

A MODEL BILL ON POLITICAL PARTIES 2022
PROPOSED BY

LEGAL AND HUMAN RIGHTS CENTER



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THE POLITICAL PARTIES MODEL BILL
ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

1. Short title

This Act may be cited as a Political Parties Act

2. Application

This Act shall apply to Tanzania Mainland as well as Zanzibar

3. Commencement

This Act shall come into operation on such date as the Minister may, by notice in the Gazette, appoint.

4. Interpretation

“**Coalition**” Means an alliance of two or more political parties formed for a purpose of pursuing a common goal and is governed by a written agreement

“**Commission**” means any independent body established by the Law

“**Election**” means the Act of selecting by vote, of a person or persons from among a number of candidates to fill an office or to leadership of any political party

“Founder member” means a person who forms a political party and who have contributed or offered to contribute either in cash or in kind to the initial asset of the party in respect of the first year of its existence

“Fund” means the Political parties fund established by section 40 of this Act

“Governing body” means the committee responsible for administering the affairs of a political party

“Merger” Means where two or more political parties consolidate their operations and combines all officers, structure and other functions of the political parties

“Political Party” means any organized group formed for the purpose of forming a government or local government authority within a United Republic through election

“Recruitment committee” means a committee responsible with the appointment of the Registrar of Political Parties formed under section 8 of this Act

“Registrar” Means the Registrar of Political Parties appointed under section 5 of this Act includes the Assistant Registrar.

“Tribunal” Means a Political Parties Dispute Tribunal established under section 34 of this Act

PART II

Office of the Registrar of Political parties

5. (1) There shall be established an office of the registrar of political parties which shall be a body corporate with perpetual succession and a common seal which shall be capable of suing and being sued in its corporate name
 2. The registrar of political parties shall be appointed by the president as among the list of person recommended by the National assembly to the president for appointment as Registrar of Political parties
 3. The officer of the registrar shall be independent and shall not be subject to direction or control of any person or authority

6. The function of the registrar shall be to;
 - (a) Register and supervise to insure this Act is complied

 - (b) Administer the funds of the office of the Registrar

 - (c) Cause to be published in a user friendly manner the audited annual accounts of political parties in its own website as well as respective political parties websites

 - (d) verify and make publicly available the list of all national leaders of a political parties members of political parties

 - (e) To submit before the National assembly the Audited report of the office of the Registrar of Political parties and any political parties that received government appropriated funds to political parties

- (f) maintain a register, names, symbols of political parties
- (g) investigate complaints received under this Act
- (h) perform such other functions as may be conferred by this Act or any other written law

7. Procedure for appointment of the registrar

A person intending to apply for appointment as a Registrar of Political Parties shall in the prescribed manner apply for such appointment via the Recruitment Committee

Recruitment Committee

- 8.** The Recruitment Committee referred in (7) above shall be composed of
1. The Chief Justice who shall be the chairperson
 2. The Chief Justice of Zanzibar who shall be the vice chairperson
 3. The Principle Judge who shall be the secretary
 4. Deputy Attorney General of the United Republic of Tanzania
 5. President of Tanganyika law society
 6. President of Zanzibar Law Society
 7. The President of Female Judges or her representative
 8. One person elected by organization representing Women interest

Function of the Committee

9. 1) The Committee referred in one above shall

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- (a) Assess the qualification of any candidate applying to be appointed as the Registrar of Political Parties
 - (b) Conduct public hearing during the screening of candidates for the position of the Registrar of Political Parties
 - (c) If necessary summons witness on matters related to candidates testimonies, qualification any other evidence as the Committee may deem necessary
 - (d) Send to the Clerk of the National assembly the report of its recruitment process and not more than six candidates for further nomination process
2. The National assembly after receiving the names of candidates for office of the Registrar of Political parties shall
- a. Conduct public hearing of candidates
 - b. Ask any question or seek any information from the candidate
 - c. Receive reports of the recruitment Committee public hearing
 - d. Conduct vote among the candidates referred to it by the recruitment Committee
 - e. Recommend to the President, not more than three candidate for appointment as Registrar of Political Parties

