

**A MOTION FOR REFORMS OF MEMBERS' AFFAIRS WITHIN THE
TANGANYIKA LAW SOCIETY**

**FROM: ADV. ARISTARKO MSONGELA; A MEMBER OF THE TANGANYIKA
LAW SOCIETY**

**TO: ALL MEMBERS OF THE TANGANYIKA LAW SOCIETY AT THE
ANNUAL GENERAL MEETING TO BE HELD AT DODOMA ON**

3RD AUGUST, 2024

WHEREAS: For some years and months now, there has been an increase in complaints among members of Tanganyika Law Society on a number of crucial matters regarding our affairs within the Tanganyika Law Society.

WHEREAS: Members are desirous to see that robust reforms of those affairs are carried out timeously so as to restore a harmonious environment for legal practice within the country.

1WHEREAS: I, Advocate Aristarko Msongela; a member of Tanganyika Law society, a strong and powerful Young Lawyer has volunteered to spearhead the desired reforms.

NOW THEREFORE: I wish to present this motion before the Annual General Meeting of Tanganyika Law Society in 3rd day of August 2024 in the following terms;

1. PRIORITY OF THIS MOTION

It is kindly requested that this Motion should be accorded a very high priority in the list of agendas of the Annual General Meeting and it should be discussed on a day of the meeting, preferably in the morning or immediately thereafter.

2. MALPRACTICE

Malpractice is a serious agenda which kills the profession especially in attestation of legal documents. There should be a serious punishment for those who disrepute the profession.

Resolved that, the following punishment shall be imposed for those who bring the profession into disrespect;

- i.* Name and shame
- ii.* Burning of practicing Certificate for three years

Resolved that: The following shall be among other ways to reduce Malpractice;

- i.* The government institutions and private institutions shall not accept any transaction that require the service of an advocate or a magistrate or any government official without an EFD Receipts equally to the Advocate Remuneration Order or not amount to serious undercutting.
- ii.* There shall be a serious mass awareness after every three months in all TLS chapters.
- iii.* The TLS Governing Council shall engage all Government and Non -Governmental stakeholders (TRA,NIDA, BRELA, Banks and Land Ministry) to address the matter.
- iv.* TLS Secretariat shall within one month do whatever means to create a special system which shall be linked with NIDA, TRA, Banks, Land Ministry and BLERA to harmonize the situation and monitoring all legal documents to be accordance with Advocates remuneration order, the said system shall be able to recognize advocates stumps and signatures.

3. HARRASMENT OF ADVOCATES

Among the key obligations of the TLS is to promote members' welfare, integrity and legal fraternity. Advocates are officers of the Court hence there should be some respect; There is no need to harass anyone in any manner that will bring the integrity of the profession into disrepute and questionable.

Resolved that:

- i.* Governing Council should engage relevant authority for amendment of the law so that the advocates should not be harassed in public before the matter first reported to TLS Ethics Committee and upon satisfaction of the alleged offence if any the TLS President shall issue a written consent of the arrest of the Advocate.
- ii.* Governing Council should engage relevant authority for amendment of the law so that the advocates should enjoy some immunity.

4. NEW COMMITTEE OF ANTI-VISHOKA TASKFORCE

Vishoka kill the profession and its integrity in the highest level within Tanzania. Vishoka perform the advocacy works in a shallow manner, something that renders our profession questionable including loss of serious clients and trust from government and non-governments bodies. Vishoka is a progressive agenda until the ends of the universe.

Resolved that:

There shall be a new National Committee into TLS Committees Known as *National Anti-Vishoka Taskforce Committee* comprising of 10 Members to be selected by the TLS Governing Counsel among members or TLS Leaders whose task shall be to protect the legal profession, make a private prosecution and to ensures that all malpractitioners and Vishoka receive their negative rewards and do any other tasks assigned by the Governing Counsel.

TABLED BEFORE THE ANNUAL GENERAL METTING BY ADVOCATE ARISTARKO MSONGELA FOR AND ON BEHALF OF ALL MEMBERS OF TANGANYIKA LAW SOCIETY ON THIS ^{3RD}.....DAY OF AUGUST 2024

NAME ARISTARICO MSONGELA ROLL NO. 9752 SIGNATURE 

