



Tanganyika
Law Society

23rd May 2024

What TLS has been up to from January to May 2024!



Ag. ED Mackphason Mshana

Greetings from the Secretariat! Here's what has happened in the last months and what's to come!

Welcome to our update session! We are thrilled to share with you the activities that helps in developments and implementation of our mission to make a positive impact in our Society.

Firstly, we would like to express our gratitude to all of our members, development partners, volunteers, community and other stakeholders who have continued to support us in implementation of TLS Strategic Plan.

Your generosity and dedication have allowed us to keep our programs running smoothly and effectively.

Kindly take a look of What TLS has been up to from January to this May 2024!

We are also encouraging you to save the dates on the upcoming events such as TLS Annual General meetings, TLS elections and the Celebration of 70 years of TLS.

The TLS Governing Council (GC) Meetings

The Governing Council, from January to April 2024, conducted three extraordinary meetings (8th, 9th, and 10th).

The 8th Extra Ordinary Meeting (EOM) was conducted on February 22, 2024, the 9th Extra Ordinary Meeting was conducted on March 14, 2024; and the 10th Extra Ordinary Meeting was conducted on April 19, 2024.

All meetings took place at WAKILI House in Dar es Salaam, and the main Agenda was to deliberate on the Institutional Governance, Institutional Budget for the year 2024 and the AGM setup.



In this update you can expect;

The TLS GC Meetings Updates

Updates on Advocates ethical issues

The current and prospective projects

Update on Miscellaneous Causes

Chapters Updates

List of Deceased Advocates.

Upcoming Events



Updates on Advocates ethical issues

TLS would like to remind its members to uphold utmost Professional Ethics and Conduct. Among the most important responsibility of TLS is to ensure that the highest standard of ethical practice is upheld by all advocates as well as curbing unqualified practice of law in Tanzania.

Ethical Complaints;

TLS Headquarters has been receiving complaints against advocates for professional misconduct. During this period, TLS received total number of 44 complaints with nature of complaints such as non-appearance before the Court, fraud, failure to advise clients properly which caused the dismissal of the client's cases.

At the chapter level, chapters received about 23 clients, of which 17 complaints are on pending to be determined in their committees.

Curbing illegal practices (Vishoka)

TLS have been following up pending cases to curbs Vishoka in Police stations eg in Mabatini and Kimara Police posts. Unfortunately, the investigations have taken so long. TLS is arranging to meet with OCS or OCDs for purpose of speeding up the process and getting more support to apprehend more illegal practices. Four illegal practices were reported whereby law firms were sharing the office with other businesses.



Update on Misc. Civil cause 3536 of 2024, Tanganyika Law Society versus Attorney General.

TLS filed a case to challenge provisions of the Tanganyika Law Society Act (Section 15(3) (d)) as amended by Section 80 of the Legal Sector Laws (Miscellaneous Amendments) Act, 2023. The case awaits to be assigned a judge to adjudicate it. We will keep you posted.

Update on Miscellaneous Cause No. 27673 of 2023 between Baltazary[MBI] Mahai vs. Tanganyika Law Society and Attorney General.

On 15th December 2023, the Tanganyika Law Society Secretariat received an order from the court restraining it from conducting its Extraordinary General meeting which was scheduled on 16th December 2023, following the application filed by one of its members, Advocate Baltazari Bosco Mahai who was seeking for leave of the court to file an application for prerogative orders of certiorari and mandamus. TLS was represented by a team of advocates namely; Francis Stolla, John Seka, Hekima Mwasipu and Ferdinand Makore. A close follow of the case was made by the TLS secretariat under the public protection unit.

The application was heard inter partes on 8th March 2024. The last appearance was on 28th March, 2024 before Hon. Judge Manyanda, when it was called for ruling. The ruling was delivered on the same date when the court was satisfied that the application had merit and proceeded to grant leave to file the application for prerogative orders of certiorari and mandamus as prayed by the applicant.

After which, the Misc. Civil Case was filed by Baltazary Mahai against TLS in the High Court of Tanzania, at Dodoma (Main Registry).

The case is scheduled for hearing on 7th June 2024 before Hon. Kagomba J.

We will be sure to keep you posted.



The International Foundation for Electoral Systems in Tanzania (IFES) paid a courtesy visit to TLS at Wakili House on May 8, 2024, in Dar es Salaam. The meeting focused on looking at opportunities for cooperation between TLS and IFES, especially in the areas of public education on issues related to elections and building the capacity of TLS members on how litigate Election Petitions. IFES was represented by Mr. Lamin Ligne (Country Director) who was accompanied by Mr. Franklin Kebelo (Senior Program Officer), and the Acting Director, Adv, represented TLS. Mackphason B. Mshana.



Legal Aid Services

In this period, a total of 115 clients (69 males and 46 females) were assisted on a pro bono basis through TLS offices located in the regions of Arusha, Dar es Salaam, Mbeya, Kigoma, Mara, Ruvuma, Singida, Pwani, Mtwara, Kagera, Mwanza, Tabora, Dodoma, Morogoro, Shinyanga, Kilimanjaro, Arusha, and Pwani.

