

THE TANZANIA ACADEMIC AND NON-FICTION WRITERS' ASSOCIATION



| RULES AND | REGULATIONS |

SOCIETY ACT

CHAPTER 337 REVISED EDITION 2002

(Made under section
(21) (1) (a) rule (4) (c)
application rules for registration)
www.tanfwa.or.tz



GENERAL PROVISIONS

NAME OF THE RULES AND INTERPRETATION.....5

MEMBERSHIP.....6

LEADERSHIP AND ELECTION PROCEDURES.....10

FEES AND FINE.....16

FUNDS MANAGEMENT.....18

CONSTITUTION AMENDMENT AND DISPUTE RESOLUTION...20

OTHER PROCEDURES TO BE FOLLOWED AS REGISTERED SOCI-
ETY.....22

PART ONE (1)
GENERAL PROVISIONS

1. Name of the rules
2. Uses of the rules
3. Interpretations

PART TWO (2)
QUALIFICATION TO MEMBERSHIP APPLICATION

4. Types of membership
5. Cessation of membership
6. Appeals of decision
7. Membership misconduct

PART THREE (3)
LEADERSHIP AND ELECTION PROCEDURES

8. Leadership
9. Change of Office Bearer
10. Disciplinary and Electoral Committee
11. Election Procedures

PART FOUR (4)
FEES AND FINES

12. Fees
13. Fine

PART FIVE (5)
FUNDS MANAGEMENT

14. Funds and Accounts

PART SIX (6)
**CONSTITUTION AMENDMENT, DISPUTE RESOLUTION AND
DISSOLUTION**

15. Constitution Amendments

16. Procedures for Change of Constitution

17. Dispute Resolution.

PART SEVEN (7)
OTHER PROCEDURES TO BE FOLLOWED

18. Change of name of the society

19. Other procedures for the registers of office

PART ONE (I)

NAME OF THE RULES AND INTERPRETATION

Name of

the rules

1.These Rules may be cited as the Tanzania Academic & Non-Fiction Writers’ Association (TANFWA) rules

Uses of

the rules

2.These rules shall be used by Members of the Tanzania Academic & Non-Fiction Writers’ Association to regulate the day to day activities of the association. The rules shall regulate the interim matters of the association.

Interpretations

3.In these rules, interpretations of various items provided under this article are valid unless the context requires otherwise.

(a) “ACT” means the societies ACT. Cap 337

(b) “AGM” means Annual General Meeting

(c) “Constitution” means the Constitution of the Tanzania Academic & Non-Fiction Writers’ Association

(d) “Elected officers” means officers elected by Annual General Meeting

(e) “Membership” means a member institution of TANFWA

(f) “Office bearers” means officers elected to hold TANFWA office according to the requirement of the constitution

(g) “Registrar” means the registrar of societies

PART TWO (II)

MEMBERSHIP

Types of

Membership 4. (1) Membership of the TANFWA shall be;

- a) **Ordinary Member:** Open to all individual and corporate Tanzanian authors of academic and non-fiction works in all languages;
- b) **Associate Member:** Open to all Tanzanian literary groups and/or writers organisations and individuals. This can be either a group/organisation, or an individual whose objectives are similar to those of the Association but who is not eligible for ordinary membership
- c) **Honorary Member:** This is extended to individuals and corporate institutions that have rendered outstanding services or support to the world of writing or to the Association subject to members approval at the Annual General Assembly. Honorary members are distinguished individuals/corporate institutions, nominated by the Executive Board and approved by the General Assembly.

(2) Membership shall be done by application. A member who wishes to join TANFWA shall take the membership application form to TANFWA General Secretary and shall read all joining instructions and shall dully fill the form

and return it to the Executive Secretary' sooffice;

(3) The General Secretary shall receive the membership application form and present the same to the Chairperson.

(4) The General Secretary and Chairperson shall discuss and allow or deny membership applicant(s). The General Secretary shall notifying in writing about acceptance or denial of the application.

