

T The Tanganyika Law Society

The Bar Association Of Tanzania Mainland

Terms of Reference for Advocates Remuneration and Malpractice (Anti -Vishoka) Committee.

Type:

Standing Committee – Advisory to the Governing Council

Mandate

The Committee is responsible to the Governing Council in all matters relating to Advocate Remuneration and Malpractice (Anti-Vishoka)

Responsibilities

Advocate Remuneration and Combat Illegal Practice:

- i. Conducting research, review and making recommendations to the Governing Council on the proposed enactment and amendment of laws affecting remuneration of the Advocates;
- ii. Reviewing decisions of the Courts, Government or Government agencies that affect remuneration of the advocates and recommend to the GC appropriate action to address any adverse effects on remuneration of the advocates or the billing operandi;
- iii. To review and recommend to the GC in respect to all programs of the TLS which may affect on the remuneration of advocates;
- iv. Advocating among members of the TLS on the appropriate remuneration policies for all members in their respective practices and recommend to the GC appropriate actions that may be taken against any Advocates who does not comply with the Advocates Remuneration Rules;
- v. Organize compulsory seminars for the newly admitted advocates and CLE for continuing Advocates on the issues related to remuneration and taxation;
- vi. To collaborate with Ethics Committee to ensure compliance on matters related to advocates remuneration; and
- vii. To collaborate with Zonal Anti Vishoka taskforce to identify, track, curb and combat illegal practice (Vishoka).

Composition of the committee

- There shall be seven (7) members of the Committee as appointed by the Governing Council
- The Committee shall be assisted by Secretary from the TLS Secretariat
- The Committee may co-opt the support of a member of the Society with particular expertise to assist them and that person shall be a member of the Committee *pro-tem*
- Tenure of the Committee members shall be the same as the tenure of the Governing Council provided that the Governing Council shall have the mandate to change the member(s) of the Committee as deem fit.

Committee Chair/Vice Chair

- The Committee Chair shall be appointed by the Council
- The Vice Chair shall be elected at the first meeting of the Committee.

Procedures and Work Product

- Quorum for the committee shall consist of at three (3) members.
- The Committee shall operate in accordance with TLS Policies and Council's Directives as prescribed from time to time.
- The Committee shall have a right to review these Terms of Reference and may recommend changes to Council from time to time.
- Meetings can be held in person, teleconference, or virtually, depending on the availability and location of the members.
- The Committee shall treat all discussions, documents, and proceedings with strict confidentiality.
- The Committee shall maintain signed minutes of its meetings.
- Committee members shall make serious commitment to participate actively in committee work.
- Committee shall stay informed by the Secretary about committee matters and shall prepare themselves well in advance for meetings.
- Committee members shall build a collegial working relationship that contributes to consensus.
- The secretary of the committee shall maintain minutes of all the committee meetings.

Reporting

- The Committee is advisory to the Council and reports all its matters to the Council.
- The Chair of the Committee may communicate urgent matters of concern directly to the President or the Executive Director.
- The Committee may make recommendations for policy changes to the Council and undertake specific tasks assigned by Council to the Committee.
- To prepare and approve the Committee's Quarterly and Annual reports before being submitted to the Council Meeting and Annual General Meeting respectively.

Staff support/ Secretary: Program Officer- Ethics and Compliance