9. Qualification to be a registrar

- 1) A person shall be qualified to be appointed as a registrar of political parties if the person
 - a) hold a master's degree in law from a recognized university
 - b) is a retired judge of the High Court or High Court of Zanzibar or Court of appeal
 - c) has at least fifteen years' experience in the relevant area of expertise
 - d) is a person of high moral character and integrity
 - e) In the last fifteen years has not hold membership or affiliated to any political party
 - f) Has never served in the salaried appointment position serve for the one referred in (b) above
- 2) The registrar shall, before assuming office subscribe before the president the oath allegiance to the United Republic
- 3) The registrar shall save for a period of five years and shall be ineligible for re-election
- 4) A person who served as the Registrar of Political parties shall not be eligible for appointment in any public office of the United Republic within seven years after the end of his tenure as a Registrar
- 5) a person who served as a Registrar of Political parties shall not be sponsored by the political party for any elective position

Recruitment and qualification of Assistant registrar

10. (1) There shall be an assistant registrar of political parties who shall assist the registrar of political parties in day to day business of the office of the Registrar of Political Parties
2. The assistant registrar of political parties shall be appointed in accordance to the public service Act
3. The requirements enshrined under section 11(1) above shall apply mutatis mutandis save for paragraph (b)
4. Vacancy in the office of the registrar or the assistant registrar
 1. Whenever a vacancy arises in the office of the registrar of political parties, the president shall appoint the registrar in accordance to the requirement under section 7, 9 and 10 of this Act
 2. If the position of the assistant Registrar fall vacant, his position shall be filled in accordance to requirements enshrined under section 11(2) of this Act
5. Removal from office of the registrar or the assistant registrar
 1. The registrar or the assistant registrar may be removed from the office if
 - a. Grave violation of the Constitution or this Act
 - b. incompetence
 - c. gross misconduct
 - d. inability to perform the function of the office arising from mental or physical incapacity
 - e. Bankruptcy
 - f. Has become a member or affiliated to any political party

2. A person desiring the removal of the registrar or assistant registrar shall present a petition to the public service commission which shall be in writing in a prescribed manner setting out the alleged facts constituting the ground for the removal of the registrar or the assistant registrar
3. The public service commission shall consider the petition and if, it is satisfied that it discloses the existence of a ground under subsection (1) it shall send the petition to the president save for a petition of an assistant registrar which shall be determined by the commission
4. On receipt and determination of a petition concerning the registrar, the president shall,
 - a. suspend the registrar pending the outcome of the inquiry
 - b. appoint a tribunal consisting of;
 - c. a retired judge of the High Court or the Court of Appeal who shall be nominated by the judicial service commission
 - d. two other persons of which one shall be a woman who shall be elected by the Tanganyika Law Society qualifying to hold an office as a judge
 - e. two persons of which one shall be a woman who shall be nominated by the Commission of Human Rights and Good Governance
 - f. Two person one of whom must be a woman elected by the Zanzibar law society each of them possessing qualification to be appointed as Judge

5. The Tribunal shall investigate the matter fairly, report on the facts and make a binding recommendations to the president who shall act with the recommendation within 30 days from the report of reception of the recommendation
6. a person who is suspended under section 4(a) shall continue, while on suspension, continue to receive half of the remuneration and other benefits thereto until the president make decision on the allegation made against him

Establishment of political parties Liaison Committee

6. (1) there is established a political parties liaison committee
- (2) the political parties liaison committee shall be established at the ward, district, regional and national level
- (3) The key function of the political parties liaison committee is to provide a platform for dialogue between the registrar and political parties
- (4) The political parties liaison committee shall perform other function as may be prescribed by the registrar

PART III

REGISTRATION OF POLITICAL PARTIES

7. Formation of political parties
 1. a political party may, subject to the provisions of the constitution of the United Republic of Tanzania and this Act, be formed in Tanzania to

further purposes which are not contrary to the constitution or any other written law of the land

2. a political party shall promote inclusiveness, democracy and participation of the people in the
 - a. formulation of its policies
 - b. nomination of candidate for election
3. a citizen of Tanzania who has attained the age of 18 years may, subject to the provision of this Act or any other law of the land
 - a. form or participate in the formation of a political party
 - b. contest for an elective position in a political party in which the person is a member

8. Requirement of a political party

1. an individual, a group of people, an association, or an organization shall not operate or function as a political party unless it has been registered in accordance to the provisions of this Act
2. the registrar shall not register an association of persons or an organization as a political party if such association or organization does not meet the requirements set under this Act

9. Provisional registration of a political party

1. an association of person or organization applying to be registered as a political party may apply to the registrar for provisional registration