(5) For the Institution(s) or groups which are not eligible to join, the EC members shall discuss about it

(6) Both, the member institution and the TANFWA chairperson shall then sign the membership agreement form.

Cessation of

Membership

5.(1) Membership of TANFWA shall cease when a member;

a) Request to withdraw from TANFWA.

b) Cease to exist.

c) Is dismissed by a vote of members in an AGM due to non adherence of TANFWA Constitution.

d) Fails to pay the annual membership fee for the period of two years consucutively, whereby membership fee is to be paid every year before the AGM.

(3) A member who fails to pay annual membership fee for

the period of two years consecutively, will automatically be deleted from membership registry.

(4) Any member of the TANFWA who violates the Constitution and rules shall be suspended by the Executive Committee for about six (6) months.

Appeals on

a decision

6.(1) A member may appeal to the Executive Board if it has aggrieved reason about either of the followings:

a) Termination of membership

b) Suspension of his/her membership

(2) In the appeal, the member(s) so terminated or suspended must give genuine reasons in writing to the Board.

(3) It shall not be lawfully a member to be terminated or suspended without being given a right to be heard. In every procedure of hearing the cases of termination, suspended, or any other issues principles of natural justice must be adhered to.

(4) In any appeal, according to these rules, the decision of the Board is not final. Any member who sees his/her rights are still violated shall appeal to the AGM, and its decision shall be final. The appeal to the AGM shall be within 21 days after the Board's decision, failure to do that the decision of the Board shall be upheld.

Members

Misconducts

7. (1) The TANFWA member representatives shall behave cordially while present on the premises/areas of meeting, seminars and conference rooms or other TANFWA functions or occasions. They shall refrain from any abusive language, gestures or verbal alterations while on the functions of TANFWA or in discharging day-to-day duties.

PART THREE (III)

LEADERSHIP AND ELECTION PROCEDURES

Leadership

8. (1) There shall be five positions of leadership of TANFWA who shall be elected by members in AGM. Those leaders shall be:

1. Executive Board:

- a) The Chairperson and Vice Chairperson
- b) The General Secretary and Vice General Secretary, and
- c) The Treasurer and Assistant Treasurer
- d) Editor/Publicity Secretary
- e) Chairpersons of standing committees: the formation of these committees will be based on the needs as may be.

- 2. Every leader shall be faithful and act in a manner as a leader of TANFWA
- 3. It is indiscipline for a leader to use money or any other properties of TANFWA for his or her own benefits
- 4. There shall be Disciplinary committee which shall deal with misconduct of office bearers.
- 5. The disciplinary committee shall hear issues of leadership misconduct and shall inform and provide

their opinion in the AGM for discussion and decision.

6. The disciplinary committee may recommend punishment to be given to any office bearers found guilty, the punishments may include;

a) Vote of no confidence

b) Expelled from the office.

7. There shall be an electoral committee to be charged with all elections of the Association.

Change and

Handover of

Office bearer

9. (1) Any change of office bearers shall be done according to the Constitution and rules of TANFWA as well as societies Act and rules as per the direction of the registrar of societies in the ministry of home affairs.

(2) Office bearer(s) shall write a handover letter upon exit his/her post for whatever reason.

(3) The officer shall deliver a handover letter to the TANFWA Chairperson within thirty (30) days from the first day of such vacancy.

(4) The officer who finishes his/her office tenure must handover the office together with the properties by the special form provided in this rule within 30 days.

(5) The office bearers are entitled to respect the Constitution and their office tenure as directed in the Constitution.

(6) The General secretary is required to inform the registrar of Societies for new office bearers, and election procedures used. He/she shall fill special forms for office bearers as directed by the societies Act rules.

Disciplinary

Committee

10.(1) There shall be disciplinary committee which among other things shall perform the following duties;

- a) To receive and handle all complaints regarding disciplinary violations and the constitutional provisions of TANFWA
- b) To monitor ethical issues and integrity of office bearers and TANFWA members
- c) To provide leadership guidance on the steps of the administrative measures to be taken against an office bearer who violated morals

(2) In case of reporting any ethical matter, complaints shall be sent to the committee chairperson by letter or email.

