WHO IS WHO IN THE TANZANIA PARLIAMENT 2005 - 2010
The information contained in this book is as comprehensive as the Members of Parliament were able to supply at the time of going to press. If you have any inquiries on this book or difficulties in contacting Members of Parliament or Parliamentary staff, please contact the Office of the Clerk of the National Assembly at the following addresses:

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PREFACE

The Friedrich Ebert Foundation has for the third time financed the Directory after the General Elections as part of the cooperation that exists between the two Institutions. As in the previous directories, the publication will assist the Parliament’s initiative in its commitment to making the House transparent to the public as part of the Civic Education program. This is indeed an honour for the Foundation to support the Parliament.

As stipulated in the Constitution, the State works through the three organs namely the Executive, the Legislative and the Judiciary. All the three have their own responsibilities and duties in maintaining the State’s equilibrium. Understanding that importance, we have included contact addresses from all three. We therefore have the addresses of the Members of Parliament, the Ministerial and Court addresses for easier reference.

We wish to express our sincere appreciation to all those who assisted in facilitating, accomplishing this publication especially Dr. Thomas D. Kashililah – Director of Information and Communication Technology for his time.

Furthermore, we would like to thank the Honorable Members of Parliament who participated in this exercise through provision of their personal details, and the staff of the National Assembly for their endless support.

REINHOLD EINLOFT
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Resident Director
ACKNOWLEDGEMENT

This directory was fully financed by Friedrich Ebert Stiftung (FES) as part of its commitment to assist the Parliament of Tanzania in its drive for good governance through civic education to the general public.

I wish to express my very special gratitude to Friedrich Ebert Stiftung for financing this third publication and all those who helped in facilitating, accomplishing this publication, notably Dr. Thomas Kashililah - Director of Planning and Information Technology, Mr. Ernest Zulu - Principal Information Officer, Mr. Emanuel Mpanda – Research Officer, Mr. Brown Mwangoka – Research Officer and Ms. Lydia Mwaipyana – Office Management Secretary to the Clerk of the National Assembly for their valuable contribution towards this publication.

Lastly, I wish to thank all members of Parliament and staff of the National Assembly for their involvement in one-way or another in making this publication a reality by providing their personal details included in this publication.

Damian S.L. Foka
CLERK OF THE NATIONAL ASSEMBLY
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INTRODUCTION TO THE NATIONAL ASSEMBLY

The Tanzania Parliament like its counterpart in other countries, is the Supreme Legislature of the country consisting of the President of the United Republic of Tanzania and the National Assembly. It grants money for running the administration of the country and is a very effective instrument for overseeing Government programs and plans. It also oversees the actions of the Executive by being a watchdog to ensure that the Government is accountable for its administration.

THE STRUCTURE OF THE TANZANIA PARLIAMENT

Our parliament consists of the following categories of members:
[Article 66 of the Constitution]

(1) Members elected to represent constituencies.
(2) Women members whose number shall increase progressively starting with twenty per cent of the members named in sub-paragraphs (1), (3) and (4) of this paragraph, to be elected by the political parties that are represented in the National assembly in terms of Article 78 of the Constitution and on the basis of proportional representation amongst those parties.
(3) Five members elected by the Zanzibar House of Representatives from among its members,
(4) The Attorney General.
(5) Not more than ten members appointed by the President.

The 2005 general elections produced the following numbers: (1) 232 members elected from the same number of constituencies. (2) 75 women members elected by political parties in terms of Article 78 of the Constitution. (3) 5 members elected by the Zanzibar House of Representatives. (4) 1 Attorney General, (5) 7 members appointed by the President; making a grand total of 320 members.
THE LEADERSHIP OF PARLIAMENT

(a) The Speaker

The Speaker is the top leader of Parliament. He is elected by all the members of parliament by secret ballot, either form among themselves, or from among other persons who are qualified to be members of parliament. The Speaker is the presiding Officer of all parliamentary proceedings. He is also the guardian of its privileges and represent parliament on all official occasions. The first business of a new parliament is always the election of the Speaker, for without a speaker the House can transact no business.