2. upon receipt of an application for registration under subsection 1 the registrar shall;
 - a. within 30 days publish in the Gazette and in least three newspapers with national circulation, inviting objections from any person or from any political party commencing the registration of the name, symbol, color of the political party or any other issue relating to the registration of the political party
 - b. within 45 days of the association or the organization fulfilling the conditions prescribed in section 17, issue that association or organization with a certificate of provisional registration
3. a political party that has been provisionally registered under subsection 2 shall, not later than 100 days from the date of registration, apply to the registrar for full registration
4. the provision registration of a political party which has not applied for full registration shall lapse at the expiration of one hundred days from the date of issue of the certificate of provisional registration
5. the provisional registration of a political party which has applied for full registration shall be valid until a political party is issued with a certificate of full registration, or the application of the political party to be registered has been rejected
6. a political party that has been provisionally registered under subsection 2 shall not be entitled to participate in an election

Application for provisional registration

10. (1) an application for provisional registration for then proposed political party shall be in writing and be signed by the applicants, of which not more than two third shall be of the same gender
- (2) an application for provisional registration shall
- a. Have signed minutes of the first meeting of the founding members of the political party
 - b. set out the name of the political party
 - c. if the political party wishes to use an abbreviation of its name for the purpose of this Act, set out its abbreviation
 - d. include an undertaking to be bound by this Act
 - e. be accompanied by the prescribed fees
 - f. be accompanied by a copy of the constitution of the proposed political party which shall comply with the provision of section 20 of this Act
 - g. include a request to the registration of symbol of the political party

Requirements for full registration

11. An application for full registration of a political party shall be in writing in the prescribed manner and shall be signed by an authorized official of the political party

12. provisionally registered political party shall be qualified to be full registered if;
 - a. It has recruited as members, not fewer than one thousand registered voters emanating from ten regions of which two of them shall be from Tanzania Zanzibar
 - b. The members referred to in paragraph (a) above reflect regional and ethnic diversity, gender balance and representation from special interest groups
 - c. The composition of its governing body reflect regional, ethnic diversity, gender balance and representation from special interest groups
13. The Registrar shall refuse registration of the Political party if more than two third of the member of the governing body are of the same gender
14. It has not submitted to the registrar
 - a. A list of names, address and identification particulars of its members
 - b. The location of its head office, which shall be registered office within Tanzania and a postal address to which notices and other communication may be sent
 - c. The location and addresses of the branch office of the political party which shall be in more than half of the regions in Tanzania and one of its offices must be established in Tanzania Zanzibar
 - d. The disaggregated data of its membership based on each of the component of the special interest group
 - e. a person is disqualified from being a member of a governing body of a political party if that person;
 - f. is declared bankrupt by a Competent Court

- g. has been convicted of a criminal offence of terrorism financing, tax evasion, treason, economic sabotage and any other related offences triable by the High Court

15. The registrar within 30 days of an application under subsection 2 issue a certificate of full registration to a provisionally registered political party which has fulfilled the conditions for full registration

16. a person who is not a citizen of Tanzania shall not be appointed to any office or to be a member of a political party in Tanzania

Parties with certain names and symbols not to be registered

17. The Registrar may refuse an application for registration of a political party if the name of the political party, the abbreviation or the symbol that it wishes to use for the purpose of this Act;

- a. is obscene or offensive
- b. is the name or an abbreviation of another political party that is registered under this Act
- c. so nearly resembles the name or symbol, or an abbreviation of the name of another political party registered under this Act or any other legal entity registered under any other written law of the land

Contents of a constitution or rules of a political party

18. The constitution or rule of any political party shall provide for matters as shall be specified in the schedule

19. The constitution or rule of any political party shall ensure that not less than two third of the membership of all party organs, bodies and committees, in aggregate are of the same gender

20. Public Officer Should not involve himself in the course of Registration of a political party

21. (1) For purpose of Registration of a new political party a public officer shall not

- (a) be eligible to be a founding member of a political party
- (b) be eligible to hold an office in a political party
- (c) Engage in political activities that may compromise or be seen to compromise the political neutrality of that person's office or.
- (d) publicly indicate support for or opposition to any political party candidate in an election

(2) Subsection 1 shall not apply to a president, deputy president, ministers, members of parliament and councilors

Disqualification from holding an office in political party

22A A person disqualified from holding public office under the constitution, this Act or any other written law shall not hold office in the governing body of a political party or to be a founding member

Resignation from a political party

23. (1) A member of a political party who intends to resign from the political party shall give a written notice prior his resignation to;

- a. General secretary of the political party
- b. in case of a member who is a councilor to the executive director of the town, city, municipal or district council of which shall copy the general secretary of the party of which he is a member
- c. in case of a president in accordance to the constitution

