

**TANZANIA UNITED CONTRACTORS AND ALLIED SERVICES ASSOCIATION
(TUCASA)**

REGULATIONS

ASSOCIATION REGULATIONS, 2023

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PART I: PRELIMINARY PROVISIONS

1. These Regulations may be cited as the Tanzania United Contractors and Allied Services Association Regulations 2022.
2. These regulations shall come into force upon approval by the members at the Annual General meeting of the Association and shall be subject to review as and when the need arises
3. In these regulations, unless the context otherwise requires:

“**Applicant**” means a person who is applying to be a member of the association through a prescribed Form designed by the Executive committee of the association.

“**Annual fee**” means a fee payable annually by each member which is provided under Schedule A to these Regulations.

“**Association**” means Tanzania United Contractors and Allied Services Association.

“**Budget**” shall be the financial expression of a plan, or a part of a plan, of Association for a specific period, containing proposed sources and quantum of incomes, and detailing expenditures on operations and investments, about the effects on the accumulated financial resources and liabilities of the Association.

“**Chairman**” means the Chairman of Tanzania United Contractors and Allied Services Association.

“**Class**” means Class as provided for under the Contractors Registration Act.

“**Disciplinary Committee**” means a committee appointed by the Executive Committee

“**Entrance Fee**” Means the fee prescribed by the Council from time to time.

“ **Financial committee**’ ’ means the financial committee appointed by the General Meeting of the Association.

“ **Financial year**” means a period of twelve months ending on 31st December of each year.

“**Member**” means the Ordinary Members, Affiliate Members, Associate Members and Honorary members collectively.

“ **The Constitution**” Means the constitution of the Tanzania United Contractors and Allied Services Association.

“**Treasurer**” means a Person elected by the General Meeting of the Association to oversee and monitor the movement of the funds of the Association.

PART II: MEMBERSHIP

4. Membership categories

- a) Ordinary members
- b) Associate Members
- c) Honorary Members

5. Application for Membership

- a) The Executive Committee shall design Membership Application forms for use by applicants intending to become members of the Association.
- b) Applicants, shall complete the application forms and return the same to the Executive Secretary or Branch Chairman together with:
 - i) Cover letter on the letterhead of the applicant company;
 - ii) Certificate of Registration of the company;
 - iii) CRB Registration certificate for contractors;
 - iv) Business licenses
 - v) Proof of payment of entrance and annual fees
 - vi) Name of the Authorized Representative.

- c) Upon receipt of the application form and the required attachments, the Executive Secretary shall present the application to the ensuing Executive Committee or Branch Management Committee for deliberation and decision.
- d) The Executive Secretary or the Branch Secretary, as the case may be, shall inform the applicant of the decision as soon as possible and in any case not more than thirty days (30) from the date of such decision.
- e) If the Application is accepted, the applicant shall pay the relevant annual fee within two (2) months of the receipt of the letter of award of membership, failure of which the applicant has to re-apply for membership.
- f) If the Application is rejected or withdrawn by the Applicant, the entrance fee shall not be refunded.

6. Membership Fees

- a) Members shall pay Entrance and Annual Fees as indicated in Schedule A.
- b) Honorary members do not pay any fees but may contribute resources and donations as they wish or upon request by the Chairman.
- c) No candidate for ordinary and associate membership shall become member without first paying the entrance fee.
- d) Annual fees shall be due and payable by each member of the Association on 1st January of each year.
- e) A member shall lose preferential rights if the annual fee is unpaid by the 1st July of the due year.
- f) A Member shall lose all Association rights (including voting and the right to be voted for) if the annual fee shall remain unpaid by the date of the Annual General Meeting or by 31st December of the due year, whichever comes first.
- g) New members' annual fees shall be due in full and payable within thirty (30) days on of approval of membership and shall cover the remaining part of the financial year in which they are paid.
- h) The Council may adjust the fees and conditions based on the economic situation or on other factors that affect or enhance the ability of members to pay.

