

**WRITTEN LAWS MISCELLANEOUS AMENDMENT TO FACILITATE SUPERVISION OF
ANTIMAONEY LAUNDERING, COUNTER TERRORIST FINANCING AND COUNTER
PROLIFERATION FINANCING BY REGULATORY AUTHORITIES**

A BILL

for

An Act to amend certain written laws.

ENACTED by the Parliament of the United Republic of Tanzania

PART VI AMENDMENT OF THE TANGANYIKA LAW SOCIETY ACT (Cap. 307)	
Construction	11.- This Part shall be read as one with the Tanganyika Law Society Act hereinafter referred to as the “principal Act”.
Amendment of Section 4	12.- The principal Act is amended in Section 4 by
	(a) adding a new paragraph immediately after paragraph (a) as follows:
	<i>“(b) subject to section 23A of the Anti-Money Laundering Act, enforce compliance of legal practitioners and legal firms by conducting supervisory functions including the application of consolidated group supervision for anti-money laundering, counter financing of terrorists and counter financing of proliferation purposes; conducting on site and offside examinations for the purpose of monitoring compliance with anti-money laundering, countering terrorist financing and countering proliferation financing and impose administration sanctions for non-compliance;</i>
	(b) by renumbering paragraphs (b), to (i) as (c) to (j) respectively.
Addition of section 5A	13.- The principal Act is amended by adding a new Section 5A as follows -
	<i>“5A (1) The Society may, upon being satisfied that an advocate, lawyer or legal firm has failed to comply with its obligations, under the Anti-Money Laundering Act, impose the following administrative sanctions-</i>
	<i>(a) issue warning or caution not to repeat the conduct which led to non-compliance;</i>
	<i>(b) reprimand;</i>
	<i>(c) issue a directive to take remedial action or to make specific arrangement to remedy the default;</i>
	<i>(d) restrict or suspend certain business activities;</i>

	<i>(e) recommend to the Advocate Committee suspension of a practicing license or suspension or removal from office of any member of staff who causes or fails to comply</i>
	<i>(2) The Society shall, before imposing an administrative sanction, issue the legal practitioner or firm involved in the contravention, a notice in writing-</i>
	<i>(a) of the nature of the alleged non – compliance;</i>
	<i>(b) of the intention to impose administrative sanction; and</i>
	<i>(c) of the extent or particular of the intended administrative sanction.</i>
	<i>(3) The legal practitioner or the firm involved in the contravention may, in writing, within a period specified in the notice, but not later than five working days make representations as to why the administrative sanctions should not be imposed on him</i>
	<i>(4) When determining an appropriate administrative sanction, the Society shall consider the following-</i>
	<i>(a) the nature, seriousness and extent of the default;</i>
	<i>(b) whether the subject has previously failed to comply with any written laws; and</i>
	<i>(c) any remedial steps taken against by the subject to prevent a recurrence.</i>