Out of 115 legal issues received, 17 were criminal and 98 were civil in nature.

Apart from providing representation to clients, the public protection unit has been providing legal advice to indigents who don't qualify for legal representation and to those whose legal issues have been time-barred or who cannot pursue legal action according to the nature and circumstances.



TLS participated in a session organized by the Law Reform Commission in collaboration with the Dodoma Regional Office to review recommendations made by stakeholders regarding the various laws governing corporal punishment in Tanzania.

The meeting was held in the office of the Dodoma Regional Governor on May 3, 2024.



TLS welcomed Stanbic Bank at its headquarters in Dar es Salaam to discuss various collaboration opportunities between TLS and Stanbic Bank.

The meeting was led by, Ms. Mariam Othman (Executive Director), and Stanbic Bank was represented by Ms. Doreen Dominic (in pink) who is the Head of the Private Sector Division.



TLS Iringa chapter wins the Appeal of the Widow who was Sentenced to 22 years in Jail after being found with Pieces of Antelope meat.

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TLS leader for the Central Zone, Advocate Laetitia Petro, in collaboration with a panel of other advocates, achieved a remarkable milestone by defending the widow Maria Ngoda, who was sentenced to 22 years in prison for possession of antelope meat. The team of advocates won the appeal at the

High Court in Iringa Region and set the widow free.



Advocate Mackphason Mshana (TLS Acting Executive Director), (left), accompanied by other TLS employees, met and held talks with the Registrar of the High Court of Tanzania, Hon. Chiganga Tengwa (second left), in Dodoma.

The discussion focused on various issues, including strengthening cooperation between TLS and the High Court of Tanzania on the provision of legal services to citizens in order to achieve the delivery of justice in an effective manner.



UPDATE FROM THE TLS Ag. EXECUTIVE DIRECTOR'S DESK CONCERNING PROJECTS!

Below are the current and prospective projects that TLS is/will implement during 2024 and some of them beyond 2024.

Upholding Fundamental Freedoms, Good Governance, and Rule of Law in Tanzania Strengthening the Freedom of Expression (FOE) in Tanzania project.

Funded by Open Society – Africa (previously OSIEA). The project seeks to contribute to good governance and the rule of law focusing on revamping of process to Amend the Constitution or getting the New Constitution. The total value of this project is USD 75,000. The project's duration is from April to 30th June 2024.

Strengthening the Freedom of Expression (FOE) in Tanzania project.

This project is funded by the American Bar Association - Rule of Law Initiatives (ABA ROLI). The project seeks to advocate for freedom of expression in Tanzania by guaranteeing that journalists, CSOs, Legal Practitioners, and Individuals are free to express themselves without suppression. The total value of this project is USD 70,000. The project duration is from April 2024 to September 2025.

Promoting Access to Justice for Women and Children focusing on GBV project.

This project is funded by GIZ Tanzania as a way of contributing to the implementation of the “Mama Samia Legal Aid Campaign” which aims at Promoting Access to Justice for Vulnerable Groups in Tanzania. The total value of this project is TZS 137,500,000. The project duration is from April 2024 to February 2025.

Towards De-Grey-Listing of the United Republic of Tanzania (proposed implementation of the FATF recommendations): TLS Compliance as a Regulator project.

This project is funded by the British High Commission (BHC). The project seeks to strengthen TLS's capacity as a regulator of Anti-Money Laundering and Combating Financing of Terrorism (AML/CFT) and to strengthen TLS's members' capacity to detect suspicious transactions and report the same to FIU. The total value of this project is £100,000. The project duration is May 2024 to June 2025.

Advocating for an Improved enabling Legal Environment for Effective CSOS Engagement in Democratic Processes project.

This project is funded by the EU through the Foundation for Civil Society (FCS). The project seeks to improve the legal landscape for CSOs to operate smoothly in democratic process. It focuses on advocating for reform of all laws that hinders CSOs to perform their duties in democratic processes. The total value of this project is TZS 146m. The project is on progress from June 2023 and is set to end in December 2025.

TLS still has some initiatives to seek more projects to facilitate the implementation of the strategic plan. We shall keep you posted on the progress.



TLS participated in 5 Zonal reflection meetings that were held Moshi, Tabora, Iringa, Mwanza and Lindi. The meetings were organised by YPC, AJISO, NGONENDO, MTWANGONET, and NELICO in collaboration with FCS, TLS, JUKATA and TANGO.

The main objective of these meetings was to discuss policy and practice issues affecting CSOs within the zones as well as specific issues for each participating region.

The recommendations for policy, practice, and law reform improvement will be shared with policy and lawmakers for improvement.



For any inquiries
Contact the Secretary of the Committee, Mr. Nelson Frank through his email address nfrank@tls.or.tz or mobile number 0779 436708



TLS signed an agreement to work with Lawyers Without Borders on Anti-trafficking issues. The agreement was signed on January 23, 2024, at the headquarters of TLS, Wakili House Mikocheni, in Dar es Salaam.

