### UNIVERSITY OF DAR ES SALAAM UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW

#### DEPARTMENT OF ECONOMIC LAW

#### **CURRICULUM VITAE - 2020**

#### EMERITUS PROFESSOR GAMALIEL MGONGO FIMBO

#### I PERSONAL HISTORY.

[a] Full Name: GAMALIEL MGONGO FIMBO [b] Date of Birth: 8 August 1943

[c] Place of Birth: Kitunda, Sikonge District, TABORA Region [d] Nationality: TANZANIA

[e] Marital Status: MARRIED with Five Children

#### II **ACADEMIC QUALIFICATIONS:** Qualifications and when obtained **Universities/Colleges**

PhD.	1990	University of Dar es Salaam
LL.M.	1971	University of London
LL.B. (Hons.)	1969	University of East Africa

#### III PROFESSIONAL QUALIFICATIONS

(including membership of societies)

- 1. LL.B. 1969, University of East Africa
- 2. Advocate, Commissioner for Oaths and Notary Public (Tanzania), 1979, Council of Legal Education.
- 3. Member Tanganyika Law Society
- 4. Member, East Africa Law Society
- 5. Member, Tanzania Institute of Arbitrators (TIArb)

#### POSTS HELD AT THE UNIVERSITY IV POSTS DATES

1.	Professor Emeritus	2020
2.	Professor of Law	2004 - 2020
3.	Chief Administrative Officer,	1982 – 1987
4.	Dean, Faculty of Law	1979 – 1982
5.	Member, the University Senate	1976 – 1987
6.	Member, Faculty/School Board	1988 – 2013
7.	Associate Professor of Law	1979 – 2004

8. Senior Lecturer in Law		1976 – 1979
9. Lecturer in Law		1974 – 1976
10.	Assistant Lecturer in Law	1971 – 1974
11.	Tutorial Assistant in Law	1969 – 1971

# (RETIRED ON 8<sup>th</sup> AUGUST 2003, NOW ON CONTRACT AS PROFESSOR EMERITUS)

### V EXTRA CURRICULAR AND OTHER ACTIVITIES: POSTS

#### Current

- 1. Founder Member, Front Against Corrupt Elements in Tanzania (FACEIT) 1996; Member of the Executive Council 1996 to date.
- 2. Founder Member, Tanzania Institute of Arbitrators (TIArb), 1996 to date; Member of the Executive Council 2005 1996-2013.
- 3. Member, TIArb PANEL OF ARBITRATORS, 2017.

#### **Previous**

- 4. Member (representing the Tanganyika Law Society), Appointments and Disciplinary Committee for Court Brokers and Court Process Servers, High Court of the United Republic of Tanzania, 1998 to 2019.
- 5. Chairman, NATIONAL INSURANCE BOARD, TANZANIA INSURANCE REGULATORY AUTHORITY (TIRA), Ministry of Finance and Economic Affairs, December 2004 April 2013.
- 6. Member, The Independent Bid Challenge Appeal Panel, the MILLENIUM CHALLENGE ACCOUNT, TANZANIA (MCA-T),10<sup>th</sup> June 2009 2013.
- 7. Chairman, Board of Directors of the Tanzania Legal Corporation, 1983 1994.
- 8. Director, the Tanzania Legal Corporation, 1978-1983.
- 9. Part-time Commissioner, the Law Reform Commission of Tanzania, 1989-1990.
- 10. Member, Review of Land Laws Committee, Ministry of Lands, Housing, and Urban Development, 1975-1978.
- 11. Member, Labour Advisory Board, United Republic of Tanzania, 1977-1982.
- 12. Member, Legal Aid Committee, Faculty of Law 1972 –1974.
- 13. Chairman, Legal Aid Committee, Faculty of Law 1974 1979.
- 14. Editor, the Law Reports of Tanzania 1973 1980.
- 15. Member, Editorial Board of the Tanzania High Court Digest 1967-1973.
- 16. Editorial Assistant, East Africa Law Reports 1972-1975.

- 17. External Examiner, University Examinations, University of Nairobi, Faculty of Law, 1976-1978.
- 18. External Examiner, University Examinations University of Zambia, School of Law, 1980-1982.
- 19. External Examiner, PhD. Thesis, MNYASENGA, Thobias Raphael, "Administrative Legal Framework of Central Local Government Relationship and Its Implications on Autonomy of Local Government Authorities in Mainland Tanzania," Mzumbe University, Tanzania, 3.11.2017.

