

GOVERNMENT NOTICE NO. 952 published on 6/12/2019

THE POLITICAL PARTIES ACT,
(CAP.258)

REGULATIONS

(Made under section 21C (2))

THE POLITICAL PARTIES COUNCIL REGULATIONS, 2019

ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY PROVISIONS

- | <i>Regulation</i> | <i>Title</i> |
|-------------------|-----------------|
| 1. | Citation. |
| 2. | Application. |
| 3. | Interpretation. |

PART II
ESTABLISHMENT AND FUNCTION OF THE COUNCIL

- | | |
|----|--|
| 4. | Establishment of Council. |
| 5. | Appointment and membership of Council members. |

PART III
LOGO AND MEMBERSHIP OF THE COUNCIL

- | | |
|----|-----------------------|
| 6. | Functions of Council. |
| 7. | Council logo. |
| 8. | |

PART IV
RIGHTS, RESPONSIBILITIES AND CESSATION OF COUNCIL MEMBERSHIP

- | | |
|-----|-------------------------------------|
| 9. | Rights of Council member. |
| 10. | Responsibilities of Council member. |
| 11. | Cessation of Council membership. |

Political Parties Council

(GN. NO. 952 contd.)

PART V

STRUCTURE AND LEADERSHIP OF THE COUNCIL

12. Structure of Council.
13. Council leaders.
14. Responsibility of Chairperson and Vice Chairperson of Council.
15. Responsibility of Chairperson and Vice Chairperson of Council Committee.
16. Appointment and responsibilities of Secretary to Council.

PART VI

ELECTION OF COUNCIL LEADERS

17. Tenure of office.
18. Returning officer.
19. Application for contesting election of Council leader.
20. Election day.
21. Counting votes and announcing winner.
22. Handling election and other complaints.

PART VII

CEASATION OF LEADERSHIP AND FILLING VACANT POST

23. Vacating leadership position.
24. Filling vacant post.

PART VIII

COUNCIL MEETINGS

25. Ordinary Council and Committee meetings.
26. Failure of Council member to attend meeting.
27. Extraordinary Council Meeting.
28. Special Council Meeting.
29. Quorum, chairing meeting and decision making.

PART IX

COUNCIL COMMITTEES

30. Council Committees.
31. Allocation of Committee members.
32. Composition and functions of Leadership Committee.
33. Functions of Ethics and Public Relations Committee.
34. Functions of Legal and Good Governance Committee.

Political Parties Council

(GN. NO. 952 contd.)

- 35. Functions of Parliamentary and Politics Committee.
- 36. Functions of Finance Committee.

PART X

ALLOWANCES AND MISCELLANEOUS ISSUES

- 37. Funds of Council.
- 38. Sitting and travelling allowances.
- 39. Appointment of Council member to represent Council.
- 40. Funding of activities of Council leaders and members.
- 41. Contravention of these Regulations.

THE POLITICAL PARTIES ACT,
(CAP.258)

REGULATIONS

(Made under section 21C (2))

THE POLITICAL PARTIES COUNCIL REGULATIONS, 2019

PART I
PRELIMINARY PROVISIONS

- | | |
|----------------|--|
| Citation | 1. These Regulations may be cited as the Political Parties Council Regulations, 2019. |
| Application | 2. These Regulations shall apply to Tanzania Zanzibar as well as to Mainland Tanzania. |
| Interpretation | 3. In these Regulations, unless the context otherwise requires- |
| Cap. 258 | "Act" means the Political Parties Act;
"Council" means the Political Parties Council established under section 213 of the Act;
"member" means a member of the Council;
"national leader" means a Chairperson, Vice-Chairperson, Secretary General or Deputy Secretary General of a political party;
"political party" has the meaning ascribed to it under the Act;
"party" means a political party;
"Council leader" means a person elected as a Chairperson or Deputy Chairperson of the Council or Council Committee;
"aspirant" means a member of the Council wishing to contest for a Council leadership position. |

Political Parties Council

(GN. NO. 952 contd.)