PART III: LEADERSHIP AND ELECTION PROCEDURES

7. Election of officers of the Association

The following officers shall be elected at the General Meeting of the Association, unless provided otherwise by the Constitution or in these Regulations:

- a. The Chairperson
- b. The First Vice Chairperson
- c. The Second Vice Chairperson
- d. The Treasurer
- e. Chairmen of the Standing Committees

8. Election Committee

During the Annual General Meeting, there shall be an appointment of the Elections Committee for the forthcoming elections as follows:

- a) Elect two (2) members, who are Chief Executive Officers of their companies, who are NOT members of the Council and who are people of high integrity to be members of the Elections Committee;
- b) Nominate three (3) candidates in order of preference, who are people with integrity, who are not members of the Association, one of whom will be requested to be the returning officer and Chairman of the Elections Committee, provided the Association Chairman shall request the Candidates in writing following the order of preference.
- c) If all the candidates decline the nomination, the Executive Committee will, together with the two (2) appointed members of the Elections Committee nominate another candidate.
- d) The Annual General Meeting shall draw the Terms of Reference and remunerations of the Elections Committee.
- e) The Elections Committee shall be answerable to the Annual General Meeting and shall report to the Executive Committee.
- f) Members of the Association willing to vie for different leadership positions shall express their interest in a confidential letter addressed to the Chairman of the Elections Committee and enclose it in an envelope addressed to the Chairman of the Association.

9. Functions of the Election Committee

The Elections Committee shall be guided by the Constitution and Regulations of the Association and shall:

- a) Scrutinize and vet the Candidates for various positions; provided that if a candidate is disqualified, he/she all be informed in writing at least 30 days before the date of the Elections meeting;
- b) Prepare the elections materials;
- c) Supervise the elections;
- d) Announce the winners;
- e) Prepare a report of the elections and submit the same to the Chairman of the Association.

10. Election Guidelines

The elections shall be guided by the following principles:

- a) All qualified candidates shall participate in the elections.
- b) The winner of an election position must obtain more than 50% of the cast valid votes; provided that if there are more than two candidates, the election will be repeated for the two candidate until a candidate obtains more than 50% of cast valid votes.
- c) If there is only one candidate for a position, voters will cast YES or NO votes.
- d) Voting shall be through secret ballots.
- e) Each candidate will have three minutes, except the candidate for the Chairman, who will have five (5) minutes to express their interest and summarize their strategies for contributing to the development of the Association.
- f) Only Ordinary Members with valid membership will participate in elections.
- g) Elected Officials will sign a Code of Ethics prepared by the Executive Committee and approved by the Council.
- h) The elections shall conform to the provisions of the Societies Act.

PART V: FUNDS AND RESOURCES OF THE ASSOCIATION

11. Funds

Sources and management of the funds of the Association shall be as provided for under the Constitution.

12. Immovable properties of the Association

All immovable properties vested in the Trustees of the Association shall not be purchased, sold, transferred, charged or, encumbered without the sanction of the Council.

PART VI: REMUNERATIONS

13. Allowances of Officers and Employee

- a) Officials and employees performing duties for the Association shall be remunerated as per rates in Schedule A.
- b) The Council may adjust the rates based on the economic situation or on other factors that affect the cost of living.

PART VII: BANK ACCOUNT AND OTHER INSTRUMENTS

14. Bank account and other instruments of the association

- a) The Executive Secretary shall open such bank accounts as shall be directed by the Executive Committee.
- b) No bank account shall be opened unless that account is for the furtherance of the Association's lawful business.
- c) Execution of bank documents, including the signing of cheques for withdrawal from the Association' s bank account, shall be signed in one block by the Treasurer or the Executive secretary and countersigned in the other block by the chairman or the Designated Vice Chairman;
- d) If both signatories in one block shall not be able to execute documents for more than (1) month, the Executive Committee may delegate the power under this Rule to another Officer of the Association.
- e) The Treasurer shall present a statement of income and expenditure to the Council at the next Council meeting.
- f) Subject to the provisions herein, all books, accounts, invoices, vouchers, debit notes, credit notes and financial statements of the Association shall be prepared or kept in the manner provided for under the Constitution.
- g) Operation of bank accounts shall adhere to the laws of the country and to the Regulations issued by the Association from time to time.

PART VIII: MEETINGS, PROCEDURES AND PROCEEDINGS

15. Basic Requirement for General Meetings

- a) All resolutions in General Meetings are to be decided by vote. Unless otherwise stipulated in the Constitution or these Regulations, all matters shall be decided in the manner provided in the Constitution.
- b) Subject to the provisions of the Constitution, all Members entitled to vote may vote in person or by proxy in a manner provided under the Constitution or Rules as may be made from time to time.
- c) Unless otherwise decided by the chairman of the meeting, all decisions and resolutions in Council Meetings shall be voted upon by a secret ballot.
- d) Members may participate in the General Meeting physically, or through a proxy, or through online platforms approved by the Council.