#### VI AWARDS AND HONOURS

- 1. Form Six Prize for best results in HSC English (Tabora Boys' School) 1964.
- 2. Uganda Law Society Prize for Best Performance in Second Year LL.B. work, 1967/1968.
- 3. Commonwealth Academic Staff Scholarship tenable at the University of London, School of Oriental and African Studies (SOAS) 1970/1971.
- 4. Fulbright Senior Research Scholarship, Rutgers, the State University of New Jersey, USA April-August, 1982.
- 5. Letter of Commendation for excellent Performance and Public Service, University of Dar es Salaam, 1983.
- 6. Research Fellow, Institute of Social Studies, (ISS) The Hague, The Netherlands June-December 1993.
- 7. Token of Appreciation for Distinguished Service to the Tanganyika Law Society 1994.
- 8. Associate, Tanzania Institute of Arbitrators (TIArb), 1999.
- 9. Okoth Ogendo Distinguished Lecturer, the School of Law, University of Nairobi, 13<sup>th</sup> June 2014.
- 10. Listed in the TIArb PANEL OF ARBITRATORS, June, 2017.
- 11. Amicus Curiae in the COURT OF APPEAL OF TANZANIA:
- THE DIRECTOR OF PUBLIC PROSECUTIONS v. DAUDI PETE, Criminal Appeal No. 28 of 1990, Full Bench of the Court of Appeal

of Tanzania at Dar es Salaam, [1993] TLR 22; Bail, Constitutional Law.

- ABUALY ALIBHAI AZIZ v. BHATIA BROTHERS LTD, Misc. Civil Appeal No. 1 of 1999 and in the Matter of Conflict of Decisions in Court of Appeal in Civil Appeal No. 18 of 1988 and in Civil Appeal No. 19 of 1995 and in the Matter of the Full Bench of the Court, judgment delivered on 18 June 1999, [2000] TLR 288; precedent, Land Law.
- CHIRIKO HARUNI DAVID v. KANGI ALPHAXARD LUGORAAND TWO OTHERS, Civil Appeal No. 36 of 2012; precedent, Full Bench of the Court; Ruling delivered on 31 May, 2013.
- THE ATTORNEY GENERAL v. JEREMIA MTOBESYA, Civil Appeal No. 65 of 2016; Bail; Full Bench of the Court; Ruling delivered on 2 February, 2018., Submission and Ruling are reported in Zanzibar Yearbook of Law, Vol. 8, 2018, pp. 335-345 and 305-333 respectively.

#### VII PhD. THESES

### i. CHAIRMAN, PhD. VIVA VOCE EXAMINATIONS, UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW

- HOSEA, EDWARD GAMAYA, Grappling With the Epitome of Corruption in Tanzania: The Case for Circumstantial Evidence, 16.11.2007;
- MWAIPOPO, RITA ALICE, Ms., Intellectual Property Rights and the Regulation of Access to Genetic Resources and Benefits Sharing in Mainland Tanzania, 6.11.2008;
- FELESHI, ELIEZER MBUKI, Contribution of Criminal Intelligence in the War Against Crime in Tanzania Mainland, 20.7.2011;
- LUKUMAY, ZAKAYO NDOBIR, An Analysis of the Legal Basis for Electronic Banking in Tanzania, 13.10.2011;
- MWAKAJE, JACOB SAUDIN, Regulatory Framework of Intellectual Property Products, 17.5.2012;
- KAMUGISHA, GRACE KAZOBA, Ms., Legal and Institutional Framework for Combating the Prevalence of Counterfeit and Substandard Pharmaceuticals in Tanzania, 2.7.2012;
- LEVIRA, MARY CAROLINE, Ms., Criminal Sanctions Efficacy in Environmental Management in Mainland Tanzania: The Case of Wildlife Resources, 5.10.2012.
- NGENDAHIMANA, Jean-Bosco, The Impact of Regional Integration on Human Rights Protection in Africa, 24.6.2013.

- KILANGI, Adelardus Lubango, The Principle of Permanent Sovereignty over Natural Resources: Its Application in Regulating the Mineral Sector in Tanzania, 5.11.2013.
- MHINA, Mkombozi Vincent, Transnational Investment, Environmental Degradation and Human Rights: A Cross-national Case Study Based on Petroleum and Mineral Industries in Selected Developing Countries, 28.2.2014.
- KANYABUHINYA, Baraka Francisco, Examination of Legal Challenges in Addressing Counterfeit Goods in Tanzania Mainland: the Right of Consumers to Redress, 20.10.2014.
- JESSE, James, Elisa Mchome, An Inquiry into the Right to Freedom of Expression for Promotion of Good Governance in Tanzania, 29.10.2015.
- HAMAD, Yahya Khamis, Jurisprudential Approaches in Enforcing Human Rights in Tanzania, 13.11.2015.
- LUAMBANO, Tasco Romanus, "East African Court of Justice and Human Rights Protection: Challenges and Opportunities," 3.6.2016.
- SABBY, Francis, Approximation of Competition Rules within the EAC Partners States: A Case Study of Tanzania, Kenya and Rwanda, 22.10.2018.
- AMING'A, Stephen Philip Mang'erere, Quest for Harmonization of Legal and Institutional Frameworks for Protecting Consumers of Legal Services in Kenya, 2.7.2019.
- MZURIKWAO, Anthony, Legal and Practical Challenges Relating to Protection of Rights of Customers of Electronic Banking in Tanzania, 17.9.2019.
- KITURURU, Abduel Gilead, Voluntary Tax Compliance as a Progeny of Public Respectability of a Tax System: A Critique on Tax Reforms in Tanzania, 11.11.2019.
- KANIKI, Abdulrahman, Omari Juma, An Examination of the Law and Practice Relating to Asset Recovery in Tanzania, 26.3.2020.