PART II

ESTABLISHMENT AND FUNCTIONS OF THE COUNCIL

Establishment
of Council

4. There is established within the office of the Register of Political Parties a Council of Political parties.

Appointment
and membership
of Council
members

5.-(1) A political party shall appoint two of its national leaders to be members of the Council and submit their names to the Secretariat.

(2) The persons appointment pursuant to subregulation (1) shall be representatives of a political party in the Council.

(3) Where a political party changes its representative in the Council, it shall notify the secretariat and submit the name of the new representative to the secretariat within seven days before the next Council meeting.

(4) In appointing the two representatives, the party shall ensure that-

- (a) the representatives hail from each part of the union, one being from Tanzania Zanzibar and the other from Mainland Tanzania;
- (b) gender equality is observed.

Functions of
Council

6.-(1) Functions of the Council shall include to-

- (a) advise the Registrar on the disputes arising amongst political parties;
- (b) advice the Registrar on matters of national interest with reference to political parties or political situation;
- (c) advise the Government through the Registrar on the enactment, amendment and implementation of Political Parties Act and other laws relating to political parties;
- (d) advise on the regulations prescribing matters regarding political parties;
- (e) inform the Registrar on any matter regarding the operations of any political party.

Council logo

7.-(1) The Political Parties Council shall have its own logo which shall be approved by the Council and the Minister.

Political Parties Council

(GN. NO. 952 contd.)

(2) The logo shall be used on the letter head of all Council letters and any other Council document.

PATY IV

RIGHTS, RESPONSIBILITIES AND CEASATION OF COUNCIL MEMBERSHIP

Rights of
Council member

rights-

8. A member of the Council shall have the following

- (a) to attend Council and Committee meetings and other activities of the Council;
- (b) to express or share his views or opinion and seek clarification at the Council or Committee meetings;
- (c) to vote and be voted for in any leadership position of the Council and its Committees; and
- (d) to vote in making Council resolutions when there is no consensus.

Responsibilities
of Council
member

responsibilities-

9. A member of the Council shall have the following

- (a) to attend Council and Committee meetings and activities;
- (b) to represent his political party to the Council;
- (c) to present Council resolutions and decisions to his political party;
- (d) respect, protect and abide by Council rules and resolutions, as well as chairperson's order during the Council and Committee meetings;
- (e) to cooperate with and respect Council leaders, other members and members of secretariat in performing Council functions.

Cessation of
Council
membership

if-

10.-(1) A person shall cease to be a member to the Council

- (a) he or she ceases to be a national leader of a party;
- (b) his appointment as a member of the Council is revoked in writing by his political party;
- (c) his or her political party appoints another person to be a member of the Council;
- (d) he or she resigns to be a member of the Council;

Political Parties Council

(GN. NO. 952 contd.)

- (e) he or she ceases to be member of a party which appointed him or her to be a member;
- (f) he or she fails to attend three consecutive Council meetings without a notice in writing to the secretariat;
- (g) his or her political party is deregistered or suspended;
- (h) he or she is declared to be mentally ill by a competent Government authority; or
- (i) he or she has been sentenced to more than six year in prison by a court of competent jurisdiction.

(2) Where a seat in the Council falls vacant due to any reason under subregulation (1), the party that lost the representative shall appoint another representative in accordance with these Regulations to fill the vacancy.

PART V

STRUCTURE AND LEADERSHIP OF THE COUNCIL

Structure of Council

11.-(1) The organs of the Council shall be -

- (a) the Council;
- (b) Council Committees; and
- (c) Secretariat.

(2) The Council shall be composed of-

- (a) members of the Council as provided in regulation 5;
- (b) head of secretariat;
- (c) secretary to the Council;
- (d) secretaries of the Council Committees; and
- (e) other members of secretariat appointed by the head of secretariat.

(3) The office of the Registrar of Political Parties shall provide secretariat to the Council.

(4) The Registrar of Political Parties shall be the head of the secretariat.