PART VIII: EQUIPMENT AND INVENTORIES

16. The Association shall establish an inventory ledger card showing all equipment, assets and inventories of the association.
17. The Executive Secretary shall be responsible for the maintenance of the inventory and ensure that all equipment and assets possessed by the association are properly recorded and maintained according to professional and care standards.
18. At the end of each financial year, inspection and inventory shall be done to ensure that all assets are accounted for as per records.

PART IX: BOOKS OF ACCOUNTS

19. The Executive Secretary, in collaboration with the Treasurer and the Finance Committee, shall ensure books of accounts of the Association are prepared, maintained and audited according to prevailing professional standards.

PART X - DISCIPLINARY MATTERS

20. Disciplinary machinery against members

- a) The Disciplinary measures and machinery against the members shall be as provided for under the constitution.

- b) Any person including the member with any knowledge of any misconduct/prohibited activities done by a member may refer the matter/complaint in writing to the Executive Secretary.
- c) The Executive secretary shall forthwith forward the matter to the Council.
- d) Upon receipt of the complaint/ matter, the Council may issue a notice in writing to the said Member specifying the misconduct or violation and requiring the said Member, specifying the misconduct or violation is capable of being remedied, to remedy the said misconduct or violation within a stipulated time; in failure of which the Council may decide to forthwith suspend the membership of the said Member and to institute Disciplinary Proceedings against the said Member.
- e) Disciplinary Proceedings shall be conducted by the Disciplinary Sub-Committee which shall issue a notice of not less than fourteen (14) days to the said Member giving the details of the complaint, the time, date and place of the disciplinary Proceedings.
- f) The said Member shall be entitled to defend itself during the Disciplinary Proceedings.
- g) Within thirty (30) days from the date of the Disciplinary Proceedings, the Disciplinary Committee shall submit in writing its recommendation to the Council whereby the Disciplinary Sub-Committee may either recommend that: -
 - i) no penalty, fine or repercussion is required, in which case the Council shall be bound by the said recommendation of the Disciplinary Sub-Committee; or
 - ii) the said Member be disqualified or that penalty/fine be imposed or both if the said Member is found to have engaged in any prohibited activities, in which case the Council may at its discretion accept the decision of the Disciplinary Board or otherwise.
- h) The Council shall decide within thirty (30) days of it receiving the recommendation from the Disciplinary Sub-Committee.
- i) Decisions of the Council shall be final and conclusive and no appeal shall be entertained.

21. Disciplinary machinery against officers and employees

The officers and employees of the Association shall be in accordance of the Labour laws of the United Republic of Tanzania.

PART XI: DISPUTE RESOLUTION

In the event of disputes arising amongst members of the Association, the same shall be resolved as stated in the Constitution.

PART XII: MISCELLANEOUS PROVISIONS

22. It is the responsibility of all Association organs and officials to ensure management and operation of the Association conform to the requirements of the Societies Act and the directives and requirements issued by the Registrar of Societies from time to time.

23. The Council or the Members during the Annual General Meeting has the power to amend these Regulations as and when the need arises.

These Regulations are approved by the Association Annual General Meeting
at day of.....2022

Signed by:

.....
Secretary

.....
Chairman

.....
Date

SCHEDULE A

MEMBERSHIP FEES

FEES

(1) Members shall pay Entrance Fees as follows:	
a) Labour Based Members	TZS 50,000
b) Local Ordinary Members	TZS 50,000
c) Associate Members	TZS 50,000
d) Affiliate local Members, unless agreed differently in a Memorandum of Understanding	TZS 50,000
e) Foreign Members	US \$ 100
f) Affiliate foreign Members, unless agreed differently in a Memorandum of Understanding.	US \$ 100
(2) Members shall pay Annual Fees as follows:	
a) Local ordinary members:	
i) Labour Based members	TZS 50,000
ii) Class 7 & 6	TZS 100,000
iii) Class 5 & 4	TZS 200,000

iv) Class 3	TZS 300,000
v) Class 2	TZS 400,000
vi) Class 1	TZS 500,000
b) Foreign Contractors	
i) Ordinary foreign Contractors	US \$ 500
ii) Associate foreign members	US \$ 300

SCHEDULE B

ALLOWANCES

1. Per Diem Rates

(1) Locally

Per Diem rates applicable per day are:

	Tshs
a) Chairman	300,000
b) All other officials	250,000
c) Executive Secretary	250,000
d) All Senior staff of the Secretariat	150,000
e) All other staff of the secretariat	120,000

(2) Foreign

	USD
Chairperson/ Executive Secretary	400.00
Others	350.00

The above rates will be payable subject to the financial position of the Association.