# ii. INTERNAL EXAMINER AND MEMBER, PhD. VIVA VOCE EXAMINATIONS, UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW

- ZEIJA, Flavian, Corporate Governance in Uganda: The Role of Directors and Secretaries, May, 2013.
- BAKARI, George, Legal and Institutional Framework of Regional Integration and Human Rights in the East African Community, 21.1.2015.
- MAMBI, Adam, Legal Implications of Information and Communication Technology to Privacy and Freedom of Information in Tanzania Mainland and Kenya, 4.5.2015.

- TEMBA, Ferdinand Marcel, Assessment of Legal and Practical Challenges in the Realisation of the Right to Health in Tanzania, 6.4.2018.
- MARWA, Ryoba, Legal and Practical Challenges on Enforcement of Commercial Arbitral Awards in Tanzania, 15.5.2019.

# iii. SUPERVISOR AND MEMBER, PhD. VIVA VOCE EXAMINATIONS, UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW

- ISMAILI, Hamza, "Constitutional and Human Rights Dimensions of Real Property Taxation in Tanzania," 3.5.2018.
- MWASHIUYA, Elias Tenson, Examining the Application of Competition Rules in the Tanzania Real Estate Market, 14.8.2019.
- OBA, Issa Babatunde, Application of Islamic Jurisprudence on Marriage in Kadhi's Courts in Zanzibar and Kwara State. 28.8.2019.

### iv. MEMBER, PhD. VIVA VOCE EXAMINATIONS, UNIVERSITY OF DAR ES SALAAM SCHOOL OF LAW

- ONESMO, Michael, Fair Competition Law in Relation to Price-Fixing in Tanzania: Evolution and Efficacy, 27.3.2015.
- NGWALA, Atuganile Florida, "Adjudication of Land Disputes in Mainland Tanzania: An Examination of Legal and Institutional Challenges,"10.11.2017.
- UTAMWA, John Harold Kulimba, "Investigation for Promoting Fair Criminal Trials in Tanzania: The Case of Conducting Committal Proceedings and Preliminary Hearing Simultaneously," 17.5.2018.
- MULI, Mercy Koki, An Assessment of the Legal and Institutional Frameworks of Elections in East Africa: A Case Study of Kenya and Tanzania, 23.10.2018.
- MORRIS, Cleophas Kassenene Kakiziba, Analysis of Implementation of the United Nations Framework Convention on Climate Change in Mainland Tanzania, 21. 6. 2019.

#### VIII PUBLICATIONS

#### A. Published Papers

Articles

- 1. "Hire Purchase Contract Impossibility of Performance" Eastern Africa Law Review (1970), EALR, Vol. 3 No. 2 (August 1970), p. 181 188.
- 2. "Land, Socialism and the Law in Tanzania", (1973) East African Law Review, Vol. 6 No. 3 (1973), p. 215-263, listed in Tanzania Bibliography 1975, Tanzania Notes and Records, the Journal of the Tanzania Society, Dar es Salaam, No. 81 and 82, June 1978, p. 15.
- 3. "The Right of Occupancy in Tanzania: The Political Economy of an African Land Tenure System," (1974), EALR Vol. 7 No. 2 (1974), p. 121 156.
- 4. Financing Workers Housing in Tanzania: The Tanzania Housing Bank" (1976) EALR Vol. 9 No. 2 (1976), p. 51 85.
- 5. "The Court of Appeal of Tanzania and Development of Land Law," (1989) EALR Vol. 16 No. 2 (Dec. 1989) p. 101 145. Reprinted in (1992a) Fimbo, G.M., Essays in land Law, Tanzania, Dar es Salaam University Press, Dar es Salaam, 1992, p. 113-137.
- 6. "The Court of Appeal of Tanzania on Civil Practice and Procedure" (with Mr. T. L. Mkude) (1989) EALR Vol. 16. No. 2 (Dec. 1989) 24 43. Reprinted in (1992b) Fimbo, G. M., Constitution Making and Courts in Tanzania, Dar es Salaam University Press, Dar es Salaam, 1992, p. 98-111.
- 7. "The Court of Appeal of Tanzania: The Tasks of Educating and Guiding the Legal Profession" (1989) EALR Vol. 16 No. 2 (Dec. 1989) p. 44 61. Reprinted in (1992b) Fimbo G. M., p. 112-123.
- 8. "The Court of Appeal of Tanzania: A Descriptive Essay", (1989) EALR Vol. 16 No. 2 (Dec. 1989), p. 229 267. Reprinted in (1992b) Fimbo, G. M., p. 71 97.
- 9. "Public Participation in Judicial proceedings in Tanzania", (1990) EALR Vol. 17 No. 1 (June 1990), p. 18-33. Reprinted in (1992b) Fimbo G. M., p. 124-133.