Council leaders

12. -(1) The Council leadership shall comprise of-

- (a) Chairperson of the Council;
- (b) Vice Chairperson of the Council;

Political Parties Council

(GN. NO. 952 contd.)

(c) Chairpersons of Council Committees; and

(d) Vice Chairpersons of Council Committees.

(2) A Chairperson and Vice Chairperson of the Council or of any Committee shall not belong to the same political party.

(3) Where the Chairperson of the Council or a Committee is a resident of Zanzibar, the Vice-Chairperson of the Council or a Committee shall be a resident of Tanzania Mainland and vice versa.

Responsibility
of Chairperson
and Vice
Chairperson of
Council

13.-(1) Responsibilities of the Chairperson of the Council shall be-

(a) to chair the Council and leadership Committee meetings;

(b) to oversee performance of the Council Committees;

(c) to cooperate with the secretariat in implementing and making;

(d) follow up of implementations of the Council resolutions; and

(e) to be a spokesperson and representative of the Council in all matters concerning the Council.

(2) Responsibilities of the Vice Chairperson of the Council shall be-

(a) to chair Council meetings in absence of the Chairperson; and

(b) to perform responsibilities of the Chairperson in the absence of the Chairperson or under the directive of the Chairperson.

(3) In performing his functions, the Council Chairperson may from time to time consult with the Registrar of Political Parties.

Responsibility
of Chairperson
and Vice
Chairperson of
Council
Committee

14.-(1) Responsibilities of the Chairperson of a Council Committee shall be-

(a) to chair Committee meetings;

(b) to oversee Committee implementation of Council resolutions;

(c) to cooperate with the secretariat in implementing and

Political Parties Council

(GN. NO. 952 contd.)

making follow up of implementations of the Council resolutions; and

- (d) to be a spokesperson and representative of the Committee in all matters concerning the Committee.

(2) Responsibilities of the Vice Chairperson of a Committee shall include-

- (a) to chair Committee meetings in absence of the Chairperson; and

- (b) to perform responsibilities of the Committee Chairperson in absence of the Chairperson or under the directive of the Chairperson.

(3) In performing his functions the Committee Chairperson shall from time to time consult with the Council Chairperson.

Appointment
and
responsibilities
of Secretary to
Council

15.-(1) Secretary to the Council shall be appointed by the Registrar of Political Parties amongst the officers employed at the Office of the Registrar of Political Parties.

(2) Secretariat of the Council shall have the following responsibilities-

- (a) to facilitate and monitor functions of the Council and its Committees;
- (b) to keep records of the Council meetings and its Committees;
- (c) to evaluate Council resolutions and give the Council feedback about its implementation;
- (d) to implement Council resolutions which in the opinion of the secretariat are implementable and suitable to be implemented; and
- (e) to conduct any other activities which concern the Council as may be directed by the Registrar.

(3) In performing his functions, the secretary to the Council shall, from time to time consult the Registrar of Political Parties.

Political Parties Council

(GN. NO. 952 contd.)

PART VI

ELECTION OF COUNCIL LEADERS

Tenure of office

16.-(1) The Chairperson and Vice Chairperson of the Council shall be elected from among Council members.

(2) The Chairperson and Vice Chairperson of the Committee shall be elected from Committee members.

(3) Once elected, Council leaders shall hold office for two years and shall be eligible for re-election.

(4) Notwithstanding sub-regulation (2), Council leaders shall remain in office until the new leadership is elected.

(5) Election of Council leaders shall be held after every two years, provided that, the period may be extended for a reasonable period by the Registrar in consultation with the leadership Committee.

Returning officer

17.-(1) The Secretary to the Council or his representative appointed by the Registrar shall be a returning officer in the election of Council leaders.

(2) The returning officer may delegate his powers to the secretary of a Committee to manage election of leaders of the Council Committees.

Application for contesting election of Council leader

18.-(1) A Council member who aspires to be elected as a Council leader shall fill forms issued by the returning officer and submit the same to the returning officer within seven days prior to the election day.

(2) Each applicant shall contest for only one Council leadership position.

