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ACT SUPPLEMENT

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**THE POLITICAL PARTIES AFFAIRS LAWS (AMENDMENT) ACT,
2024**

ARRANGEMENT OF SECTIONS

Section Title

**PART I
PRELIMINARY PROVISIONS**

1. Short title.
2. Amendment of written laws.

**PART II
AMENDMENT OF THE ELECTION EXPENSES ACT,
(CAP. 278)**

3. Construction.
4. Amendment of section 7.
5. Amendment of section 9.
6. Amendment of section 13.
7. Amendment of section 18.

**PART III
AMENDMENT OF THE POLITICAL PARTIES ACT,
(CAP. 258)**

8. Construction.
9. Amendment of section 3.
10. Amendment of section 6A.
11. Amendment of section 6C.
12. Amendment of section 8C.

13. Amendment of section 9.
14. Addition of section 10C.
15. Amendment of section 11.
16. Amendment of section 11A.
17. Amendment of section 13A.
18. Amendment of section 16.
19. Amendment of section 19.
20. Amendment of section 20.
21. Amendment of section 21D.
22. Amendment of section 21E.
23. Addition of Third Schedule.



THE UNITED REPUBLIC OF TANZANIA



NO. 3 OF 2024

I ASSENT

SAMIA SULUHU HASSAN
*President*7th March, 2024**An Act to amend the laws governing affairs of political parties.****ENACTED** by the Parliament of the United Republic of Tanzania.**PART I
PRELIMINARY PROVISIONS**

Short title

1. This Act may be cited as the Political Parties Affairs Laws (Amendment) Act, 2024.Amendment of
written laws**2.** The written laws specified in various Parts of this Act are amended in the manner specified in their respective Parts.**PART II
AMENDMENT OF THE ELECTION EXPENSES ACT,
(CAP. 278)**Construction
Cap. 278**3.** This Part shall be read as one with the Election Expenses Act, hereinafter referred to as the “principal Act”.

Amendment of
section 7

- 4.** The principal Act is amended in section 7(3), by-
- (a) deleting paragraph (b) and substituting for it the following:
“(b) in the case of a Member of Parliament, to the Returning Officer;”; and
 - (b) deleting the words “Ward Executive Officer” appearing in paragraph (c) and substituting for them the words “Assistant Returning Officer”.

Amendment of
section 9

- 5.** The principal Act is amended in section 9, by-
- (a) deleting subsection (1) and substituting for it the following:
“(1) A candidate shall, before nomination, disclose the amount of funds in his possession or which he expects to receive which he intends to use as election expenses and details of the bank account for election expenses in the following manner:
 - (a) in the case of a Presidential candidate, to the National Electoral Commission;
 - (b) in the case of a candidate for the office of a member of parliament, to the returning officer; and
 - (c) in the case of a candidate for the office of a councillor, to the assistant returning officer.”; and
 - (b) deleting the words “within thirty days after” appearing in subsection (2) and substituting for them the word “before”.

Amendment of
section 13

- 6.** The principal Act is amended in section 13(4) by deleting the words “ninety days after the election” and substituting for them the words “ninety days after the election day in the case of general election and within thirty days after the election day in the case of by-election”.

Amendment of
section 18

- 7.** The principal Act is amended in section 18, by-

- (a) deleting subsections (1), (2) and (3) and substituting for them the following:

“(1) Any candidate in a general election or by-election shall, within sixty days from the polling day during a general election and within thirty days during a by-election, prepare and submit a financial report of election expenses received and spent during the election to the political party which sponsored the candidate in the election in the following manner-

- (a) in the case of a Presidential candidate, to the Secretary General;

- (b) in the case of a candidate for the post of a Member of Parliament or a Councillor, to the District Party Secretary or any person performing the duties of the District Party Secretary.

(2) Each political party which sponsored a candidate shall, within one hundred and eighty days in the case of a general election and within sixty days in the case of a by-election after the submission of the report by the candidate, transmit to the Registrar a financial report of all expenses incurred during intra-party nominations process, campaigns and election.

(3) The report submitted by a political party pursuant to subsection (2) shall be accompanied by the candidates’ financial report submitted under subsection (1) and copies of receipts or other documents evidencing payments or expenses incurred by a candidate and his agents.”;

- (b) adding immediately after subsection (4) the following:

“(5) Without prejudice to other provisions of this Act, the penalty under subsection (4) shall not apply where a political party proves that it failed to file the reports by reason that the former candidate concerned has died or has ceased to be a member of that party.”; and

- (c) renumbering subsection (6) as subsection (7).