- 10. "CCM and the Executive in Tanzania's Constitutional Structure" (1990) EALR Vol. 17 No. 1 (Dec. 1990), p. 183 204. Reprinted in (1992b) Fimbo, G. M., p. 30 42.
- 11. "Africa: The Multiparty Debate, (1994) Institute of Social Studies, (ISS), The Hague, The Netherlands, Working Paper Series No. 175, June 1994, p. 1–16.
- 12. "Transformation of the National Assembly in Tanzania; From Rubber Stamping to Supremacy?" (1995) The Lawyer, Tanzania, Special 1995, p. 14-18.
- 13. "Report of Short Term Consultancy on Electoral Law and Procedures in Tanzania" (with R. N. Ben Lobulu and J. I. Mlay) (1995) Ministry of Justice and Constitutional Affairs, Dar es Salaam on 3<sup>rd</sup> April 1995, p. 1-65.
- 14. "Towards Separation of Powers in a New Democracy: Tanzania", (1995) The African Review, Vol. 22 No. 1 and 2 Combined 1995, p. 16-32.
- 15. "The Making of a New Land Act Tanzania" (1997) The Tanzania Lawyer, February-May Issue, 1997, p. 30-41.
- 16. "Land Delivery Systems in the Two Acts: The Land Act, 1999 and the Village Land Act 1999," (2000) The Tanzania Lawyer, January 2000, p.11-24, UDSM Nyerere Law Journal Vol.1 No. 9 November, 1999.
- 17. Involvement of Professionals in Curbing Corruption, (2000) The Tanzania Lawyer, September 2000 p. 13 17.
- 18. "Land Law Reforms in Tanzania" DUP, Dar es Salaam 2004.
- 19. Customary Tenure in the Court of Appeal of Tanzania, (2004) Eastern Africa Law Review, Vol. 31 34 December 2004, p. 16 39.
- 20. In Search of Thematic Unity in Land Law: Tenure Security, (2004), Zanzibar Yearbook of Law, Vol. 4, 2014 p. 227-256, reprinted in Kameri-Mbote, P., and C. Odote (Eds.), (2017), The Gallant Academic, Essays in Honour of H W O Okoth Ogendo, School of Law, University of Nairobi, Chapter 7, p. 57-78.

#### Chapters in Books

- 1. "Land, Socialism and the Law in Tanzania", Chap. 8 in Ruhumbika, G., (Ed.) (1974) Towards Ujamaa, Twenty Years of TANU Leadership, East African Literature Bureau, Nairobi, p. 230 274.
- 2. "Financing Workers Housing in Tanzania: The Tanzania Housing Bank" Chap. 9 in McAuslan, JPWB., and Kanyeihamba, G., (Eds) (1978) Urban Legal Problems in East Africa, Studies on Law in Social Change, Monograph No. 2, Scandinavian Institute of African Studies, Uppsala, and International Centre for Law in Development, New York, 1978, p. 184 207.
- 3. "Legal Scholarship in Tanzania" in Guadagni, M., (Ed) (1989) Legal Scholarship in Africa, Universita Degli di Trento, Italy, 1989, p. 139- 150.
- 4. "Family Law and Women", a research report, Chap. 3 in Faculty of Law University of Dar es Salaam, (1991) Law Women and Population Studies in Tanzania, UNFPA/Faculty of Law UDSM Dar es Salaam, 1991, p. 30 43.
- 5. "Constitution Making for Multiparty Democracy in Tanzania", in Okema, M., and J. T. Mwaikusa (Eds.) (1992) Constitutions and the Opposition in Africa, Friendrich Ebert Stiftung and Faculty of Law University of Dar es Salaam, 1992, p. 47 51.
- 6. "The Changing Role of Representative Organs of the People in Tanzania", in Fimbo, G. M. and S.E.A. Mvungi (Eds), (1993) Constitutional Reforms for Democratization in Tanzania, FriederichNaumann-Stiftung and Faculty of law University of Dar es Salaam, Dar es Salaam, 1993, p. 15-22.
  - 7. "Informal Urban Land Transactions Adaptation or Regularization?" (1997) Urban land Management and the Transition to a Market Economy in Tanzania, SPRING, Studies on Regional Development Planning and Management in Developing Countries, SPRING Research Series No. 19, SPRING Center, University of Dortmund, FRG 1997 p. 75-80.
  - 8. "Governance Issues in Student Crises" in Mbwette, T.S.A & A. G. M. Ishumi (Ed.) (2000) Managing University Crises, DUP (1996) Ltd, Dar es Salaam, Chap 15, p. 214 223.