(3) After receipt of the application form and upon being satisfied that the applicant meets the required qualifications, the returning officer shall nominate the applicants as candidate for the election position he has applied for.

(4) After nomination, the returning officer shall immediately communicate to the applicants the names of nominees and names of those who were not nominated with reasons.

Political Parties Council

(GN. NO. 952 contd.)

Election day

19.-(1) The returning officer shall, in writing and in not less than fourteen days before the election day, inform Council members through their Political Parties, about the election day.

(2) Names of election candidates shall be announced during the confirmation of agenda, immediately after opening of the election meeting.

(3) The returning officer shall allocate time for candidates to express themselves and ask for votes before members of the Council.

(4) Council members shall have the right to ask the candidate not more than three relevant questions.

(5) The candidates shall have the right not to respond to a question asked or to say he does not know the answer to the questions asked.

(6) Election of Council leaders shall be conducted in the following order-

(a) firstly, election of Council Chairperson;

(b) secondly, election of Council Vice Chairperson;

(c) thirdly, election of Chairpersons of Committees; and

(d) lastly, election of Vice Chairpersons of Committees.

(7) Without prejudice to subregulation (6), election of Chairpersons and Vice Chairpersons of the Committees shall be done after establishment of the Committees after every two years.

Counting votes
and announcing
winner

20.-(1) Every candidate shall be given an opportunity to appoint his agent to observe the process of counting votes.

(2) Counting of votes shall be done immediately after voting, in the building where the Council meeting is held and at a location to be decided by the returning officer.

(3) Counting of votes shall be done by secretariat under the command and supervision of the returning officer.

(4) When counting of votes is complete to the satisfaction of the candidates' agents, the returning officer shall record and announce the results and declare a winner at the Council meeting.

(5) A candidate's refusal to appoint an agent or an agent's refusal to endorse the results will not invalidate the election

Political Parties Council

(GN. NO. 952 contd.)

results.

(6) The winner shall be the candidate who gets majority of the valid votes casted, provided that, the winning candidate must get more than fifty percent of the votes casted.

(7) The winning candidate shall be an elected leader of the Council for the contested position

(8) In the event the casted votes for the candidates tally, there shall be re-election until one candidate gets majority of the valid votes casted.

Handling
election and
other complaints

21.-(1) Any complaints regarding the election of Council leaders shall be submitted in writing to the returning officer.

(2) Other complaints regarding Council issues shall be submitted in writing to the secretariat.

(3) An appeal against the decision of the returning officer regarding election shall be submitted to the Registrar of Political Parties, whose decision shall be final.

PART VII

CESSATION OF LEADERSHIP AND FILLING VACANT POST

Vacating
leadership
position

22. A Council leader shall cease to hold a leadership position when he or she-

- (a) loses qualification to be a Council member;
- (b) resigns from being a Council leader;
- (c) becomes sick for more than six months to the extent that he or she fails to perform his or her duties;
- (d) fails without written notice to the secretariat, to attend three consecutive meetings of the Council organ which he or she is a leader;
- (e) the political party from which he or she comes is deregistered or suspended;
- (f) is declared to be mentally ill by a competent Government authority; or
- (g) he or she has been sentenced to more than six years in prison by a court of competent jurisdiction.

Filling vacant
post

23. -(1) Where a Council leader ceases to hold a

Political Parties Council

(GN. NO. 952 contd.)

leadership position due to any reason under regulation 22, the political party from which the leader comes shall appoint a national leader who qualifies to be a Council leader under these Regulations to replace the one who lost his position.

(2) A national leader appointed under subregulation (1) shall assume office after being approved by more than fifty percent of valid votes casted by the Council members, as the case may be.

(3) Where the national leader appointed under subregulation (1) fails to be approved by the Council, the party shall appoint another person to fill the vacant post.

(2) Filling of a vacant post shall not be done where the remaining leadership time is less than six months before the next election.

