

TANGAZO LA SERIKALI Na. 601 la tarehe 14/10/2022

THE TANGANYIKA LAW SOCIETY ACT,
(CAP. 307)

REGULATIONS

(Made under section 31)

THE TANGANYIKA LAW SOCIETY (CONTINUING LEGAL EDUCATION)
REGULATIONS, 2022

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY PROVISIONS

Regulation Title

1. Citation.
2. Interpretation.

PART II
ESTABLISHMENT AND MANDATE OF CLE COMMITTEE

3. Establishment of CLE Committee.
4. Establishment of Chapter CLE Committee.
5. Mandate and functions of CLE Committee.
6. Roles of Chapter CLE Committee.

PART III
NON-ACCREDITED COURSES AND PROGRAMS

7. Powers of Committee.

8. Procedure for application of CLE Points for non-accredited CLE.

PART IV
FEES AND CLE COMPLIANCE

9. CLE fees.
10. Minimum CLE points for renewal of practicing certificate.
11. Compulsory topics during seminar, courses or program.
12. CLE Committee may organize remedial seminars.
13. Exemption from undertaking CLE.
14. Points carried over preceding year.
15. Denial to renew practicing certificate.

PART V
GENERAL PROVISIONS

16. Revision.
17. Delegation.

THE TANGANYIKA LAW SOCIETY ACT,
(CAP. 307)

REGULATIONS

(Made under section 31)

THE TANGANYIKA LAW SOCIETY (CONTINUING LEGAL EDUCATION)
REGULATIONS, 2022

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Tanganyika Law Society (Continuing Legal Education) Regulations, 2022.
- Interpretation 2. In these Regulations, unless the context otherwise requires:
“accredited course or program” means a course or program that is in conformity with these Regulations and has received advance approval by the CLE Committee as constituting continuing legal education;
- Cap. 307 “Act” means the Tanganyika Law Society Act;
“Advocate” shall have the meaning ascribed to it under the Advocates Act;
- GN No. 525 of 2020 Association of the Young Lawyers of the Tanganyika Law Society or in its acronym “AYL” has the meaning ascribed to it under the Tanganyika Law Society (Association of Young Lawyers) Regulations, 2020;
“calendar year” for purposes of CLE point accumulation means a period from first day of the month of January to the last day of the month of December;
- GN No. 525 of 2020 “Chapter” has a meaning ascribed to it under the Tanganyika law Society (Chapter Zones and

- Chapters) Regulations, 2020;
- “Chapter CLE Committee” means the sub-committee of the Society’s CLE Committee established by Chapter to coordinate CLE activities at Chapter level;
- Continuing Legal Education or in its acronym “CLE” means the continuing legal education provided pursuant to these Regulations;
- “CLE Committee” means the Committee of the Society established for the purpose of administering continuing legal education;
- “CLE points” means numeric credits for attendance or participation in any accredited CLE activity awarded to a member by the CLE Committee;
- “Council” means the Council of the Tanganyika Law Society as provided for under the Act;
- “member” means a member of the Tanganyika law Society in good standing;
- “newly admitted advocate” means an advocate admitted in the Roll of advocates but has not commenced practicing; and
- “Society” means the Tanganyika Law Society or in its acronym “TLS” established under the Act.

PART II

ESTABLISHMENT AND MANDATE OF THE CLE COMMITTEE

Establishment
of CLE
Committee

3.-(1) There is established the CLE Committee of the Society for administering CLE activities.

(2) The CLE Committee shall consist of not less than five and not more than seven members of the Society to be appointed by the Council.

(3) Tenure of office for members of the Committee shall be similar with tenure of members of the Council pursuant to section 15 of the Act and shall be eligible for re-appointment by the Council.

Establishment
of Chapter
CLE
Committee

4.-(1) There is established the Chapter CLE Committee in every Chapter.

(2) The Charter CLE Committee shall be the sub-

committee of the CLE Committee.

(3) The composition of the Chapter CLE Committee shall be Chairperson of the Chapter CLE Committee and four members appointed by Chapter Executive Committee from the respective Chapter.

(4) Chapter CLE Committee members shall serve for a similar term as members of the Chapter Executive Committee pursuant to the Tanganyika Law Society (Chapter and Chapter Zone) Regulations, 2020 and shall be eligible for re-appointment for one further term.

GN. No.
524 of 2020

Mandate and
Functions of
CLE
Committee

5. The CLE Committee shall have the following mandate and functions:

- (a) to approve and accredit CLE courses or programs organized by TLS and recognized professional bodies;
- (b) to conduct educational and other public service programs;
- (c) to organize CLE seminars;
- (d) to determine the number of CLE points to be awarded at any CLE activity, accredited courses or programs;
- (e) to determine the minimum number of points to be attained by a member per a calendar year;
- (f) to prepare guidelines for:
 - (i) conducting, approving and accreditation of CLE courses, programs or activities;
 - (ii) awarding of CLE points;
 - (iii) manner of conducting CLE seminars;
 - (iv) CLE fees to be charged per CLE seminar, courses or programs in accordance with the provisions if the Act.
 - (v) regulating any other matter for proper performance of its functions under these Regulations.