- 9. "Challenges Facing Legal Education in Tanzania: Faculty of Law Perspectives in Mvungi, S. E.A. (Ed.) (2002), Forty Years of the Faculty of Law, University of Dar es Salaam, 1961-2001, Faculty of Law, University of Dar es Salaam, p. 94-109.
- 10. Electoral Laws and Procedures in Tanzania: Continuity in Change," in Binchy, W., and C. Finnegan (Ed) (2006), Human Rights, Constitutionalism and the Judiciary: Tanzanian and Irish Perspectives, Clarus Press, Dublin, p. 171 188.
- 11. Katiba ya Muungano na Uboreshaji wake katika Miongo Mitatu," REDET (Ed)(2007) Muungano wa Tanazania, Mafanikio, Matatizo Yake na Jinsi ya Kuuimarisha, University of Dar es Salaam, Sura ya Nne, p. 47-73.
- 12. Law Academics and Postgraduate Studies in Law for Future Leaders in Africa,"in Gastorn, K., H.Sippel and U. Wanitzek (Eds) (2010) Justice and Dignity For All: Current Issues of Human Rights in Tanzania, DUP, Dar es Salaam, p. 127-134.
- 13. Fifty Years of Legal Education in Tanzania: Development of the LL.B. Curriculum, in Fimbo, G. M. (Ed.)(2011), Fifty Years of Legal Education in Tanzania, 2011, Printed by Martisayi Investments Company Limited, Dar es Salaam, p. 1-42.
- 14. Principles and Practices of Management In the East African Community; Best Practices for a Modern Judiciary," in Doveling, J., K. Gastorn and U. Wanitzek (Eds) (2013) Constitutional Reform Processes and Integration in East Africa, DUP, Dar es Salaam, p. 65-87.
- 15. The National Electoral Commission of Tanzania in Support of Constitutional Democracy: A Comment, in Doveling, J., K. Gastorn and U. Wanitzek (Eds) (2013) Constitutional Reform Processes and Integration in East Africa, DUP, Dar es Salaam, p. 105-115.
- 16. Human Rights Perspectives Regarding the Institution of Criminal Proceedings in Subordinate Courts in Tanzania," in Kanwanyi, J. L., U. Wanitzek, A. NAHAYO and J. Doveling (Eds) (2014), Regional Integration and Law, East African and European Perspectives, DUP, Dar es Salaam, p. 99-119.
- 17. In Search of Thematic Unity in Land Law: Tenure Security, in Kameri-Mbote, P., and C. Odote (Eds.), (2017), The Gallant Academic, Essays in Honour of H W O Okoth Ogendo, School of Law, University of Nairobi, Chapter 7, p. 57-78.

#### **B** Published Books

- 1. Customary Land Law of Tanzania, A Source Book, East Africa Literature Bureau, Nairobi, (with R. W. James) (1973), p. 1 –678.
- 2. Essays in Land Law, Tanzania, (1992), Printed by the Dar es Salaam University Press, Dar es Salaam, p. I-138.
- 3. Constitution Making and Courts in Tanzania, (1992) Printed by the Dar es Salaam University Press, Dar es Salaam, p. 1-150.
- 4. Tuijadili KatibaYetu, Katiba ya Jamhuri ya Muungano wa Tanzania ya Mwaka 1977 (2007) DUP, Dar es Salaam, p 1-126.
- 5. The Mind of a Legal Luminary, Digest of Selected Decisions of Hon. Justice Barnabas Albert Samatta, DUP, Dar es Salaam, 2007.
- 6. The Land Law of Tanzania, A Case Book, 2013, Lawafrica.
- 7. Multipartyism, Constitutions and the Law in Africa, 2013, Lawafrica...
- 8. Administration of Justice in Tanzania (Eds., with I. R. Mandi and E. Longopa), 2013, Lawafrica.
- 9. Essays in Land Law, Tanzania, reprint, 2013, Lawafrica.
- 10. Maoni Kuhusu Rasimu Ya Pili Ya Katiba (with others), Dar es Salaam, February 2014.
- 11. Tuijadili Katiba Inayopendekezwa, Dar es Salaam, May, 2015.
- 12. Compendium of Procedural Laws: An Exposition of Decisions of the Court of Appeal, TUKI, May, 2018.
- 13. The Controller and Auditor General in the National Assembly, (Ed., with Cecilia Ngaiza, Ms), TUKI, 2019.