PART VIII
COUNCIL MEETINGS

Ordinary
Council and
Committee
meetings

24.-(1) There shall be two ordinary Council and Committee meetings in every financial year of the Government, whereby, one ordinary meeting shall be held six months after the previous meeting.

(2) The place of holding ordinary Council meetings shall alternate, whereby, if one meeting is held in Tanzania Mainland the next meeting shall be held in Zanzibar.

(3) Notwithstanding subregulation (2), the Leadership Committee may decide where the next Council meeting will be held depending on circumstances existing at that time.

(4) The Registrar of Political Parties shall, after consultation with the Chairperson of the Council, instruct the secretary to the Council to convene a Council meeting by sending notice to each political party at least fourteen days before the date of the respective meeting.

(5) During an ordinary Council meeting, only Council members and secretariat shall be allowed in the meeting room.

(6) The Registrar of Political Parties may, after consultation with the Chairperson, instruct the secretary to the Council to invite any person in an ordinary Council meeting to be

Political Parties Council

(GN. NO. 952 contd.)

an observer or participate in the meeting, but he or she will not take part in the decision making of the Council.

(7) Where the Chairperson, Vice Chairperson or any member of the Council wishes to invite any person to the Council meeting, he or she shall consult the Registrar of Political Parties who shall, where he does not have any objection, instruct the secretary to the Council to invite the person.

Failure of
Council member
to attend
meeting

25.-(1) A Council member who fails to attend a Council meeting may be represented by any national leader of the party who qualifies to be a Council member:

Provided that, where national leaders of the party who qualify to be Council members cannot attend the Council meeting, the member may be represented by any national leader of the party.

(2) Without prejudice to subregulation (1), a representative of the party shall be from the side of the Union where the Council member who is being represented resides.

(3) Notwithstanding subregulation (1), a Council member shall not be represented in more than two consecutive meetings of the Council.

(4) A representative of the Council member shall have no right to vote and in the minutes of the meeting he shall be marked as "representative" or in Kiswahili "mwakilishi".

(5) The name of the representative of a Council member shall be submitted to the secretariat at least seven days before the meeting, stating the reasons for non-attendance of the Council member.

(6) A representative of the Council member shall not be allowed in the meeting without a prior written notice to the secretariat from his political party.

Extraordinary
Council
meeting

26.- (1) An extra ordinary Council meeting may be convened where-

- (a) the Registrar of Political Parties, in consultation with the Chairperson of the Council is of the view that there is a need to convene such a meeting;
- (b) the Chairperson, in consultation with the Registrar of

Political Parties Council

(GN. NO. 952 contd.)

Political Parties, is of the view that the meeting should be convened;

- (c) two-thirds of the Council members sign a request for such a meeting and present their request to the Registrar.

(2) Occurrence of an extraordinary meeting under subregulation (1)(b) shall depend on availability of needed resources which shall be determined by the Registrar of Political Parties.

Quorum,
chairing
meeting and
decision making

27.-(1) All Council and Committee meetings shall be called by the Secretariat under the instruction of the Registrar of Political Parties.

(2) Save for an election meeting whose quorum shall be two-thirds of the total number of Council members, the quorum for each Council meeting shall be half of the total number of Council members.

(3) All Council meetings shall be chaired by the Chairperson or in his absence the Vice Chairperson.

(4) In the absence of both the Chairperson and Vice chairperson, the Council members shall elect one member from among them to chair the meeting

(5) Save for elections which shall be by secret ballot, all Council resolutions or decisions may be made by-

- (a) consensus of the majority; or
- (b) voting.

(6) In the event votes on each side are equal, the Chairperson of the meeting shall have a casting vote.

PART IX COUNCIL COMMITTEES

Council
Committees

29. There shall be five Council Committees as follows-

- (a) Leadership Committee;
- (b) Ethics and Public Relations Committee;
- (c) Legal and Good Governance Committee;
- (d) Finance Committee; and
- (e) Parliamentary and Politics Committee.

Political Parties Council

(GN. NO. 952 contd.)

Allocation of
Committee
members

30.-(1) Each Council member shall be given opportunity to select the Committee he or she desires, however, the secretary to the Council shall have powers to reallocate a Council member to any Committee.

