

THE LOCAL GOVERNMENT SERVICE (NEGOTIATING
MACHINERY) ACT, 1963
(No. 66 OF 1963)

REGULATIONS

Made under section 3 (3)

THE JOINT STAFF COUNCIL (CONSTITUTION AND PROCEDURE)
REGULATIONS, 1965

1. These Regulations may be cited as the Joint Staff Council (Constitution and Procedure) Regulations, 1965, and shall come into operation on the first day of March, 1965.

Number of
members

2.—(1) The number of members of the Council appointed from persons nominated by an Association of Local Authorities shall be eight.

(2) The number of members of the Council appointed from persons nominated by a trade union shall be seven.

Term of
office

3. A member of the Council shall, unless his appointment is sooner terminated by the Commission or he otherwise ceases to be a member, hold office as such for a period of twelve months from the date of his appointment, and shall be eligible for re-appointment: provided that the appointment of a member nominated by the trade union shall not be terminated under this regulation except where the union has recommended such termination.

Resignation

4. Any member of the Council may at any time resign by giving notice in writing to the Commission and from the date specified in the notice or, if no date is so specified, from the date of the receipt by the Commission of the notice, he shall cease to be a member of the Council.

Casual
vacancies

5.—(1) Where any member of the Council ceases to be a member before the normal expiration of his term of office, then—

(a) if such member was nominated by an Association of Local Authorities, the Commission may appoint another person in his place from among persons nominated by the Association of Local Authorities; or

(b) if such member was nominated by a trade union, the Commission may appoint another person in his place from among persons nominated by the trade union.

(2) A person appointed under paragraph (1) shall hold office for the unexpired portion of the term of office of the member in whose place he was appointed.

Secretary

6.—(1) The Chairman shall appoint a Secretary to the Council who shall attend the meetings of the Council but who shall have no right to speak or vote thereat.

(2) Those members appointed from persons nominated by a trade union may, if they so wish, appoint a person to be secretary to such members and any person so appointed may attend the meetings of the Council but shall not be entitled to speak or vote thereat.

7.—(1) Ordinary meetings of the Council shall be held half yearly. Meetings

(2) An extraordinary meeting of the Council shall be convened by the Secretary at the joint request of the Chairman and the Vice-Chairman.

8. At any meeting of the Council ten members thereof, of which five Quorum shall be members appointed from persons recommended by a trade union, shall constitute a quorum.

9.—(1) Subject to the provisions of regulation 8, the Council may act notwithstanding any vacancy in the membership thereof. Vacancies, etc., not to invalidate proceedings

(2) No act or other proceedings of the Council shall be invalid by reason only of some defect in the appointment of a person purporting to be a member thereof.

10.—(1) The Council may appoint a committee of members of the Council for any general or special purpose which in the opinion of the Council would be better regulated by means of such a committee. Committee

(2) The number of members of a committee appointed under paragraph (1) and their term of office shall be fixed by the Council.

11.—(1) Minutes of the proceedings of every meeting of the Council shall be kept in proper form by the Secretary to the Council. Minutes

(2) The minutes of each meeting of the Council—

(a) shall be submitted by the secretary to the Council to the person (if any) appointed under paragraph (2) of regulation 6 to be secretary to the members nominated by a trade union;

(b) after having been agreed upon by the Secretary to the Council and the person (if any) appointed to be secretary to members nominated by a trade union, shall be circulated to all members of the Council; and

(c) shall be confirmed by the Council at the next meeting thereof and signed by the Chairman of that meeting.

(3) Action may be taken on and in accordance with the minutes of any meeting of the Council at any time after they have been circulated to the members thereof and notwithstanding that they have not been confirmed.

12.—(1) At every meeting of the Council the Chairman or, in his absence, the Vice-Chairman shall preside: Procedure

Provided that if within fifteen minutes after the time for which a meeting has been called neither the Chairman nor the Vice-Chairman is present, then those members of the Council appointed from persons nominated by an Association of Local Authorities may appoint one of their number to preside at the meeting.

(2) Matters for inclusion on the agenda shall be submitted to the Secretary under the hand of the Chairman or the Vice-Chairman not later than twenty-one days before the commencement of the meeting at which they are to be considered and shall be accompanied by an explanatory memorandum stating the subject matter and the decision sought.

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(3) By agreement between the Chairman and the Vice-Chairman urgent matters may be included in the agenda for a meeting with less notice to the Secretary than twenty-one days.

(4) The Agenda for any meeting of the Council shall be prepared by the Secretary from items duly submitted to him and circulated to members together with explanatory memoranda not later than seven days before the commencement of the meeting.

(5) No member of the Council shall, save with the prior permission of the Chairman of the meeting, speak on any matter other than those appearing on the Agenda for the meeting.

Disputes

13.—(1) Where the Council fails to reach agreement on any matter in respect of which, under section 8 of the Act, a report may be made to the Commission, the matter may be so reported in accordance with paragraphs (2) and (3).

(2) A report to the Commission under section 8 of the Act shall be made by the Chairman or the Vice-Chairman of the Council, shall be in writing and shall be signed by the Chairman or the Vice-Chairman (as the case may be) and shall have attached to it copies of the relevant minutes of the Council and of any other documents material to the matter reported.

(3) No report shall be made to the Commission under section 8 of the Act—

(a) before the expiration of a period of twenty-one days from the date on which the minutes of the meeting of the Council at which the matter in respect of which the report is to be made was last discussed are circulated to the members of the Council in accordance with regulation 11; or

(b) after the expiration of a period of forty days from such date.

Made this twenty-sixth day of February, 1965.

P. ITOSI MAREALLE,
Chairman

C. A. KALLAGHE,
Member

W. A. KLERRUU,
Member

V. S. MAKAME,
Member

R. M. MAKANGE,
Member

T. S. SAMJELA,
Member

Dar es Salaam,
2nd March, 1965

R. B. THAKER,
Member