- a) The Chairperson shall acknowledge receipt of any complaints by letter or email.
- b) The complainer shall be ready to provide further clarification regarding his or her complaint.

Electral Committee

and Election

Procedures (1) There shall be an electoral committee appointed by the Executive Board.

(2) The Chairperson of Electral Committee shall make sure that TANFWA election is held in the manner provided in all sections of this article.

(3) Electoral committee shall announce the vacant position and call for members to apply by filling out application forms for the same.

(4) TANFWA members shall then vote to select one of the two names for all

positions during the AGM.

(5) In the event that the electoral committee fails to get a name, members attended to the AGM may nominate any person who deems fit for the post and be seconded by voters.

(6) The electoral committee chairperson shall announce the election results at the place where the election is conducted.

(7) The electoral committee chairperson shall give a certificate to a winner after announcing election results.

(8) The electoral committee shall be responsible for

receiving and hearing election complaints.

(9) A candidate shall appeal to the Board in case he/she is not satisfied with the judgment of the electoral committee.

(9) At any time, the election will be conducted if the following happen:

- a) Death of office bearers
- b) Resignation
- c) Physical or mental incapacity of the office bearer.
- d) Conviction of any criminal offence
- e) If the office bearer has been removed from office due to the following reasons:
 - i. Non-performance
 - ii. Breach of contract
 - iii. Abuse of office
 - iv. If the office bearer ceases to be an employee of the member institution.
 - v. Scandalous conduct, e. g. conviction for an offence.
 - vi. Any other reason that may be agreed by the AGM

(10) In the event that an elected officer is unable to serve out his term due to mental, physical or otherwise, the Executive Board shall appoint a successor among Executive Board members to complete that term and office bearer/s and the appointed officer shall be designated as 'ACTING' until the next Annual General Meeting.

(11) A vacancy in the office of Chairperson shall be filled by the election process after 90 days, from the first day of such vacancy and the Vice Chairperson shall act as Chairperson in the office during these 90 days.

(12) Voting in the general election shall be a secret ballot.

(13) No office bearer shall serve TANFWA for more than 10 years even if in different capacities/positions.

PART FOUR (IV)

FEEES AND FINE

Fees

12. (1) There shall be different fees which shall be paid by a Member as follows;

- a) Subscription fees for all new members shall be 50,000 for ordinary members; TZS 20,000 for students; and TZS 100,000 for Associate and Honorary members. This shall be paid to the TANFWA Account on the time of application
- b) The annual sbscription fee shall be TZS 30,000.00 for ordinary members, TZS 15,000 for studnts; TZS 150,000 for both Associate and Honorary members. This is a mandatory fee that has to be paid annualy by all members.

As need arises, TANFWA shall subscribe its membership to any national, regional and internation organizations that have mutual benefits to its members as approved by the AGM

(2) There shall be statutory meetings and trainings whereby each member institution or group or organization shall support their representatives to participate and MUST attend AGM each year.

13. (1) Any member who violates or fails to adhere to the rules stipulated in the Article 12 (1) shall be:

- a) Members who failed to adhere in any way to the these rules will be denied rights to participate in the TANFWA activities, until the respective member renew their membership as per article C this reguation.
- b) Members who failed to pay their dues in three years concecutively they will be deleted from membership registry or database.
- c) All defaulters who failed to pay their annual fees for two years consecutively and would like to re-jong their memberships, they will be required to pay a fee of TZS 100,000.00 for ordinary members, TZS 50,000 for students and TZS 200,000 for all Accosiate and Honorary members for the re-activation of their membership and renewals.

PART FIVE (V)
FUNDS MANAGEMENT

Funds and

Accounts

14. (1) There shall be an account of TANFWA which shall be opened in any bank TANFWA members wish or decide.

(2) TANFWA funds shall be kept in a bank account, and the Treasurer shall have a duty to make sure the funds are deposited in the bank.