The Speaker is assisted in chairing the meetings of the House by one Deputy Speaker, who is also elected by the members of parliament but only from among themselves. Also to assist the Speaker are the “Presiding members” who are elected in the same manner as the Deputy Speaker, but only from among the Chairpersons of the Parliamentary Standing Committees.

The Speaker’s functions

The best known and most popular notion of the role of the Speaker in the House is that of a referee, namely a person whose sole responsibility is to ensure that “the rules of the game” are strictly observed; and who has adequate powers and authority to punish any one who dares violate those rules.

Furthermore, Article 37 (3) of the Constitution of the United Republic of Tanzania stipulates that the Speaker shall assume the duties and functions of the President in the event that, both the President and the Vice-President are outside the United Republic. As such, he comes third, after the President and the Vice-President or the order of succession the Presidency, the Chief Justice of the United Republic comes fourth.
The Speaker’s other responsibilities
Apart from presiding over the proceeding of the House, the Speaker is also entrusted with certain administrative duties and responsibilities. He is the chairman of the Parliamentary Service Commission, which is responsible for the recruitment of all parliamentary staff, except the Clerk of the House, who is appointed by the President like all other senior public service officials. The Parliamentary Service Commission is also responsible for drawing up the annual budget of the parliament itself. But in addition to being chairman of the Parliamentary Service Commission; the Speaker is also responsible for the day to day administration of the office affairs of parliament. He is closely assisted in this assignment by the Clerk of the House, who is the chief executive officer in charge of all parliamentary staff, and is also in charge of all parliamentary finances.

(b) Leader of government business

Article 52(2) of the Constitution provides that the Prime Minister shall at the same time be the leader of government business in the National Assembly. In that capacity, his functions include that of making sure that government business sails smoothly through parliament. He is assisted in this task by a minister who is designated “the government chief whip.” The government chief whip acts as a kind of prefect in the House, lording it over members of the government as well as those of the ruling party.

(c) Official Opposition in parliament

The Rules of the House provide that there shall be an official opposition in the House if the number of opposition members in the House is not less than twenty. The official opposition is entitled to appoint what may be described as an “opposition cabinet” consisting of official spokesmen for each government ministry. This group is also entitled to elect the leader of the opposition, as well as the Deputy leader.

A relevant question which could be asked with regard to Tanzania’s parliamentary opposition is whether the current official opposition therein is indeed endowed with these attributes which would make it really vibrant?
(d) The Controller and Auditor General

The Controller and Auditor General holds a permanent appointment as an officer of the Government who has the following main functions:

- Ensuring that all revenue and other public money payable to the Consolidated Fund and the National Accounts is duly paid and that all payments, out of these funds are legally authorized.
- Certifying the accounts of all government departments [Vote Holders].
- Examining revenue accounts and inventories and
- Carrying out and reporting to the Assembly on examination of economy, efficiency and effectiveness in the use of resources by those bodies which audits or to which he has right of access.
- Reporting the results of his findings to the President who later re-submits the latter to the National Assembly.
THE STANDING ORDERS OF THE HOUSE

This consists of a set of rules known as the “Standing Orders” of the House, to which every Member of Parliament becomes subject immediately upon taking the oath of a member of parliament. The Standing Orders of the House are made (and amended from time to time as may be necessary) by the House itself, under the authority granted to it by Article 89 of the constitution. These rules are designed to guide the procedures for transacting parliamentary business in a way which is befitting its high constitutional status.

Parliamentary sessions

Our parliament normally holds four sessions in each calendar year, as follows:-
The first session is held during the month of February. It lasts for approximately two weeks, and is devoted to the consideration of proposals for legislation.
The second session is held during the month of April, and also lasts for approximately the same time of two weeks, it also concentrates on legislation.
The third session is the annual budget session and is held for approximately two months from the middle of June to the middle of August.
The fourth session is held during the month of November, again for approximately two weeks, and also concentrates on consideration of proposals for legislation.