(2) Each Committee shall have a secretary who shall be appointed by the head of secretariat from among officers in the Office of the Registrar of Political Parties.

(3) A Secretary of the Committee shall be accountable to the Secretary of the Council.

(4) The Secretary of the Council may recommend to the head of Secretariat to change the person serving as secretary of any of the five Council Committees.

(5) Each Committee shall establish its own procedure for performing its functions and conducting meetings.

Composition
and functions
of Leadership
Committee

31.-(1) The Leadership Committee shall be composed of-

- (a) Chairperson of the Council;
- (b) Vice Chairperson of the Council;
- (c) Chairperson and Vice Chairperson of each of the other four Committees;
- (d) Registrar of Political Parties; and
- (e) Secretary of the Council.

(2) Head of secretariat may invite other members of secretariat to attend the Leadership Committee meeting.

(3) The functions of the Leadership Committee shall be to-

- (a) discuss and prepare agenda for the next Council meeting;
- (b) go through minutes of the previous Council meeting before being presented at the next Council meeting;
- (c) discuss any information or report before being presented at the Council meeting; and
- (d) receive and discuss secretariat report regarding preparation for Council meeting or any other activity.

Functions of
Ethics and
Public
Relations
Committee

32. The functions of the Ethics and Public Relations Committee shall be to-

- (a) advise the Council on the implementation of Political Parties Code of Conduct;

Political Parties Council

(GN. NO. 952 contd.)

- (b) advise the Council about political parties conducts;
- (c) advise the Council about relationship between political parties, political parties and the Government and political parties and other stakeholders of the multiparty democracy; and
- (d) advise the Council about anything requested by the Leadership Committee which falls within the mandate of the Council and the Committee.

Functions of
Legal and
Good
Governance
Committee

33. The functions of the Legal and Good Governance Committee shall be to-

- (a) scrutinize various laws governing political parties and elections and advise the Council about their implementation or amendment;
- (b) advise the Council about political parties adherence to laws governing political parties and elections;
- (c) advise the Council about anything requested by the Leadership Committee which falls within the mandate of the Council and the Committee.

Functions of
Parliamentary
and Politics
Committee

34. The functions of the Parliamentary and Politics Committee shall be to-

- (a) advise the Council on parliamentary and house of representative issues
- (b) to advise the Council about multiparty democracy, elections and political parties affairs;
- (c) advise the Council about anything requested by the Leadership Committee which falls within the mandate of the Council and the Committee.

Functions of
Finance
Committee

35. The functions the Finance Committee shall be-

- (a) advise the Council about income, sources and expenditure of Council's funds.
- (b) advise the Council about political parties and election finance issues;
- (c) advise the Council about the Council's budget; and

Political Parties Council

(GN. NO. 952 contd.)

- (d) advise the Council about anything requested by the Leadership Committee which falls within the mandate of the Council and the Committee.

PART X

FUNDS AND MISCELLANEOUS ISSUES

Funds of
Council

36. The Council shall be funded from the Government budget and may receive donor funds through the Government.

Sitting and
travelling
allowances

37. Sitting allowances and other payments to Council members and secretariat shall be paid as prescribed by Government Circulars providing for the same or as prescribed by the Registrar of Political Parties.

Appointment of
Council member
to represent
Council

38. All Council leaders and members activities shall be done and funded based on the existing work plan and Council budget.

Funding of
activities of
Council leaders
and members

39. Appointment of a Council member, who shall represent the Council in any given forum, shall be done by the Council Chairperson in agreement with the head of Secretariat.

Contravention
of these
Regulations

40. Any Council member who contravenes these Regulations shall be referred to the Leadership Committee which shall hear the matter and issue punishment of reprimand or cessation of membership.

Dodoma

....., 2019

JENISTA J. MHAGAMA,
*Minister of State, in the Prime Minister's
Office Policy, Parliamentary, Labour, Youth,
Employment and Persons with Disabilities*