#### C Papers Accepted for Publication

- 14. From Monopoly of Politics by Political Parties to Independent Candidates in Elections, (accepted for publication, February, 2020).
- 15. Emeritus Professor Josaphat Kanywanyi in the Context of the Law Faculty and University of Dar es Salaam History, (chapter accepted for publication, March, 2020).

#### D Book Manuscripts accepted for publication

1. Compendium of Procedural Laws: An Exposition of Decisions of the Court of Appeal, Second edition, TUKI, (accepted for publication, April, 2020).

### E Other Research papers and Writings

#### (i) Conference/Seminar Papers

- 1. Incidences of land tenure systems on resource exploitation and conservation: the right of occupancy system in Tanzania, paper for Workshop on Environment and Rural Development in East Africa, Nairobi, UN Environment Programme and UN Institute for Economic Development and Planning, 1974, p. 62, listed in Tanzania Bibliography 1974 in Tanzania Notes and Records No. 79 and 80, December, 1976 (The Journal of the Tanzania Society, p. 145.
- 2. "Land and its Administration in Tanzania: An Assessment", prepared for the Review of Land Laws Committee of the Ministry Lands Housing and Urban Development, (mimeo) November, 1976, p. 1-12.
- 3. "The Constitutional Structure of Tanzania", text of a lecture given to NORDIC EXPARTIATES in Dar es Salaam on 18 September 1980 at the Swedish School, Dar es Salaam (mimeo) p. 1 15.
- 4. "The Role of Registrars in University Administration and Management", paper presented at a seminar on the Administration and Management of African Universities organized by the Association of African Universities (AAU) Arusha, Tanzania 2-6 April 1984.
- 5. "Governance of the University of Dar es Salaam", paper presented at the Orientation Seminar for the University of Dar es Salaam new expatriate members of staff at Silversands Hotel on 23 September 1985, p. 1 13.
- 6. "Advocacy: The Undischarged Responsibility", text of a lectureat the Conferment of the Advocate of the Year award of the Tanzania Legal Corporation, Dar es Salaam on 30 December 1987, p. 1 12.
- 7. "Sheria na Uhuru wa Wananchi", closing speech delivered on 20 January 1989 at a Paralegal Workshop on Primary Legal Education at Kibaha, organized by the Legal Aid Committee, Faculty of Law, University of Dar es Salaam, p. 1-7.

- 8. "The Judicial Process with a Light Touch", text of a speech given at Dar es Salaam on 4 February 1989 at a Get Together of the Tanzania Legal Corporation, p. 1-22.
- 9. Speculative House Building in Tanzania? Paper delivered at a Seminar on Housing in Development to commemorate the 10<sup>th</sup> Anniversary of the Centre for Housing Studies, 10-15 April, 1989 at the Ardhi Institute, Dar es Salaam, p. 1-14.
- 10. CCM and the Executive in Tanzania's Constitutional Structure, paper presented at a Seminar on Party System and Democracy in Tanzania 27-28 September, 1990, organized by the Tanganyika Law Society, Dar es Salaam, p. 1-24.
- 11. Basics of Legal Draftsmanship, paper for Refresher Course for Corporation Secretaries organized by the Department of Economic Law, Faculty of Law University of Dar es Salaam at Arusha, 10 December 1990, p. 1 15.
- 12. "Corporation Secretaries and Legal Professionalism" paper for Refresher Course for Corporation secretaries organized by the Department of Economic Law, Faculty of Law University of Dar es Salaam at Arusha, 10 December 1990, p. 1–10.
- 13. Constitutions, Constitutionalism and the Economy: Lessons From Tanzania, July, 30, 1991, p. 1-15? >>>>>>>
- 13. "Family Planning and the Law in Tanzania: An Investigation of State Regulation of an Individual's Reproductive Capacity", paper delivered on 12 September 1991 at the Sensitization Seminar on Human Rights Rationale for Family Planning organized by the Family Planning Association of Tanzania (UMATI) at the Soviet Tanzania Cultural Centre, Dar es Salaam, p. 1-12.
- 13. "Heads of Department in the Governance of the Muhimbili University College of Health Sciences", text of a lecture delivered on 2 November 1991 at the Seminar on Management and Administration for Heads of Department, Central Pathology Conference Hall, p. 1 7.
- 14. "Women's Access to Land for Housing", paper delivered on 6 February 1992 at a Workshop on Women in Human Settlement Management organized by the Women Advancement Trust (WAT) Dar es Salaam and the Centre for Housing Studies, Ardhi Institute, Dar es Salaam with support from UNCHS (HABITAT),

Nairobi and UNDP office, Dar es Salaam at the Tanzania Episcopal Conference Centre, Dar es Salaam, p. 1 – 15.

