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THE POLITICAL PARTIES ACT,
(CAP.258)

REGULATIONS

(Made under section 22(2)(i))

THE POLITICAL PARTIES (CODE OF CONDUCTS) REGULATIONS, 2019

ARRANGEMENT OF REGULATIONS

Regulation Title

PART I
PRELIMINARY PROVISIONS

1. Citation.
2. Application.
3. Interpretation.

PART II
OBJECTIVES OF THE CODE OF CONDUCTS

4. Objective of Code of Conducts.

PART III
ADHERENCE TO THE CODE OF CONDUCTS AND RESPONSIBILITY OF
POLITICAL PARTIES

5. Adherence to Code of Conducts.
6. Responsibility of political party to society.
7. Responsibilities of political party to national interest.
8. Responsibility of political party in political activities.

Political Parties (Code of Conducts)

GN. No. 954 (cvontd.)

PATY IV

OATHS OF LOYALTY TO THE CODE OF CONDUCTS

9. Oaths of loyalty to Code of Conducts.

PART V

POLITICAL PARTIES ETHICS COMMITTEE

10. Structure of Committee.
11. Responsibility of Committee.

PART VI

HANDLING COMPLAINTS FOR VIOLATION OF THE CODE OF CONDUCTS

12. Procedure for submission and handling complaints of violation of this code of Conducts.
13. Penalties.
14. Responsibility of political party for actions of its member.
15. Decision of Committee.

PART VII

MISCELLANEOUS PROVISIONS

16. Revocation of regulations.

THE POLITICAL PARTIES ACT,
(CAP.258)

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(Made under section 22(2)(i))

THE POLITICAL PARTIES (CODE OF CONDUCTS) REGULATIONS, 2019

PART I

PRELIMINARY PROVISIONS

- | | |
|----------------|---|
| Citation | 1. These Regulations may be cited as the Political Parties (Code of Conducts) Regulations, 2019. |
| Application | 2. This code of conducts shall apply to all fully registered political parties and any other person participating in political party activities |
| Interpretation | 3. In these Regulations, unless the context otherwise requires- |
| Cap. 258 | "Act" means the Political Parties Act; |
| | "applicant" is a person who applies to be sponsored by a political party to be a candidate in an election; |
| | "candidate" means a person who has been nominated by the Electoral Commission of Tanzania or Zanzibar to contest for any political position; |
| | "Code Conduct" or "code" means the Political Parties (Code of Conducts) Regulations, 2019; |
| | "committee" means the Political Party Ethics Committee created in accordance with the Political Parties Code of Conducts; |
| | "country "or" nation" means the United Republic of Tanzania; |
| | "party" or "political party" has the meaning ascribed to it under the Act; |
| | "society" means Tanzanians or any lawful social group in Tanzania. |

PART II

OBJECTIVES OF THE CODE OF CONDUCTS

Objective of
Code of
Conducts

4. The objective of this Code of Conducts for political parties is to ensure that political parties and their supporters behave well, so as to practise mature politics and maintain peace and harmony in political activities.

PART III

RESPONSIBILITY OF POLITICAL PARTIES

Adherence to
Code of
Conducts

5. Every political party shall-

- (a) adhere to the Code of Conducts;
- (b) respect and adhere to all laws of Tanzania;
- (c) respect each people's personal life, a person's position in the society, his humanity and integrity of his economic, social and political activities;
- (d) assist in averting chaos, threats, conflicts and destruction of properties;
- (e) refrain from doing or allowing its members, leaders, followers or fans to use force and causing chaos in political activities;
- (f) respect and adhere to morality and ethical standards of the society and avoid any act which may erode or destroy them;
- (g) not engage in any conduct which may tarnish reputation of the country or pose a threat or danger to a country's developmental activities or political stability;
- (h) avoid discriminatory acts;
- (i) avoid any conduct which may harm the nation, its people and property;
- (j) avoid any form of cheating, misrepresentation or allowing or giving directives to its leaders, members, fans or sponsors to engage in cheating and misrepresentation;
- (k) take necessary lawful steps to prevent itself, its members, fans or sponsors from contravening

Political Parties (Code of Conducts)

GN. No. 954 (contd.)

this Code of conducts;

- (1) report violation of this Code of Conducts to the proper authority.

