

# THE LAW SCHOOL OF TANZANIA

## Quarter Newsletter

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### Translation of laws into Kiswahili is vital - Dr. Nchemba

By Schola Njozi

The policy that would guide translation of all laws in English to Kiswahili is in the final stages, Minister for Constitution and Legal Affairs, Dr Mwigulu Nchemba announced. He expressed the government's commitment to ensure the translation of laws to Kiswahili, saying the translation will empower the citizens' understanding of the laws.

Dr Nchemba gave the announcement in December last year during his familiarization tour at the Law School of Tanzania.

"Human rights protection calls for the public understanding of laws within a state. By translating laws currently in English to Kiswahili will citizens' knowledge, and ultimately the citizens will know all their rights and duties and thus be guided accordingly," said Dr. Nchemba.

"It does not make sense that Kiswahili is one of the official languages in the Southern African Development Community (SADC) and the African Union (AU), but our laws are in English. We have to accommodate Kiswahili as well, for the vast interest of Tanzanians," he noted.

He said the task force on the policy review under the Ministry Permanent Secretary is reviewing and working on the gaps and the needed amendments before they become

operational.

Dr. Nchemba said the translation of laws into the Kiswahili language is necessitated by the fact that Tanzanians have been hiring translators and interpreters to assist them in matters of laws, including in courts.

"This policy will fuel changes in all aspects of administration of justice in Tanzania, especially in rural areas," he explained.

He added that "continuing using English as the only language of law is a colonial hangover which serves the foreign audience rather than the local."

He urged the Law School of Tanzania to invest in moulding law professionals who would serve every Tanzanian.

"The School must also empower its graduates so that they help the Ministry of Constitution and Legal Affairs to make laws known to every Tanzanians," he said.

On his part, Deputy Minister in the Ministry, Mr. Geoffrey Pinda called upon the Law School of Tanzania to groom lawyers to ensure the industry is beefed with the best for the ideal growth.

"In many cases, people breach the laws either because they are unaware of the laws or because of lack of proper knowledge of the law" said Mr Pinda

### DR. BENHAJJ MASOUD

#### NEW LAW SCHOOL PRINCIPAL

By Schola Njozi

Constitutional and Legal Affairs Minister, Dr Mwigulu Nchemba appointed Dr Benhaji Masoud a sitting Judge of the High Court of Tanzania, to the position of the Principal of the Law School of Tanzania.

Benhaji graduated with a Ph.D. in 2012, having submitted, and successfully defended a thesis on cross-border insolvencies in Sub-Saharan Africa.

Benhaji was also a recipient of the International Insolvency Institute's prize in International Insolvency Studies in 2010 for his paper on Theoretical Aspects of the Cross-Border Insolvency Landscape: Issues and Perspectives for Sub-Saharan Africa and had worked as a senior lecturer at the Open University of Tanzania, before he was appointed as a judge of the High court of Tanzania in 2015.

With his vast experience in the law industry, he will bring a wealth of knowledge and experience to The Law School of Tanzania which will take the school to the next level. The Governing Board, Staff, and Students would like to congratulate Dr. Masoud for the appointment.

## STUDENTS CORNER

### Drones run into potential headwind

From Vicensia Fuko  
30 Cohort (vicenzamaria@gmail.com)

Man has been fascinated with the notion of flight and for many centuries, human flight was the province of legends, fantasy, and madmen. The earliest evidence of man's desire to fly is in mythology and legends; there is the story of Icarus, who flew with wings made of wax and bird's feathers, as are hundreds of other legends; Over time a few others tried to use these methods, usually with disastrous results.

Leonardo da Vinci was one of the first people to apply scientific reasoning to flight. For years, he worked under the mistaken belief flight was possible for human beings through imitating the motions of bird's wings. During his sunset years he became convinced of the futility of this notion and had an epiphany and developed to a helicopter-like device.

#### The potential for mischief

A century later our fascination with flight has continued to grow and through advances technology one does not need to be da Vinci to take to the skies. With the advent of unmanned drones, if get your hand on one then it is possible to go to the sky and experience the sensation of flight. The inherent utilitarian nature of these drones has led to the ingenuity that has helped leap frogged would otherwise have been an arduous path to many solutions - cinematography, dispense medicine, monitoring wildlife against poaching, spraying pesticides and insecticides in crop-farming etc.