(3) The bank account of TANFWA shall be operated by the following signatories:

a) Category A. The TANFWA Chairperson and Deputy Chairperson.

b) Category B. The General Secretar yand The treasurer.

c) Any other two members elected by the AGM, if deem necessary and shall be

in Category B.

(4) Withdrawal of any funds from the TANFWA Bank Account shall be made by Cheque bearing the signatures of any two of the above-mentioned signatories from the two categories.

(5) It shall be the duty of the Treasurer to prepare a financial report every year in consultation with an independent

auditor who shall be required to present the report to the AGM for discussion.

(6) The AGM shall discuss and give views of the correctness or incorrectness of the financial report.

(7) The annual financial report shall be passed (approved) by 2/3.of the members present at the AGM.

(8) Every application to withdraw funds from theTANFWA bank account shall be endorsed/approved by the Chairperson and or the Deputy Chairperson in consultation with the Treasurer.

PART SIX (VI)

CONSTITUTION AMENDMENT AND DISPUTE RESOLUTION

Constitution

Amendments

15. (1) The Constitution of this society can be changed according to the need of Members, if they wish to do so.

(2) The Constitution can be changed by a special resolution for change of the Constitution by a vote of members of 2/3 in the AGM. No constitution amendment shall be done without prior approval of the AGM.

Procedures for

Change of the

Constitution (16) The General Secretary of TANFWA shall prepare the necessary documents and present them to the Registrar of Societies at the Ministry of Home Affairs as follows:

(a) Minutes of the AGM which discussed and approved the change of the Constitution.

(b) Number of Members who attended the AGM and their signatures.

(c) Fill form no. S.A 10 Application for Permission to Change the Constitution.

(d) Fill form No. S.A12 Notice of Change of Constitution.

(e) The General Secretary shall write a covering letter together with the above requirements and send them to the registrar office at the Ministry of Home Affairs.

(4) The registrar will inform the General Secretary about the result of the application, whether he/she agrees with the application for the change of Constitution.

Dispute

Resolution **17.** (1) If any dispute arise within an organization, it shall be solved amicably by negotiation.

(2) No disputes shall be sent or open to court without a special resolution at the AGM.

(3) If there is a need to send the disputes to court, the AGM shall discuss and vote for whether or not the Executive Board opens the case before the court.

PART SEVEN (VII)

OTHER PROCEDURES TO BE FOLLOWED AS REGISTERED SOCIETY

Procedures for

changing the name

of the society

18. (1) The society may change its name when the members of the society decide.

(2) Any proposal for change of name of the society shall be discussed in the AGM for the vote of 2/3 of members in the AGM, and the members shall vote for the change.

(3) The General Secretary shall write the minutes for a special agenda for the Change of the Name of the society together with the signatures of each member who attended such meeting and present the same to the registrar office.

(4) It is prohibited to change the name of the registered society without permission of the registrar of societies.

(5) The General Secretary of the society shall write a letter to the registrar of societies to apply for the name change together with the following:

- a) Filled form number S.A9 application for permission to change the name of a society.
- b) Filled form number S.A 11 Notice of change of name
- c) Minutes of the meeting which discussed the

agenda for change of name.

d) The number of members who attended the AGM and their signatures.

e) A covering letter that supports the application.

(6) It shall be an offence to any office bearer or any member who change the name of the society without the permission of the registrar and an offence to the society for the violation of the above procedures provided in this rule.

Other requirement

procedures for the

Registrar office **19.** (1) No change of the postal address, office bearer's name, the Constitution, rule and regulations or any other information without consultation of the registrar of societies.

(2) Each year, the society shall be required by the registrar of societies to present the following reports:

(a) Annual audited account

(b) The minutes sheet of the number of meetings held

(c) Any change of office bearers

(3) It shall be violation of the societies Act and its rules not to present the above reports.

(4) The registrar may use his power to cancel the

registration of a Registered Society if it fails to comply with the above requirement.