Responsibility of
political party to
society

6. Every political party shall-
 - (a) conduct political activities in a lawful and ethical manner ;
 - (b) not engage in corrupt practices;
 - (c) present views in a lawfully, moral and ethical manner; and
 - (d) be patriotic and uphold national ethics, customs, morals, peace, harmony, tranquility and national unity.

Duty of political
party in matters
of national
interest

7. Every political party shall provide support to Government initiatives addressing a matter of national interest.

Responsibility of
political party in
political activities

8. Every political party shall-
 - (a) control its members and fans from uttering seditions, ridicule, mimicry, demeaning or defamatory words and from planning, committing or participating in acts of violence or destructive or chaos in any political or party activity;
 - (b) control its members and fans from distributing and consuming alcohol and drugs, and from carrying or using arms, machetes or other tools of violence in any manner that may cause assault or injury during any political activity;
 - (c) avoid a conduct, speech or any other act or statement which may lead to hatred, discrimination on the basis of religion, tribe, gender, colour, ethnicity or any other form of discrimination;
 - (d) avoid speech, conduct or any other act or statement which may lead or cause seditious, violence, disruption of constitutional regime, grabbing of any constitutional power or

Political Parties (Code of Conducts)

GN. No. 954 (cvontd.)

- diminishing national honor and unity;
- (e) avoid spreading propaganda which may cause disruption of peace, national stability and unity; and
- (f) avoid making statements which are in any manner threatening, humiliating, provoking, ridiculing or which aim at advocating the use of force or violence or disruption of peace, national stability and unity.

PATY IV

OATH OF LOYALTY TO THE CODE OF CONDUCTS

Oath of loyalty to
Code of
Conducts

9. All members of a registered political party shall solemnly undertake to-

- (a) maintain good behaviour and respect all human beings;
- (b) respect and adhere to all national laws, party constitution and rules and this Code of Conducts;
- (c) promote intraparty democracy;
- (d) promote multiparty democracy, maintain peace, national stability and unity;
- (e) protect organisation and structure of the party;
- (f) adhere to universal principles of democracy, good governance and national laws in managing the party;
- (g) not disrespect any leader in Tanzania;
- (h) compete in policy and issues and not personalities;
- (i) inform the Registrar of Political Parties upon observing or discovering any violation of this Code of Conduct by a party member or fan.

PART V

POLITICAL PARTIES ETHICS COMMITTEE

Establishment
and Composition
of Ethics
Committee

10.-(1) There shall be a Political Parties Ethics Committee which shall be formed by-

- (a) the Registrar of Political Parties or his

Political Parties (Code of Conducts)

GN. No. 954 (cvontd.)

- representative, who shall be the Chairperson;
- (b) the Chairperson and Vice Chairperson of the Political Parties Council Ethics and Public Relations Committee,
 - (c) two Government representatives appointed in writing, one from the Prime Minister's office and the other from the Second Vice President's Office Zanzibar;
 - (d) one representative from the National Electoral Commission and one representative from Zanzibar Electoral Commission; and
 - (e) one expert or person experienced in politics and political party issues to be appointed by the Registrar of Political Parties.
- (2) The Assistant Registrar whose department is responsible for the supervision of implementation of the Code of Conducts shall be the Secretary to the Committee.

Responsibilities
of Ethics
Committee

11. The Political Parties Ethics Committee shall have the following responsibilities-

- (a) to hear complaints submitted on violation of this Code;
- (b) to determine submitted complaints after hearing both parties, or one party when the other party refuses to turn up;
- (c) to provide punishment for violation of the Code of Conducts.