PART III AMENDMENT OF THE POLITICAL PARTIES ACT, (CAP. 258)

Construction
Cap. 258

8. This Part shall be read as one with the Political Parties Act, hereinafter referred to as the “principal Act”.

Amendment
of section 3

9. The principal Act is amended in section 3-

- (a) in the definition of the term “political party” by inserting the words “subject to the provisions of this Act” between the words “or” and “supporting”; and
- (b) by adding in the appropriate alphabetical order the definition of the following terms:

““Council” means the Council of Political Parties established under section 21B;

“party organ” means a party administrative organ as described in the political party constitution which includes party national general meeting, Party National Executive Committees or Party National Central Committee;”.

Amendment
of section 6A

10. The principal Act is amended in section 6A, by-

- (a) adding the words “and rules” immediately after the words “its constitution” appearing in subsection (2); and
- (b) adding the words “for election of the President of the United Republic of Tanzania” immediately after the word “candidate” appearing in subsection (4)(a).

Amendment
of section 6C

- 11.** The principal Act is amended in section 6C, by-
- (a) adding the words “or punished otherwise” between the words “party” and “unless” appearing in subsection (5); and
 - (b) adding immediately after subsection (6) the following:

“(7) A political party which allows a non-citizen to participate in its decision-making process contrary to subsection (4) shall be liable to a fine of not less than twenty million shillings but not exceeding two hundred million shillings or to suspension or deregistration”.

Amendment
of section 8C

- 12.** The principal Act is amended in section 8C(4) by deleting the words “commits an offence and on conviction shall be liable to a fine of not less than one million shillings but not exceeding three million shillings or to imprisonment for a term of not less than three months but not exceeding six months or to both” and substituting for them the words “shall be liable to a fine of not less than one million shillings but not exceeding three million shillings or to suspension or deregistration”.

Amendment
of section 9

- 13.** The principal Act is amended in section 9, by-
- (a) adding the words “and rules” immediately after the word “constitution” appearing in subsection (1)(b); and
 - (b) adding the words “or endanger national security” immediately after the word “peace” appearing in subsection (2)(f).

Addition of
section 10C

- 14.** The principal Act is amended by adding immediately after section 10B the following:

“Documents to
be maintained by
political party

10C.-(1) A fully registered political party shall at all times maintain the following documents:

- (a) the party’s general policy which states

- the party's ideology;
- (b) the party's gender and social inclusion policy;
- (c) the party's general management rules in a format which is accessible to persons with special needs;
- (d) the party's financial and property management rules;
- (e) the party's code of conducts;
- (f) rules for intra-party nomination of candidates and election of party leaders;
- (g) the party's procurement rules; and
- (h) the party's employment rules.

(2) The gender and social inclusion policy of a political party referred to under subsection (1) shall provide for all matters prescribed in the Third Schedule.

(3) A party's policy document, constitution and rules shall be signed by the chairperson and secretary general of the party and stamped by the party's official stamp.”.

Amendment
of section 11

15. The principal Act is amended in section 11 by adding the words “or processions” immediately after the word “meetings” appearing in subsection (2).

Amendment of section 11A	16. The principal Act is amended in section 11A by adding the words “or by-election” immediately after the word “election” appearing in subsection (1).
Amendment of section 13A	17. The principal Act is amended in section 13A by adding the words “or any offence under this Act” immediately after the word “practice” appearing in subsection (1).
Amendment of section 16	18. The principal Act is amended in section 16(3) by deleting the words “general or local government election” appearing in paragraph (b) and substituting for them the words “general election or by-election”.
Amendment of section 19	19. The principal Act is amended in section 19 by adding the words “suspend or” immediately after the words “intention to” appearing in subsection (2)(a).
Amendment of section 20	20. The principal Act is amended in section 20(1) by adding the words “or suspension” immediately after the word “cancellation”.
Amendment of section 21D	21. The principal Act is amended in section 21D, by- (a) deleting the words “on conviction shall be liable to a fine of not less than three million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than six months but not exceeding one year or to both” appearing in subsection (1) and substituting for them the words “shall be liable to a fine of not less than three million shillings”; and (b) deleting the words “on conviction” appearing in subsection (2).
Amendment of section 21E	22. The principal Act is amended in section 21E(2) by deleting the words “such party” and substituting for them the words “such member”.
Addition of Third Schedule	23. The principal Act is amended by adding immediately after the Second Schedule the following:

“THIRD SCHEDULE

(Made under section 10C)

**BASIC PROVISIONS TO BE CONTAINED IN THE GENDER AND
SOCIAL INCLUSION POLICY OF A POLITICAL PARTY**

- (a) Provisions relating to programmes and initiatives for promotion of gender and social inclusion;
- (b) Provisions relating to programmes for capacity building for women, youth and persons with disability to become leaders in or outside the party;
- (c) Provisions relating to gender and social inclusion desk for coordinating the implementation of gender and social inclusion laws and policies and handling complaints regarding gender issues.”.

Passed by the National Assembly on the 2nd February, 2024.

NENELWA JOYCE MWIHAMBI
Clerk of the National Assembly