Parliamentary Sittings:

During the Session when Parliament meets for the first time after adjournment, it always starts on Tuesday at 09.00 a.m. and thereafter, meets from Monday to Friday in the following timing:

| Morning sessions                   | 09.00hrs to 13.00hrs. |
| Lunch Break                        | 13.00hrs – 17.00hrs.  |
| Afternoon sessions                 | 17.00hrs – 20.45hrs.  |
Parliamentary Privileges

The Parliament has rights and immunities intended to help it carry out its duties. These rights apply collectively to the House, individually to each member and officers of the Parliament. The Speakers formally claims their ‘ancient and undoubted rights and privileges’ at the beginning of each Parliament. These include freedom of speech; freedom from arrest in civil actions, a collective privilege of the House. Parliamentary privilege is part of the law of the land and subject to judiciary review [interpreted] and administered everywhere. Further privileges include the rights of the House to set its own rules of procedures.

Freedom of Speech

The most important privilege is that of freedom of speech. When members are speaking to fellow members, they enjoy a complete right of free speech, subject only to the rules of procedure administered by the Speaker. Members cannot be prosecuted for sedition or sued for libel or slander over anything said during proceedings in the House or published on its official report known as Hansard.

Breach of Privilege

Parliament has the right to punish anybody, inside or outside the House who commits a breach of privilege – that is, offence against the rights of the House. Nowadays, a member claiming of an alleged breach of privilege must submit the case privately to the Speaker, who then decides whether the matter can be raised in the Chamber itself. If this is done at the earliest opportunity and if

the Speaker agrees and rules in the House that a case appears to have been established, the matter takes precedence over all other business.

No other business can be transacted until the House has either dealt with the alleged breach itself, or referred it to the Standing Committee,
which investigates the matter and reports to the House. The House then considers the Committee’s report and decides whether or not the offender should be taken to the Court of Law or punished by the House.

**Contempt of the House**

Parliament claims the right to protect not only breaches of its privileges, but also to deal with ‘contempt’ of the House, which is an offence or libel against its dignity or authority.

**Deliberations in the House**

In the plenary the debates begin with a motion (a proposal made by a member in order to seek a decision from the House). When a motion has been moved, the Speaker proposes the question (in the same terms as the motion) as the subject of the debate. At the end of each debate the question may be agreed to without voting or else is decided by a vote; a simple majority is required to confirm or negate a question. In the House members speak from wherever they have been sitting and not from a rostrum [although front-bench members usually speak from the rostrum on the Table of the House.] They may not read their speeches (although they may refresh their memories by referring to notes which, in the case of Ministers may well be extensive, particularly when explaining the details of government policy). Generally, no member may speak twice to the same motion except to clarify some part of a speech that has been misunderstood or ‘by leave of the House’.

**The Role of the Speaker**

The Speaker presides over the House and has full authority to enforce the rules of the House. In debate all speeches are addressed to the Speaker or his deputies, and they call upon members to speak. If they rise to give a ruling on a doubtful point, or for any other reason, they must be heard in silence, and while they are on their feet no other
Member of Parliament may remain standing. The Speaker must guard against abuse of procedure or any infringement of minority rights, and has discretion to allow or disallow a closure (motion to end discussion so that the matter may be put to the vote.)

The Speaker and his deputies also have certain powers to check irrelevance and repetition in debate and to save time in other respects. In case of grave and continuous disorder, they have powers to adjourn the House or suspend the sitting. In cases of willful disobedience to their instructions by one Member or more, the Speakers can name them, which will result in their suspension - for a period - from the House.

Voting System

Voting takes place under the direction of the Speaker, whose duty is to pronounce the final result. In the event of a tied vote, the Speaker must give the casting vote, but only in accordance with standing orders which do not allow any expression of opinion on the merits of the question and in such a way as to give the House another chance to decide.

Political Structure

The existence of political parties in the country has led to distinct political divisions in the Parliament; this kind of division is vital to a democratic government. Five political parties as of now are represented in the House.

These are Chama Cha Mapinduzi [CCM], Civic United Front [CUF], Tanzania Labour Party [TLP], United Democratic Party [UDP] and CHADEMA.

SITTING ARRANGEMENT

It is customary that sitting arrangement in the House must reflect the nature of division based on party system. On that respect members of the Ruling party occupy the Seats on the right of the Speakers and the left is occupied by the Opposition and members of any other parties.
PARTY BUSINESS

Inside the House, Party Business is conducted through committees known as caucuses. These caucuses are organized by party whips whose duties include:

- Keeping members informed of parliamentary business and
- Maintaining the party’s voting strength by ensuring that Members attend important debates and support their party.

