority of Hon. Abdulsamad's efforts involved strategic rationalization for international business development project, facilitated and supported various infrastructure & mega projects in the region such as EACOP \$3.5 billion Uganda-Tanzania Crude Oil Pipeline,

Power Plants projects worth over \$700m, number of energy and investment projects and facilitated number of partnership agreements in the region.



BIO FOR PROF. EDWARD GAMAYA HOSEAH

Prof. EDWARD GAMAYA HOSEAH is an Associate Professor of law. He is the current President of the Tanganyika Law Society (Tanzania Mainland Bar Association). He has worked in the public sector for more than 35 years. He retired from public service end of 2015 and resumed his legal practice as Managing Partner at Hoseah & Co Advocates in Dar es Salaam, Tanzania. He holds a PhD (Law) from the University of Dar es Salaam (2007) focusing on law of Evidence. He finished his Master's Degree in Law from Queen's University, Kingston, Ontario in Canada (1989) and he attained his LL.B (Hons.) from University of Dar es Salaam (1985). Hoseah attended trainings/courses in Policy, Governance, Ethics and Anti-Corruption at different Institutions and Universities. These Institutions/Universities include: University of Passau, Germany (2007), University of Birmingham (2003), World Bank Institute (1998), and at the Centre for International and Foreign Relations in Tanzania where he was awarded a certificate on Conflict Resolution and Management (1997). He is a Member of the Arbitration Institute of Tanzania (2019). He also taught (Part-Time) law of Evidence and Legal Practice at the University of Dar es Salaam (2004-2006) and Legal Aspects of International Trade and Investments, and international Law at the Centre for International and Foreign Relations, Dar es Salaam (1994-2005), Tanzania. He is the author of several books and articles in the International Journals. Prof. Hoseah has been a Visiting Scholar at the North-western Law School, Chicago, Illinois (2003-2005) and appointed as Adjunct Professor (2010-2012) and Duke Law School, North Carolina (2010), in the USA. Prof. Hoseah is a recipient of Queen's University Award (1988) and International Society for the Reform of Criminal Law (2003).

Prof. Hoseah has a distinguished career in the Anti-Corruption Bureau in Tanzania, East Africa, SADC region and Africa where he served as the Director General of the Bureau, the President of East Africa Anti-Corruption Authorities (2008-2010, 2014-15), the SADC (SAFAC) Anti-Corruption Authorities as their Chairperson (2010/11), and Chair of the AU Board on Corruption (2011/12) based in Addis Ababa, Ethiopia. He also served as Vice President of the International Anti-Corruption Authorities (IAACA, 2012-2015). He has been a committee member of the Tanzania Bar Continuing Legal Education (CLE) and facilitates training to the members of the legal profession. He is also a member of the Board for the International Association of the Law of Evidence and Forensic Science. Member of Advisory Board, a member of the Sheikh Tamim Bin Hamad Al-Tan International Anti-Corruption Excellence Award (August 5, 2016- To-date); Consultant, Government of Zambia (ACC) on governance and corruption (2005/06); Member, UN Group of Experts on preparing a Technical Guide for the Implementation of UNCAC, Vienna, Austria, 2006. A Board Member Law School of Tanzania (2021/22); A Member of the Panel for admission of Arbitrators, Mediators, and Reconciliatory in Tanzania (2021/22). A Member of Governing Council of the East Africa Law Society, An Advocate qualified to appear before the African Court on Human and Peoples' Rights (2021- to date), He is also a facilitator retained by the Uongozi Institute focusing on leadership, ethics and governance (2019-To date). At the University of Iringa, Prof. Hoseah teaches e-commerce and telecommunications for ICT students, International Criminal Law, Transitional Justice and Post Conflict Situation, Law of Evidence, Constitutional law; and supervises LL.M students from 2020-todate. Also a Consultant and Team-Leader for Zanzibar Revenue Board (ZRB's) Anti-Corruption Strategy and Action Plan (2019-2020); Conducted seminars and programs on Ethical Leadership, Ethics and Conflict of Interests for Ministers, Permanent Secretaries, Regional Commissioners, Head and CEOs of public institutions, Banks, Pension Funds, NHC, Tanzania Commission for Science and Technology, etc.