Rights and privilege of political party

24. (1) A fully registered political party in Tanzania shall be entitled to
- (i) to hold and address both internal and public meetings in any area in Tanzania for the purpose of publicizing the political party and recruiting members
 - (ii) to the protection and assistance of the state security agency for the purpose of facilitating peaceful; and orderly meetings
 - (iii) to the provision by the state, of fair opportunity to present the political party's programme to the public by ensuring equitable access to the state owned media
 - (iv) in case of a member, who is a member of parliament to the clerk of the National Assembly and copy the general secretary of the party of which he is a member
- (2) The above mentioned privileges and rights in subsection (1) shall be afforded to a provisionally registered political party as if it is fully registered
- (3) The provisionally registered political party shall not be entitled to organize or hold public meetings in connection with any election, or to propose or campaign for any candidate in any election
- (4) a political party which contravenes requirements under subsection (3) above shall not qualify for full registration

Parties activities not be interfered by state machinery

25. State machinery including the police force shall not in any means interfere with political parties activities including public and internal meetings instead shall afford an equitable and prompt security thereto

Provided that a political party public meeting where the police officer in charge of the place where the meeting is to be conducted was not notified within 48 hours shall be null and void

Corporate status of political parties and declaration of assets

~~26~~AA political party which has been fully registered under this Act shall be a body corporate with perpetual succession and a common seal and shall be capable in its own name of;

- a. acquiring and disposing of property
- b. suing and being sued
- c. doing or performing all such acts and things as a body corporate may by law do or perform

Public and internal meeting of political parties

27. (1) A fully registered political party shall hold meeting of the party organ at, village, ward, district, regional and national level in accordance with the party constitution

(2) It shall be compulsory for a fully registered political party to conduct its national meetings after expiration of five year

(3) a fully registered political party shall elect its national leaders after every five years in accordance to its constitution

(4) A political party intending to hold a public meeting shall comply with the law relating to public meeting

(5) a fully registered political party that does not comply with the provision of subsection 1, 2 and 3 above may be deregistered

(6) Notification of changes, alteration in constitution

28. (1) Where a fully registered political party intends to change or amend;

- a. its constitution
- b. its rules and regulations
- c. the title, address or name of any party official
- d. its name, symbol, slogan or color or;
- e. the address and physical location of the head office

Shall notify the Registrar its intention and the Registrar shall, within seven days after the receipt of the notification, cause a notice of the intended changes or alteration to be published in the Gazette

(2) The changes referred in subsection (1) above shall be deemed to take effect only if, the decision to make the aforesaid changes was made by either an extraordinary general meeting or an annual general meeting of the political and a resolution of two third of members of the political party was passed supporting the same

29. (1) The Registrar or any person other than any political party may apply to the Court for deregistration of a political party

(2) The Registrar of Political Parties may deregister a political party only if, a competent Court has order for such deregistration and no Appeal, Review or Revision is filed for determination by the affected political party or its member in the competent Court

- (3) The Court may order for deregistration of a Political party if
1. It has been proved to the satisfaction of the Court that the Registration of that Political Party has been obtained illegally
 2. Gravely violated the Constitution of the United Republic
 3. In its Constitution, policies or publicly advocate for terrorism, terrorism financing, fascism and related elements
 4. Failed to Conduct members annual general meeting in accordance to its Constitution for consecutive ten years
 5. If its Constitution, party policies, manifesto or publicly advocate for ethnic cleansing of any community within the United Republic of Tanzania
 6. If in time of war side with enemies of United Republic of Tanzania
 7. If in consecutive five years, have not conducted election of its top leadership
- (4) The Court may suspend Registration of any political party pending formal deregistration by the Registrar
- (5) A political party that has been suspended under subsection (2) above shall not be entitled to any of the rights and privilege specified in section 26
- (6) If the Court has ordered the political party to remedy the breach to the law within a prescribed time, the Registrar may deregister that political party if it fail to remedy the anomaly within the time prescribed by the Court
- (7) The Registrar shall, within 7 days after deregistration of a political party under section 31 (2) cause a notice of the deregistration to be published in the Gazette

Effect of deregistration

30. Where a political party is deregistered under this Act, no person shall;
- a. summon a meeting of members or officers of the political party other than for the purpose of winding up of the political party or for the purpose of challenging the deregistration of the political party
 - b. attend or make a person attend a meeting in the capacity of a member or officer of the political party
 - c. publish a notice or advertisement relating to a meeting of a political party except for a meeting relating under paragraph (a)
 - d. invite persons to support the political party
 - e. make a contribution or loan to funds held or to be held by or for the benefit of the political party or accept a contribution or loan
 - f. give guarantee in respect of such funds
31. where a political party that has been deregistered under section 32 had representatives elected as the president, deputy president, Prime Minister, a minister, member of parliament, chancellors or any other representative shall from the date of such deregistration cease to hold such office.