THE LEGISLATIVE PROCESS

There are two types of Bills in our Parliament, namely Public or Government Bill and Private Members’ Bill.

All proposals for legislation are submitted to parliament in the form of Bills. A Bill simply means a draft of a new law. It could be an entirely new law, or it could be a proposal to amend an existing law. Bills may be submitted to parliament either by a member of the government, i.e. a Minister or the Attorney General; or by a private member of the House. A Bill which is introduced by a member of the government is called a Government Bill; while that which is introduced by a private member is called a Private Member’s Bill. Apart from the requirement of notice, which must be given to the Clerk of the House in the case of private member’s bills but is not a requirement in the case of government bills, the procedure for dealing with both types of bills within the House is exactly the same, as will be shown below.

All bills must be published in the official government gazette. This publication must present the full text of the relevant bill, plus a statement of its objects and reasons. It is usually accompanied by a notice saying that “the following bill to be submitted to the National Assembly, is published for general information with a statement of its objects and reasons.”
Copies of the published bill must reach the Clerk of the House at least twenty one days before it is introduced in the House for first reading. There is also a requirement for a second publication of bills in the official gazette. The second publication of any bill is deemed to have been made if a notice is published in the gazette showing the title of the bill, plus the number and date of the gazette in which the first publication was made. There must be an interval of at least seven days between the first and the second publication. These rules are intended to give members of public advance information of the proposals that are being made, to enable them to make comments if they so wish, or discuss the contents of the bills with their members of parliament.

THE PROCEDURE FOR DEALING WITH BILLS

Government Bills

A Minister or Attorney General can introduce Government or Public Bills in the House. Most Government Bills are in practice drafted on behalf of Ministers, and have the support of the Cabinet before being presented to Parliament by the appropriate Minister. A Government Bill must pass through several stages before being referred to House namely the sector Ministry which normally sponsors it, then Cabinet Secretariat, Inter-Ministerial Technical Committee, the Cabinet and after getting a go-ahead it has to be gazetted before being sent to parliament for deliberations, considerations or reconsideration and approval.

Private Members Bills

Individual members normally sponsor Private Members Bills.

In contrast, Private Members’ who are not a member of the Government] Bill has to undergo the same procedure as the case for Government Bill except that it does not require going through the Government system and
procedures, but rather it is introduced in the House in pursuance of the Standing Orders of the House. The success of a Private Member's Bill may be measured in many ways besides progress in legislation. Bills are sometimes withdrawn or allowed to lapse if the Government states that it will set up an inquiry into the subject, or if it undertakes to introduce legislation at a later date, to the satisfaction of the sponsor of the Bill. With some Bills, the sponsor may consider the publicity to be more valuable than actual legislative results. However once it is assented to be an act, it belongs to the Government.

**HOW A BILL IS INITIATED**

The original idea for Government legislation comes from various sources, they may result from party policy, suggestions from members of Parliament, or from interested groups. However, Bills of routine nature with matters of administrative nature normally originate from the Government departments.

Before a Bill can be introduced in the House its contents have to be written-down, so that members of parliament will know exactly what they are discussing. The process of putting the terms of a Bill down on paper is known as drafting.

Lawyers who are specifically trained for drafting work are called parliamentary draftsmen and are located in the office of the Attorney General. The parliamentary draftsmen have a very demanding job.

First, the Bill has to be exact and must not leave any room for loopholes. The parliamentary draftsmen therefore have to make sure that a particular sentence cannot be taken to have more than one interpretation. Likewise Bills have to be simple for others to understand them.

**Admissibility of Bills**

The Standing Orders demand that all Bills with exception of Money Bill, after being given notice of twenty-one days' in the Official Gazette, can be
introduced in the House. However, under certain circumstances a Bill can be introduced in the House without being given notice, so long as there is a Certificate of Urgency signed by the President indicating the importance of such a Bill.

All bills are routinely referred by the Speaker to the relevant parliamentary standing committee for consideration before they are submitted to the full House, and no bill will appear on the Order Paper until the chairman of the committee to which it was referred informs the Speaker in writing that his committee has completed consideration of that bill.