- 15. The Legal Foundations of Social Services Delivery in Tanzania, a paper presented at the University of Dar es Salaam Second Seminar on "The Crisis of Social Service Delivery in Tanzania and Strategies for More Sustainable Systems in the 1990s," Nkrumah Hall Main Campus, 3 4 April 1991, revised on 6<sup>th</sup> April, 1992, p. 1-25.
- 16. The Nyalali Commission and the Role of the Judiciary in Tanzania, a paper presented at a Seminar on Democracy and the Rule of Law During and After MAGEUZI, April 22 23, 1992, Institute of Finance Management, organized by the Tanganyika Law Society, p 1-16.
- 17. Separation of Powers and Democratisation in Tanzania: Child's Leaps or Adult's Steps?" (1994) research report submitted to the Policy and Development Research Centre (PDRC) Dar es Salaam on 17<sup>th</sup> November 1994, p. 1 50.
- 18. "Tanzania's Election Laws: Continuity in Change, "paper presented at the Seminar on Electoral Law Reform: Towards the 1995 Multiparty Elections organized by the Society for International Development Tanzania Chapter) and the Faculty of Law, University of Dar es Salaam, British Council, 30 January 1st February, 1995, p. 1 21.
- 19. Post Primary Education Institutions in Tanzania; Diversity and State Dominance Through the Law," (1995) Short Term Consultancy: Secondary and Tertiary Education in Tanzania, submitted to the Ministry of Science, Technology and Higher Education, Dar es Salaam and the World Bank for Advisory Board Meeting August 3-6, 1995, Morogoro, p. 1-35.
- 20. "Legal Co-operation in East Africa", text of a lecture delivered at the General Meeting of the Federation of East African Law Students Associations, Dar es Salaam on 8<sup>th</sup> December 1995.
- 21. Memorandum by the Support Group on ODA Consultant's Draft Bill for the Land Act," 1996, p. 1-68.
- 22. The Role of University Management, Discussion paper presented at a Seminar on REVITALIZING UNIVERSITERS IN AFRICA: STRATEGIES FOR THE 21<sup>ST</sup> CENTURY in commemoration of the African University Day, organized by the University of Dar es Salaam

- on 12<sup>th</sup> November, 1998, Council Chamber, University of Dar es Salaam, p. 1 8.
- 23. The President of the United Republic of Tanzania", paper presented at the Workshop on the Government Paper No. 1 of 1998 at Forodhani Hotel and Tourism Training Institute, 11<sup>th</sup> December, 1998.
- 24. The LL.B Examination System in the Faculty of Law', Discussion Notes at the Curriculum Retreat, the Livingstone Hotel Bagamoyo, 17<sup>th</sup> August 2000, p. 1 18.
- 25. A Bill for an Act to Amend the Public Leadership Code of Ethics, Act No. 13 of 1995, Discussion Notes for the Parliamentary Committee on Constitutional and Legal Affairs at Parliament Building, Dodoma, Tuesday 30<sup>th</sup> January 2001, p. 1-7.
- 26. A Bill for an Act to provide for the establishment of various courts for the settlement of Disputes concerning Land and for Matters incidental thereto. Discussion Notes for the Consultative Meeting of Stakeholders at the COURTYARD HOTEL, Dar es Salaam 18<sup>th</sup> January 2002, p.1 4.
- 27. Regulations and Forms (with P. McAuslan) (2000) under the Land Act No. 4 of 1999, for the Government of the United Republic of Tanzania Ministry of Lands and Human Settlements Development, December 2000, GN Nos 71-85 of 2001.
- 28. Regulations and Forms (with P. McAuslan) (2000) under the Village Land Act No. 5 of 1999 for the Government of the United Republic of Tanzania, Ministry of Lands and Human Settlements Development, December 2000 GN No. 86 of 2001.
- 29. The Felix Bwogi Scenario Resurrected, A Case-Note, 2006.
- 30. CHALLENGES OF UNIVERSITY LEADERSHIP AND GOVERNANCE IN THE PAST 40 YEARS", Comments of the paper with the same title by Professor Geoffrey Mmari, AFRICAN UNIVERSITY DAY, Council Chamber, University of Dar es Salaam, 12<sup>th</sup> NOVEMBER 2007.
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- 8. "Training Levy" submitted to Design Partnership, Consulting Engineers of DSM 19 October 1992, p. 1 8.
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- 19. Consultants' Reports on Constitutional, Electoral and Judicial Reform in Zanzibar (with Five others), submitted to the Inter Party Committee of CCM and CUF, Zanzibar, February 2000, p. 1 84.
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- 21. Annual Report of the State of Corruption in Tanzania, 2001, consultancy report prepared under the auspices of the Economic and Social Research Foundation (ESRF) and the Front Against Corrupt Elements in Tanzania (FACEIT), June 2002.
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- 27. Plots Nos. 47-51 and 53 PUGU Road Industrial Area, Kipawa, Dar es Salaam City containing 3.445 hactares LO. No. 142535 Ct No. 41977, submitted to MOHAMED ENTERPRISES TANZANIA LIMITED of 7thFloor PPF TOWER, Ohio Street P. O. Box 20660 Dar es Salaam, 19th June 2007.
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#### (iii) Other Reports