(g) to supervise CLE activities at Chapter level;
and

(h) to accredit resource persons and facilitators for CLE seminars, courses or programs.

(2) The CLE Committee may delegate in writing some of its functions to be performed by the Chapter CLE Committees subject to its directives, supervision and approval.

Roles of
Chapter CLE
Committee

6. The Chapter CLE Committee shall have the following roles in their respective Chapter:

(a) to propose CLE topics to be conducted in their respective Chapter and submit the same to the Committee for approval and preparation of the Society CLE Calendar;

(b) to organize and conduct other CLE seminars for members of their respective Chapter with the approval of the Committee;

(c) to coordinate Society's CLE activities at Chapter level;

(d) to propose resource persons to be accredited by the Committee for CLE seminars, courses or programs; and

(e) to collect feedback from members attending TLS organized or accredited seminars, courses or programs in their respective Chapter and submit the same to the Committee for quality assurance.

PART III

NON-ACCREDITED COURSES AND PROGRAMS

Power of
Committee

7. Notwithstanding anything contained in these Regulations the CLE Committee may approve for award of CLE points for a member's attendance at a course, program or seminar that has been delivered by a body that is not an accredited provider under these regulations if:

(a) the member proves, to the satisfaction of the CLE Committee his attendance at the course,

- program or seminar; and
- (b) that the course, program or seminar has been organized by the recognized relevant professional body.

Procedure for application of CLE points for non-accredited CLE

8. A member who intends to be awarded CLE points under this regulation shall apply to the Committee in writing and submit the following:

- (a) proof of attendance at a course, program or seminar;
- (b) written description of the course attended, program or seminar;
- (c) name of the body or person who offered the course, program or seminar; and
- (d) any other information as may be required by the committee.

PART IV FEES AND CLE COMPLIANCE

CLE fees

9.-(1) Participants in a CLE seminar, course or program shall pay fees as follows:

- (a) for Regular CLE seminars, participants shall pay sixty thousand shillings for physical seminars and twenty thousand shillings for online seminars; and
- (b) for modularized, annual conference and special seminars, participants shall pay fees as shall be determined depending on the budget for organizing such modularized, annual conference or special seminar, as the case may be.

(2) Where a CLE seminar, course or program is organized and conducted in a particular Chapter, or AYL, the said chapter or AYL as the case may be, shall retain seventy percent of the profit made in such seminar, course or program and remit thirty percent to the TLS head office.

(3) Where a CLE seminar, Course or program is organized by the TLS head office and conducted in a particular Chapter, the TLS head office shall retain seventy

percent of the profit made in such seminar, course or program and remit thirty percent to the said Chapter.

Minimum
CLE points
for renewal of
practicing
certificate

10. A practising advocate shall complete a program of continuing legal education or any other CLE activity to cover a minimum of ten CLE points each year to qualify for renewal of a practicing certificate of the following year.

Compulsory
topics during
CLE seminars,
course or
program

11. All CLE programs or courses organized by the TLS shall include a presentation on professional ethics, etiquette and standards; and emphasize practical competence in legal practice.

CLE
Committee
may organize
remedial
seminars

12. The CLE committee may prepare remedial CLE seminars for the purpose of facilitating renewal of practicing certificates for members who did not attain ten CLE points of the preceding year.

Exemption
from
undertaking
CLE

13.-(1) The following members are exempted from undertaking CLE:

- (a) an advocate holding a public office and who certifies to the Committee by statutory declaration, that he is not engaged in legal practice as an advocate;
- (b) a judicial officer;
- (c) a member whose practice has been suspended; and
- (d) a member who has attained the age of sixty years or more and has practiced for twenty years or more.

(2) Notwithstanding subregulation (1), a member may apply to the Council to be exempted from undertaking CLE upon submitting an application shall stating:

- (a) name and address of the applicant;
- (b) reasons for seeking the exemption; and
- (c) required period of exemption.

(3) The Council may, if satisfied with the reasons for exemption, grant such exemption, for a period specified.

Points carried
over from
preceding year

14.-(1) The CLE Committee may determine the number of points a member may carry over from the preceding year after reaching the required minimum points, provided that such points shall not exceed four points.

(2) Where an advocate does not attain the required minimum points may apply to the CLE Committee to carry over the missing points to the next year, upon showing sufficient reasons:

Provided that, the minimum points to be carried over shall not be more than three points.

(3) Notwithstanding subregulation 2, an advocate shall not be allowed to carry over for more than two consecutive years.

Denial to
renew
practicing
certificate

15.-(1) Any member who has not accumulate the requisite CLE points in the preceding year shall be denied renewal of the practicing certificate.

(2) A member whose renewal of certificate has been refused may accumulate the necessary points at any time thereafter and be provided with access to apply for renewal of his practicing certificate.

PART V GENERAL PROVISIONS

Revision

16. Any person aggrieved by a decision of the CLE Committee with regard to any matter provided for herein may apply for a revision of such decision to the Council within thirty days from the date of communication of such decision.

Delegation

17. The CLE Committee may delegate in writing any of its functions under these Regulations to the Chapter CLE Committees.

Dar es Salaam,
....., 2022

EDWARD G. HOSEA,
*President of the
Tanganyika Law Society*