PART IV

COALITION AND MERGER OF POLITICAL PARTIES

32. Political Parties Coalition

1. Two or more political party may form a coalition before or after an election and shall deposit the coalition agreement with the registrar
2. A coalition agreement entered into before an election shall be deposited with the Registrar at least 7 days before an election day
3. A Coalition agreement entered into after an election shall be deposited with the Registrar within 30 days of the signing of the coalition
4. The coalition agreement shall set forth the matters to be shared and the allocation of seats for each party if any
5. The decision to enter into a coalition agreement shall be made by the annual general meeting of each political party of which a resolution of two third of members shall be passed
6. A coalition agreement shall be deemed to be valid only if the requirement under subsection (5) are fully complied

Merger of Political Parties

33. (1) A political party may merge with another political party by;
- (a) forming a new political party
 - (b) merge into an already registered political party
- (2) a political party shall not merge with another political party unless the merger is in accordance with the constitution, rules and procedures of the political party merger

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- (3) The decision to merge shall be in writing and shall be duly executed by the annual general meeting of each political party of which a resolution of one third of all members shall be passed thereto
- (4) The merger agreement signed under subsection (4) shall be deposited with the Registrar within 30 days from the date the merger agreement was signed
- (5) Upon receipt of an a merger instrument, the Registrar shall withdraw and cancel the merged political parties including symbols, logo, name, into the register of political parties and Gazette the same within 14 days from the date the merger agreement was deposited thereto of which the Registrar shall issue a certificate of registration of the newly registered political party
- (6) All member of the merged political parties shall be deemed to be members of the newly registered political party

Provided that the canceled name, symbol and logo of the merged political parties shall not be used by another political party for registration

- (7) The merger of political parties shall not affect election of any member of the former political party from continuing holding the elected position and shall be deemed to have been elected under the new political party
- (8) The newly established shall be allowed to use its former name, symbol and logo for registration of the new established political party

Effect of merger

34. (1) Where two or more political parties pass a resolution to merge from each of their annual general meeting, the merged political party shall be withdrawn and cancel from the register of the Registrar of political parties of which it shall become a single political party
- (2) The assets and liability of the merged political party shall be the asserts and liability of the newly established political party

PART V

Political Parties Dispute Tribunal

Establishment of the Tribunal

35. (1) There is established a tribunal to be known as the Political Parties Dispute Tribunal and shall consist of the following members:
- a. A retired judge of the High Court or Court of Appeal who shall be the chairman to be appointed by the president
 - b. A retired judge from the High Court of Zanzibar who shall be the deputy chairperson to be appointed by the president
 - c. Seven other members of which three of them shall be women to be appointed by the president
- (2) The chairperson and member of the tribunal shall serve for a period of three years of whom shall not be re- appointed

- (3) A person shall not be qualified from being appointed as a member of the tribunal if that person is a civil servant
- (4) The quorum of the committee shall be three members of which one shall be a woman

Jurisdiction of the tribunal

36. (1) The tribunal shall determine;
- a. dispute between the members of a political party
 - b. dispute between a political party and the Registrar
 - c. dispute between a member of a political party and the Registrar
 - d. dispute between a member of a political party and the political party
 - e. disputes between political party and a political party
 - f. dispute between an independent candidate and a political party
 - g. dispute between coalition partners
 - h. dispute between merged political parties
- (2) Notwithstanding subsection (1) the tribunal shall not hear and determine a dispute in paragraph a, d and e unless the dispute has been referred for disputes to the respective political parties in accordance with their internal dispute mechanism

Determination of disputes

37. (1) The tribunal shall hear and determine a dispute in Section 35 above within 14 days from the date the dispute is referred
- (2) The manner of lodging out disputes before the tribunal shall be prescribed in the rules of procedure of the tribunal
- (3) The tribunal shall apply the rules of technicalities, law of evidence and its decision shall be as good as of that of the Court of law
- (4) Any person aggrieved by the decision of the Tribunal may Apply for Review of the Decision to the High Court