He can offer assistance and guidance to any organization given his immense experience in administration, policy, governance and financial controls of the organizations. He is a transformational leader who believes in innovation and ICT to carry forward the organization.



MTOBESYA'S SHORT PROFILE

Mr. Jeremiah Mtobesya is a practicing advocate of the High Court of Tanzania with more than ten years of experience. He holds an LLB from Tumaini University (Dar es Salaam College) and a Post Graduate Diploma in Legal Practice from the Law School of Tanzania. He is a member of the Association of Certified Financial Crimes Specialists (ACFCS) where he undertakes several short courses in matters pertaining to financial crimes and receives certificates of participation.

In his more than ten years of experience, Mtobesya has worked for reputable organizations like the Legal and Human Rights Centre and law firms such as Mtoconsult Attorneys, Hoseah & Co. Advocates, Iuris Peritis (Advocates) and LawAge Consult. He has served in the Tanganyika Law Society Governing Council for two terms, (2017 - 2018 and 2018 – 2019). He is currently a member of the SADC Lawyers Association Governing Council.

His practice includes both civil and criminal law, in which he has filed, prosecuted and defended high profile cases locally and internationally. As part of his civil law practice, Mtobesya has filed and prosecuted Public Interest Litigation cases both individually and upon instructions by clients. One among many notable cases he has been involved in is the celebrated case of **JEREMIA MTOBESYA vs. THE ATTORNEY GENERAL**, Misc. Civil Cause No. 29 of 2015 (High Court of Tanzania – Main Registry [unreported]) and the subsequent appeal by the Attorney General in **THE ATTORNEY GENERAL vs. JEREMIA MTOBESYA**, Civil Appeal No. 65 of 2016 (Court of Appeal of Tanzania – at Dar es Salaam [Unreported]). The case sought to challenge the powers of the Director of Public Prosecution (DPP) to issue a certificate denying bail to an accused person where, in his opinion, admitting such accused person to

bail would be prejudicial to public safety or interest. Both the High Court and the Court of Appeal found the relevant section, section 148(4) of the Criminal Procedure Act, Cap 20 [R.E 2002], to be unconstitutional.

In his criminal practice Mtobesya has handled high-profile criminal cases where his clients, some of whom were advocates, were charged and prosecuted for commission of money laundering offences and other serious financial crimes. He has consequently gained an interest in the field of money laundering and terrorist financing where he has researched extensively and written. He has authored a book titled '***Advocates as Reporting Persons, A Practical Guide to Enforcement of Anti-Money Laundering and Counter-Terrorist Financing Laws in Tanzania***' and is currently working on a yet to be published book titled '***Risk Management in Banks and Financial Institutions in Tanzania; A case of Money Laundering and Terrorist Financing Risks.***'

Some of his other works include, ***Report on the Efficacy of Ward Tribunals in Adjudication of Land Matters***, LHRC 2014 (published), ***Legal Aid Cases and Materials***, LHRC 2014 (published), ***Analysis of Cost-Awards in relation to the Dowans Case***, THRDC 2014 (unpublished), ***A comparative analysis of the Constitution of the United Republic of Tanzania of 1977 as amended and the Draft Constitution***, TLS 2015 (published), ***Universal Periodic Review on the right to life and right to own landed property by elderly women– Tanzania's Submission 2015***, HelpAge International 2015 (published), ***Legal Survey Consultancy Revisiting the Law Governing Civil Societies In Tanzania***, THRDC 2016 (published), ***Analysis of the New Non-Governmental Organizations Act (Amendment) Regulations***, THRDC 2018 (published).