PART VI

HANDLING COMPLAINTS FOR VIOLATION OF THIS CODE
OF CONDUCTS

Procedures for
submission and
handling
complaints of
violation of the
code

12.-(1) Procedure for submission and handling complaints of violation of the Code of shall be as follows-

- (a) any person may submit to the Office of the Registrar of Political Parties complaints of the violation of these code of conducts in writing;
- (b) the Registrar may submit complaints of the

Political Parties (Code of Conducts)

GN. No. 954 (cvontd.)

- violation of the Code of Conducts to the Political Parties Ethics Committee;
- (c) where the Registrar is the complainant, the Political Parties Ethics Committee shall appoint a temporary Chairperson of the Committee from among its members, to chair the hearing;
 - (d) complaints shall be submitted within seven days from the date of the occurrence of the violation;
 - (e) upon receipt of the complaints, the Registrar shall notify the respondent and ask him to present his defence, in writing within five days from the date of the notification;
 - (f) upon receipt of the defence, the Registrar may ask the complainant to present a rejoinder within three days from the date of receiving the defence;
 - (g) upon receipt of the complaint, defence and rejoinder or upon the expiry of time for the respondent to submit his defence, the Registrar shall convene a meeting of the Political Parties Ethics Committee which shall hear and determine the complaints as soon as possible;
 - (h) where the complainant fails to attend the hearing after being summoned, the Committee may dismiss the complaints;
 - (i) where the respondent fails to attend the hearing after being summoned, the Committee shall hear the complaint in his absence;
 - (j) the decision of the committee shall be made by consensus or the majority votes, but where there is no consensus and in the event of equal votes, the Chairperson shall have a casting vote.
- (2) Quorum for the Political Party Ethics Committee shall be half of the members of the Committee.
- (3) The Registrar may compel any person who has violated this Code of Conducts to appear before the

Political Parties (Code of Conducts)

GN. No. 954 (cvontd.)

Political Parties Ethics Committee by issuing a summons in writing or by publication in a news paper.

(4) The summons shall be deemed to have been served, if received by the person who has violated this Code of Conducts, by his representative, agent, adult family member living in his house, his employee, employer, co-employee, fellow party member or leader or it has been affixed at the door of the house where he resides.

(5) A person who fails to appear before the Political Party Ethics Committee after being summoned by the Registrar of Political Parties in accordance with this regulation shall be punished in accordance with the Political Parties Act or any other written law of the country.

(6) Without prejudice to subregulation (5), the Registrar may order in writing the arrest of a summoned person by the Police Force, to make him or her appear before the Committee.

Penalties

13.-(1) The Political Parties Ethics Committee may issue the following penalties-

- (a) warning or reprimand;
 - (b) order the offender or violator to amend or correct the violation;
 - (c) order the offender or violator to apologise in public through a widely spread news media;
 - (d) to announce in public through a widely spread news media the name of the offender or violator, explain the violation and warn him or her not to repeat the violation.
- (2) Where the offender or violator-
- (a) continues to violate the Code of conducts after being punished;
 - (b) refuses to adhere to the penalty;
 - (c) violates this Code in a manner that results to severe consequences.

Cap. 258

he may be further punished in accordance with the Political Parties Act.

Political Parties (Code of Conducts)

GN. No. 954 (cvontd.)

Responsibility of
political party for
actions of its
member

14.-(1) A political party shall be responsible for violation of the Code by its member, fan, sponsor or agent;

(2) Without prejudice to subregulation (1), liability of the political party for its member's violation shall not preclude the member from personal liability under this Code.

Decisions of
committee

15.-(1) Any party to the complaint who is not satisfied with the decision of the Committee may apply to High Court for review.

(2) Decisions of the Committee shall be enforced by the Office of the Registrar of Political Parties.

PART VII

MISCELLANEOUS PROVISIONS

Revocation of
regulations
GN. No.
215 of 2007

16. The Political Parties Code of Conduct Regulations entitled "Kanuni za Maadili ya Vyama vya Siasa za Mwaka 2007" are hereby revoked.

Dodoma,
....., 2019

JENISTA J. MHAGAMA,
*Minister of State, Prime Minister's Office
Policy, Parliament, Labour, Youth,
Employment and Persons with Disability*