Unfortunately, the versatile nature of drones presents an opportunity for potential mischief by people with nefarious intentions and it perhaps due to this reason Governments around the world have enacted laws meant to regulate the usage of drones. Tanzania has not been left behind and the country made The Civil Aviation (Remotely Piloted Aircraft Systems) Regulations, 2018 which aimed at regulating drones in the country. We at East African Law Chambers, have prepared this brief information about these regulations. Registration requirements

The Regulations require all those who own drones to be registered before they operate them in the country and makes non-compliance amounts to a criminal offense. On 24 August 2020, the Tanzania Civil Aviation Authority (TCAA) issued a notice requiring those operating drones to be registered within a window of four days which expired on 28 August 2020. This was seen by many as a rela-



tively short compliance window time but in reality, the Regulations had been operational since December 2018, and a grace period of one year for registration was given to users. It seems that one year of the grace period was not enough and consequently, TCAA yet again extended the deadline to January 2020. Still, not many people responded to the call for registration hence the four days ultimatum for whosoever out there who was yet to keep their endeavors clean.

The Regulations impact all those in the various industries - agriculture, health, security, and entertainment - who adopted the use of drones. To register, one must adhere to the procedures prescribed by law including paying a fee of US\$100 or equivalent in Tanzanian Shillings as a registration fee. Upon registration, one will obtain a certificate of registration. It should be noted that contravening the registration conditions may lead to cancellation or revocation of the registration certificates as well as other consequences such as fines and/or imprisonment.

#### 'No-fly zones'

Although some drones are owned by corporations, public or private sectors, most of them are also owned or operated by youths whose businesses or livelihood could face challenges. To the users, the impact of the registration requirement is of two folds; that the registration fee is out of reach; and secondly geographical limitation of the license. The condition of the license are that, if you are registered in Dar es Salaam, you can only operate your drones in Dar es Salaam; if you wanted to fly the drone in another region you would be required to seek registration for that region as well.

The question is how many people will be able to meet these costs for multiple regions and at the same time manage the bureaucracy that is usually in place. However, failure to register means that you are out of the game entirely and unless you want to fall under the armpit of the law, compliance would be the best option.



## 32<sup>nd</sup> Cohort ORIENTATION 2021

*By Schola Njozi*

The 32<sup>nd</sup> cohorts of the Law School of Tanzania took off on a sound note on January 13, 2021 on a right footing as new students enjoyed a highly interactive session.

Law School of Tanzania Principal, Hon. Justice Dr. Benhaji Masoud advised students to study hard, and stay focused so that they reach their desired destination in the law fields.

Dr Masoud assured more than 500 students who attended the orientation that they made the best choice to enroll with The Law School for their success in the legal profession.

He reminded them about continuing learning demands of legal profession. He told them that learning should be part and parcel of their daily activities so long as they choose to remain as key players in the industry.

“Even after completion of the practical legal training, and being admitted and enrolled as advocates you will have to continue learning” he insisted. “So, I must also caution you that your enrolment in this school is just the end of the beginning but not the beginning of the end of the learning process.”

Dr. Masoud urged students to network and study together as a winning team.

“Both young and mature students”, he said,

“must mingle and share knowledge, experience, and expertise and use them as they will be useful in the learning process”.

The Principal affirmed that the Law School will play its part efficiently as he reminded the students of their noble obligation of attending classes, proper use of the library, effective participation in the practical as well as cooperating with their tutors and adhering to the bylaws.

A Member of Parliament, Dr. Pauline Nahato and a Facilitator of Behavior Change and Reproductive rights, underscored the importance of the legal sector for the development as the country attains the lower middle income economy status.

She was optimistic that should students abide by the by-laws and follow all instructions during their practical legal training they will graduate as competent professionals.

32<sup>nd</sup> Cohort comprised of students from 44 different universities from within and outside the country.

## Impressive Performance of Yanga



*By Schola Njozi*

Impressive performance of the Young African Sports Club in the ongoing Mainland premier league has among others attributes of the Law School of Tanzania. Young Africans, at the top of league table, trains at the state of an art pitch of the Law School of Tanzania.

Law School of Tanzania has been picked as an ideal training ground for Young Africans as its pitch is up to standard but also the surroundings are friendly and conducive for the winners.

If one has been searching the secret behind Young Africans winning spirit, the Law School of Tanzania, located along Sam Nujoma Road is among the qualities that makes the club ongoing remarkable performance.

Young Africans has been training at the Law School of Tanzania pitch for three consecutive seasons which qualified it as one of its kind for the victors. The Law school of Tanzania has many entertainments and conference facilities which are commercial for those who wants the best.

Head Coach of Young African, Cedric Kaze cited the striking performance to hard work, commitment and team work thus the player with the greater power will come out on top.

While endurance is long-distance running to build an aerobic base can be detrimental to the football player whose training is taking place at the Law School of Tanzania.







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