The agreement is expected to continue for three years as phase one. The collaboration will focus on building the capacity of advocates to deal with anti-trafficking cases and advocate for improvement of policies and laws that governs Anti-trafficking crimes.



Ms. Mariam Othman (TLS Executive Director), visited TPA and met with the Director of the Legal Division, Mr. Stanslaus Kagisa.

Ms. Othman took a moment to thank TPA for being a loyal sponsor of TLS events. TPA support and partnership play a key role in the success of TLS events, and TLS appreciates their participation.

The Directors also talked about the available opportunities to collaborate especially in building capacities of advocates in areas that TPA has expertise.



TLS participated in the Law Week celebrations across the country. This year's law week celebrations were marked by the theme *"The importance of justice for the nation's well-being; the role of courts and stakeholders in improving the integrated criminal justice system."*

A total of 30,000 citizens benefited from free legal services that TLS and other stakeholders offered.

The services included legal education, advice, representation, drafting of documents and facilitating compliance to selected legal requirements.



Kindly subscribe to our youtube channel!

Upcoming CLE Seminars in May & June 2024

TLS continues to facilitate the acquisition of legal knowledge to members of the legal profession as per Section 4 of the Tanganyika Law Society Act and Strategic Objective 1: (To improve standards of learning in the legal profession) under the TLS Strategic Plan.

We'd like to encourage you to register for these seminars to gain valuable insights and contribute to the discussions surrounding the selected areas of practice. Don't miss out on the opportunity to participate in these important conversations.

Kindly, diarize scheduled dates and make yourself available to attend these seminars.

We look forward to seeing you there!

CHAPTER CLE SEMINARS

Navigating Challenges in Legal Practice for a success (TLS Ethics Regulations): An overview at G.N 602 Of 2022.

Chapter name: Iringa

Facilitator: Adv. Barnabas Paschal Nyalusi

Modality: Online

Fee: 20,000

Date: **Friday, 24th May, 2024**

Time: 02:00pm - 04:00pm

Practical aspects regarding reception and handling of additional evidence at the appellate stage

Chapter name: Ubungo

Facilitator: Adv. Humphrey Shonga

Modality: Online

Fee: 20,000

Date: **Saturday, 25th May, 2024**

Time: 02:00pm - 04:00pm

The role and place of Advocates as Officers of the Court

Chapter name: Morogoro

Facilitator: Adv. Benjamin Jonas

Modality: Online

Fee: 20,000

Date: **Saturday, 01st June, 2024**

Time: 10:00am - 01:00 pm

International Contracts, Essentials, Types, Enforcement, Dispute Resolution, Role of Lawyers: focus on Investment Contracts.

Chapter name: Ilala

Facilitator: Adv. Dr. Hawa Sinare

Modality: Online

Fee: 20,000

Date: **25th May, 2024**

Time: 12:00 pm – 02:00 pm

Strategic Growth: Business Development and Client Relations for Law Firms in Tanzania.

Chapter name: Ubungo

By: Adv. Sunday Godfrey Ndamugoba

Modality: Online

Fee: 20,000

Date: **Wednesday, 29th May, 2024**

Time: 02:00 pm - 04:00 pm

Personal Data Protection and Opportunity for Lawyers.

Chapter name: Dodoma

By: Adv. Pascal Livin Mshanga

Modality: Online

Fee: 20,000

Date: **Friday, 31st May, 2024**

Time: 02:00pm - 04:00pm

Practical Application of The Advocates Remuneration Order, 2015 On Charging Legal Fees

Chapter name: Shinyanga

Facilitator: Adv. Edson Kilatu

Modality: Online

Fee: 20,000

Date: **Saturday, 01st June, 2024**

Time: 04:00pm - 06:00pm



List of Deceased Advocates

During this period, TLS has lost several of its members. TLS joins hands with the families and relatives to mourn the departed loved ones. May their souls rest in eternal peace.

S/N	NAME OF ADVOCATE	ROLL NO.	CHAPTER	DATE OF DEATH
1.	Faustin Mafikiri Baltazar	563	Kilimanjaro	17/01/2024
2.	Daudi Jumapili Malima	1297	Ubungo	28/01/2024
3	Tumaini Humphrey Mmbando	10918	Mtwara	19/01/2024
4	Fortunata Bertha Kabula Mdachi	1139	Kinondoni	9/01/2024
5	Ladslaus Rwekaza	1509	Mbeya	22/01/2023
6	Solomon Lukombeso Lwenge	5076	Shinyanga	20/02/2024
7	Jobu Mwalukosya	2149	Ruvuma	22/02/2024
8	W.R.Mramba	357	Tanga	22/04/2024
9	Fadhili Mohamed Ndwata	5704	Dodoma	22/04/2024
10	Oscar Simon Ngole	3451	Kilimanjaro	07/05/2024
11	Amani Jackson Nyari	3622	Arusha	08/05/2024

THANK YOU!