Removal of member of tribunal

- ~~38~~A member of the tribunal before the lapse of his three years of service may be removed from the office if
- a. Violates the constitution
 - b. He has been declared bankrupt
 - c. is convicted of a criminal offense
 - d. is incapacitated by reason of prolonged physical or mental illness from performing the duties of the office
 - e. is otherwise unable or unfit to discharge the functions of the office

Staff of the tribunal

39. For the proper function, the tribunal shall have its own staff including the secretary who shall be employed in accordance to the Public Service Act and its Regulations thereto

Expenses of the tribunal

40. (1) The commission shall be allocated its budget by the national assembly in a budget government financial year
- (2) The chairperson and members of the tribunal shall be paid such allowances and be reimbursed such expenses as shall be determined by the court chief administrator

PART VI

Funding and Accounts of Political Parties

41. (1) There shall be established a fund to be known as the political parties fund which shall be administered by the Registrar
- (2) The fund shall secure its fund from;
- (a) Appropriation from the national assembly
 - (b) Loans
 - (c) Donations from development partners
 - (d) Any other lawful fund as the Registrar may request

Distribution of the fund

42. (1) The fund shall be allocated as follow as;

(2) Notwithstanding subsection (1), a political party shall not be entitled to receive funding from the fund if

The party does not secure at least 3% of the total number of votes at the preceding general election

- a. More than two third of its registered office bearers are of the same gender
- b. the party does not have in its governing body, representation of special interest groups

(3) For the purpose of subsection 1(a) and 2(a), the total number of votes secured by a political party shall be computed by adding the total number of votes obtained in the preceding general election by a political party in the election for the president, Member of Parliament and councilors.

Purpose of the fund

43. The purpose of the fund shall be to ensure and facilitate administration and activities of political party

Audit of political parties Accounts

44. (1) A political party shall keep proper books and records of accounts of the income, expenditure, assets and liabilities of the political party

(2) All political party shall be audited by the Controller and an Auditor General of the United Republic of Tanzania

(3) The Controller and an Auditor General may, in his opinion, and at any time, audit accounts of a political party or demand any book, record or financial

report of certain transactions of a political party, if so require in the interest of the public

- (4) The audited reports in subsection (2) and (3) shall be submitted to the Registrar and tabled before the national assembly for debate
- (5) Audited reports of political parties shall be caused to be made as public documents for inspection by the public

Audit and Accounts of the Registrar

45. (1) The office of the Registrar of political parties shall keep proper books of accounts of the income, expenditure and assets of the office
- (2) The Controller and an Auditor General shall audit the financial accounts of the office of the Registrar annually
 - (3) The audited accounts in subsection (2) shall be tabled before the national assembly for debate
 - (4) The Controller and an Auditor General, may at any time, in his opinion audit, demand certain accounts, if he so requires in the interest of public
 - (5) The audited report of the office of the Registrar shall be caused to be made public documents for inspection by the public

Publishing sources of fund

46. Every political party shall publish in its website the fund received not more than three month following the commencement of government financial year

PARTY VII

General Provisions

Offenses

47. A person commits an offense under this Act, if he does not comply with directions enshrined under this Act

General penalty

48. A person convicted for an offense under this Act for which no penalty is prescribed shall be liable, on conviction, to a fine of not less than 5 million and not more than 10 million or imprisonment to a term of not less than 2 years and not more than 4 years

Winding up political parties

49. (1) A Registrar of political parties shall, upon deregistration of a political party or its declaration as a prohibited organization under any law, shall, within 14 from the date of publication of the notice for deregistration Gazette his intention to wind up the deregistered political party

(2) The Registrar upon publishing his intention to wind up the registered political party in subsection (1), within 7 days shall make an application to the High Court for winding up and dissolution of that political party, and the disposition of the assets, properties, rights and liabilities of the political party

(3) The High Court shall make such orders as appears to it to be just and equitable in the circumstances of the case.

Regulations

50. The Minister responsible for political parties may make regulations for the purpose of facilitating better running of the office of the Registrar and other political parties related activities of political parties

Transitional provisions

51. Notwithstanding the provisions of this Act;

- a. political party existing immediately before the commencement of this Act shall be required to comply with the provisions of this Act within 12 months from the commencement date, but shall be exempted from payment of the initial registration fee
- b. a register of political parties and the Register of members of political parties maintained under the repealed Political Parties Act shall be deemed to have been prepared under this Act
- c. a Registrar of political parties holding office immediately before the commencement of this Act shall continue to hold office until a Registrar is appointed under this Act
- d. Section 20 shall not apply to a political party existing immediately before the commencement of this Act

SCHEDULES