Any parliamentary standing committee which is considering a bill may invite interested members of the public to give their opinions on the contents of the relevant bill. The basic principle underlying this procedure is the principle of peoples’ participation in the law-making process. But it also has a number of other merits. Each new bill which is drafted will normally have its legal aspects, which the legal draftsmen will have carefully considered.

But there may also be certain technical aspects to be considered, as well as its political aspects. This is where the public hearing procedure becomes very useful, because the appropriate experts who will be invited to appear before the committee will give evidence to identify the technical aspects of the bill under discussion. With regard to the political aspects, any person or group of persons who may be interested in or are likely to be affected by the proposed legislation will be given the opportunity to voice their concerns. Experience has shown that because of the amendments which are normally made to the bill as a result of these consultations, this procedure greatly helps to speed up the bill’s passage through parliament.

The first reading stage

The first reading stage of any bill is done by the Clerk at the Table reading the long title of the bill. No discussion takes place at this stage. If the Speaker has not yet referred a particular bill to the relevant standing committee, he will do so at this stage.
Standing committees have no power to amend any bills which are referred to them, but they may request the minister or, as the case may be, the private member responsible for that bill, to introduce amendments which may be proposed by the committee at the second reading stage of that bill in the House itself.

**The second reading stage**

After the chairman of the appropriate standing committee has reported to the Speaker that his committee has completed consideration of the relevant bill, the Speaker directs that the bill be placed on the Order Paper for its second reading. The second reading stage commences with the minister (or other member) responsible for the bill moving a motion “that the bill be now read a second time.” The mover then makes an appropriate speech in support of his motion and elaborates on the contents of the bill. The mover’s speech is followed by a statement from the chairman of the standing committee to which the bill was referred, who outlines the views of the committee regarding that bill. The chairman’s statement is then followed, in the case of a Government Bill, by a statement from the official opposition spokesman, who gives the views of the official opposition regarding the bill. And in the case of a Private Member’s bill the chairman’s presentation is followed by a speech from a government spokesman, who gives the views of the government regarding the Private Member’s bill. After these formal presentations are completed, the motion for the second reading of that bill is now ready for general discussion.

**The procedure for discussion**

The Speaker has established a convention that any member wishing to make a contribution to the discussion of any motion should indicate to the Speaker his intention to do so by way of a written memo. This is intended to enable the Speaker to distribute fairly the opportunities to participate in the debate to all groups that are represented in the House. In the majority of cases
every member who has indicated his intention to participate in the debate is placed on the Speaker's list and will in due course be called upon to make his contribution. This system has worked well with the full support of all the members, because it saves them the trouble of having to stand up all the time in an attempt to catch the Speaker's eye! The system has also had the additional advantage of enabling the Speaker to make an accurate estimate of the number of days which should be set aside for the consideration of any Bill, by simply multiplying the allocated speaking time of fifteen minutes by the number of members who have registered their intention to discuss that Bill.

The bill in Committee of the Whole House

On conclusion of the general debate, and after the motion for the second reading has been carried, the House is automatically reconstituted as a Committee of the Whole House, in order to consider and approve each clause of the bill. The Clerk at the Table calls out the number of each clause in succession, together with any amendments which may have been made at the suggestion of the relevant committee. The Speaker (who at this stage is referred to as chairman) puts the question after each clause is called out, “that the clause, or the clause as amended, be now approved.”

The third reading and approval of a bill

When the committee of the Whole House has completed its allotted business, the House resumes and the Speaker returns to the chair. The

Minister or other member in charge of the bill then reports to the House that “the committee of the Whole House has considered the bill clause by clause, and has approved it”. He then moves immediately that the House approves the report of the committee. A voice vote is then taken. If the majority of the members say “yes”, the bill will be deemed to have been approved by the House. But if the majority decides to say “no”, then the bill will have been rejected and that will be the end of it.

Constitution Amendment
In the case of a Bill to amend the Constitution for Non-Union matters that are not under the purview of the Zanzibar Revolutionary Government, a two-thirds majority of members should be present and voting is required. However, in the case of Union Matters, a separate two-thirds majority of members from both Tanzania Zanzibar and Tanzania Mainland should be present and voting is required.

