

GOVERNMENT NOTICE NO. 66 published on 4/2/2022

THE INTERPRETATION OF LAWS ACT,
(CAP. 1)

RULES

(Made under section 84A (5))

THE INTERPRETATION OF LAWS (USE OF ENGLISH LANGUAGE IN COURTS)
(CIRCUMSTANCES AND CONDITIONS) RULES, 2022

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SCHEDULE

THE INTERPRETATION OF LAWS ACT,
(CAP. 1)

RULES

(Made under section 84A (5))

THE INTERPRETATION OF LAWS (USE OF ENGLISH LANGUAGE IN
COURTS) (CIRCUMSTANCES AND CONDITIONS) RULES, 2022

PART I
PRELIMINARY PROVISIONS

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| Citation | 1. These Rules may be cited as the Interpretation of Laws (Use of English Language in Courts) (Circumstances and Conditions) Rules, 2022. |
| Interpretation | 2. In these Rules, unless the context requires otherwise: |
| Cap. 1 | “Act” means the Interpretation of Laws Act;
“court” means the Court of Appeal, High Court, subordinate courts, tribunals and other bodies charged with the duties of dispensing justice; and
“presiding officer” means a Justice of Appeal, Judge, Registrar, Deputy Registrar, Magistrate or a Chairman of the tribunal and other bodies charged with the duties of dispensing justice. |

PART II
CIRCUMSTANCES AND CONDITIONS FOR THE USE OF ENGLISH
LANGUAGE IN
COURTS

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| Circumstances where English may be used | 3. Subject to the provisions of subsection (2) of section 84A of the Act, pleadings, proceedings or decisions may be in English language where it relates to matters stipulated in the Schedule to these Rules. |
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| Filing of pleadings in Kiswahili language | <p>4.-(1) A party who intends to initiate proceedings which, in his opinion, falls under the circumstances where the proceedings and decision thereto are to be conducted in English language, such party shall-</p> <ul style="list-style-type: none">(a) file his pleadings in English language with their corresponding translation in Kiswahili language; and(b) state the grounds upon which he relies to have the proceedings conducted in English language. <p>(2) The Court may, upon receiving the pleadings filed pursuant to subrule (1)-</p> <ul style="list-style-type: none">(a) admit the case and direct that the proceedings and decision thereto shall be conducted in English language; or(b) reject the case and direct a party filing it to file his pleadings in Kiswahili language. <p>(3) The decision under subrule (2) shall be final.</p> |
| Duty to interpret | <p>5. Where proceedings are conducted in English language and any party to the proceedings or his representative does not understand English language, the proceedings shall be interpreted to him in Kiswahili language by or under supervision of the presiding officer.</p> |
| Time for translation | <p>6. Notwithstanding the provisions of rule 5, where English is used in the proceedings decisions, such proceedings or decisions shall be translated in Kiswahili language and made available to parties within twenty one days from the date of the conclusion of proceedings.</p> |
| Authentication | <p>7. Where proceedings or decision is translated from English language to Kiswahili language, the translated proceedings shall be manually or electronically authenticated by the presiding officer or his successor.</p> |

GN NO. 66 (Contd.)

SCHEDULE

(Made under rule 3)

CIRCUMSTANCES AND CONDITIONS FOR THE USE OF ENGLISH
LANGUAGE IN COURTS:

- (a) either of the parties or their representatives to the proceedings are not Swahili speakers;
- (b) the matter is about an international investments dispute;
- (c) the matter is about a foreign trade or business;
- (d) the matter involves a finance and monetary affairs;
- (e) the matter is about tax and taxation;
- (f) the matter relates to International, Regional or Sub Regional affairs;
- (g) the law governing the matter subject of litigation, and the practice and procedure thereto are not available in Kiswahili language;
- (h) matters of science and technology are involved; or
- (i) for any other reason the interest of justice demands so.

Dar es salaam,
1st February, 2022

IBRAHIM HAMIS JUMA
Chief Justice