



GLOBALISING YOUR PRACTICE - OPPORTUNITIES AND CHALLENGES

Some Considerations of Local Enabling Environment

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- Assumptions

- 1) Understanding joint ventures of law firms and the purpose of such ventures.
- 2) Understanding Types of Collaborations

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- Local Enabling Environment

- 1) Licensing

- a) Advocates

- Business Licensing Act

- b) Firms

- Business Licensing Act

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Regulation of Advocates

- Tanganyika Law Society
 - Ethics Committee: conduct and ethics watchdog; it has no enforcement powers
- Chief Justice and Judge of the High Court
 - power to admonish, suspend or remove Advocate from the Roll
- Advocates' Committee
 - power to admonish, suspend or remove advocate from the Roll.
- Reciprocal enforcement of suspension and striking off in East African Countries and other reciprocating Commonwealth Countries

[Decisions of Chief Justice, Judge of the High Court and Advocates' Committee are appealable]

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Application for Admission as Advocate

- law degree from University recognized by Council for Legal Education; or
- legal practitioner with right of audience in court having unlimited jurisdiction in civil and criminal matters in Commonwealth country or other duly designated country; or
- Solicitor of the Supreme Court of England, Ireland, Scotland or person with similar qualifications; or
- person having continuous practice as an advocate in Kenya, Uganda and Zanzibar for 5 (five) years preceding his/her application; and
- he/has complied with such requirements (by instruction or examination) as to acquisition of professional experience.

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- the Council for Legal Education may exempt any person from all or any of the above requirements;
- application for admission as advocate is to be made by way of a petition to the Chief Justice;
- Unless cause is shown to the contrary, the Chief Justice may admit the applicant as an advocate if:
 - a) he is satisfied with the qualifications, suitability of the applicant;
 - b) he is satisfied that the applicant possesses adequate knowledge of the language of the court [the language of Tanzanian courts is English];
and
 - c) the applicant has produced testimonials as required by the Chief Justice.

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Barriers to Foreign Lawyers to Practice

- Residence requirements
- Commonwealth and other approved jurisdictions' legal practitioners' qualifications
- Tanzania Bar enrolment requirement

[Unless exempted, prior compliance with such requirements (by instruction or examination) as to acquisition of professional experience]

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- Thank you.
- Any Questions/Discussion