**Assent to bills by the President**

When a bill has been approved by the House, a printed copy of that bill is then submitted to the President for his assent or other direction. If the bill is assented to, it becomes the law of the land, in the form of an Act of parliament. But if the President withholds his assent, then he is required to return it to the Speaker, together with a statement of his reasons for withholding that assent. After the bill is returned to the House it may not be presented again to the President for assent before the expiration of six months from the time it was so returned. But even then, in order for it to be presented again to the President for assent, it must be supported by the votes of not less than two-thirds of all the members of the House. If that condition is satisfied and the bill is presented once again to the President, he is required to give his assent to the bill within twenty-one days of its being presented to him, otherwise he must dissolve parliament to pave the way for a new election.

Such scenario has not happened so far, and is not likely to happen in the foreseeable future. This is because practically all the bills which are presented to the House are government bills, which originate from the cabinet sitting under his chairmanship. It is therefore inconceivable that the President will refuse to sign such a bill, unless it is amended by parliament to the extent that it completely loses its original character. But again, this cannot happen because the government will use its majority in the House to prevent such damaging amendments from being made. That is the reason why if the same bill is again adopted by a two-thirds majority after it has been refused assent by the President, this will be clear evidence that the government has lost its majority in the House. Therefore a new general election must be held in
order to give an opportunity to the people to elect a new government which is able to gain the support of a majority of the members of parliament.

**Commencement Orders**

Some Acts are brought into force immediately, some at a date specified in the Act and others by Commencement Orders [or by any combination of these two methods], which may bring into force all or part of the Act. There may be more than one such order for parts of certain Acts, and some Acts may not be brought into force for a considerable time. Commencement Orders are statutory instruments.
## Parliamentary Commission

<table>
<thead>
<tr>
<th>Name</th>
<th>Party</th>
<th>Position</th>
</tr>
</thead>
<tbody>
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<td>Speaker Chairperson</td>
</tr>
<tr>
<td>Hon. Anne S. Makinda</td>
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### Chairpersons of Parliamentary Committees

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</table>
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wkusila@parliament.go.tz |
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### Chairpersons of Parliamentary Committees

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Section Three

Shadow Ministers
(Arranged in Ministerial Alphabetical Order)
NAME: Hamad Rashid Mohamed
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NAME: Dr. Wilbrod Peter Slaa
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Shadow Ministers

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NAME: Fatma Maghimbi
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CONSTITUENCY:
CONTACTS:

NAME: Magdalena Hamis Sakaya
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PORTFOLIO: Natural Resources and Tourism
            Special Seats
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Shadow Ministers

NAME: Kabwe Zuberi Zitto
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kzitto@parliament.go.tz

NAME: John Momose Cheyo
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NAME: Masoud Abdallah Salim
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PORTFOLIO: Defence and National Service

NAME: 
POL. PARTY: 
PORTFOLIO: 
CONSTITUENCY: 
CONTACTS: 
NAME: 
POL. PARTY: 
PORTFOLIO: 
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POL. PARTY: 
PORTFOLIO: 
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Shadow Ministers

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### Shadow Ministers

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Shadow Ministers

NAME: Dr. Ali Tarab Ali
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PORTFOLIO: Health and Social Welfare
CONSTITUENCY: Konde
CONTACTS:

NAME: Mwanawetu Saidi Zarafi
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Shadow Ministers

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Section Four

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NAME: Ania Said Chaurembo
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NAME: Fatma Abdulhabib Fereji
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CONSTITUENCY: House of Representatives
CONTACTS: P.O. Box 3894 Zanzibar
+255 777 424390
ffereji@Parliament.go.tz
### Deputy Shadow Ministers

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<tr>
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<th>Nuru Awadhi Bafadhili</th>
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Deputy Shadow Ministers

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Section Five

OTHER MEMBERS

(Arranged in Surname Alphabetical Order)
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| COURT OF APPEAL OF TANZANIA, KIVUKONI FRONT  
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MTWARA.

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MPAMBALYOTO STREET,
SONGEA.

HIGH COURT,
MOSHI ZONE,
ARUSHA ROAD,
MOSHI.

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