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- 13. Mapendekezo ya Mabadiliko ya Katiba ya Jamhuri ya Muungano wa Tanzania, submitted to the Kisanga Committee, July, 1999. p. 1 130.
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# IX APPEARANCE IN THE COURT OF APPEAL OF TANZANIA (selected cases, applications to a single judge have been excluded)

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- 2. METHUSELAH PAUL NYAGWASWA v. CHRISTOPHER MBOTE NYIRABU Civil Appeal No. 14 of 1985, Court of Appeal of Tanzania at Dar es Salaam [1985] TLR 103 (with H. J. Muccadam Esq., Advocate); Land Law.

- 3. T. P. BUILDERS LIMITED v. THE INTERNATIONAL TOURS AND MARKETING AGENCY & 3 OTHERS, Civil Appeal No. 2 of 1987, Court of Appeal of Tanzania at Dar es Salaam (unreported), judgment delivered on 29 July 1987; tenancy agreement.
- 4. NITIN COFFEE ESTATES LTD v. UNITED ENGINEERINGWORKS LTD, Civil Appeal No. 15 of 1988, Court of Appeal of Tanzania at Arusha [1988] TLR 203 (with N. S. Patel, Esq. Advocate); Land Law.
- 5. SCOLASTICA BENEDICT v. MARTIN BENEDICT, Court of Appeal of Tanzania at Mwanza [1993] TLR 1; Land: Widow's right to occupy matrimonial home.
- 6. MANAGEMENT OF HOTEL AFRICANA v. JUMUIYA YA WAFANYAKAZI WA TANZANIA (JUWATA), Civil Appeal No. 30 of 1988, Court of Appeal of Tanzania at Dar es Salaam [1988] TLR 105, Labour Law.
- 7. PETER KARANTI & 48 OTHERS v. THE ATTORNEY GENERAL & 3 OTHERS, Civil Appeal No. 3 of 1988, Court of Appeal of Tanzania at Arusha (unreported), judgment delivered on 2 March 1990 (with J. C. D'Souza Esq., Advocate); Land law.
- 8. IMERI MALEVA & 9 OTHERS v. DIMA NHORONGO, Civil Appeal No. 17 of 1990, Court of Appeal of Tanzania at Dar es Salaam [1991] TLR 1, people's militia.
- 9. TANZANIA TRANSCONTINENTAL TRADING COMPANY LIMITED v. DESIGN PARTNERSHIP LTD, Civil Appeal No. 28 of 1996 Court of Appeal of Tanzania at Dar es Salaam (unreported), judgment delivered on 2<sup>nd</sup> October 1996; Land Law.
- 10. SHINYANGA REGIONAL TRADING CO. LIMITED AND NYANZA BOTTLING COMPANY LTD v. NATIONAL BANK OF COMMERCE, Civil Appeal No. 24 of 1996, Court of Appeal of Tanzania at Mwanza, [1997] TLR 78; Land Law, Securities.
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  - 14. STANBIC BANK TANZANIA LTD v. WOODS TANZANIA LTD, Civil Appeal No. 48 of 2002; judgment delivered in June 2007 (unreported);Banking, Forged cheque, Liability of drawee bank.
  - 15. FARIDA MBARAKA & FARID AHMED MABARAK v. DOMINA KAGARUKI, Court of Appeal of Tanzania at Dar es Salaam, Civil Appeal No. 136 of 2006; judgment delivered on 21st May 2009 (unreported); Land Law.
  - 16. HOTEL TRAVERTINE LIMITED v. M/S GAILEY & ROBERTS LIMITED, Court of Appeal of Tanzania at Dar es Salaam, Civil Appeal No. 113 of 2008; judgment delivered on 5<sup>th</sup> June 2009 (unreported);Law of Contract.
  - 17. EAST AFRICAN DEVELOPMENT BANK v. BLUELINE ENTERPRISES LIMITED, Court of Appeal of Tanzania at Dar es Salaam, Civil Appeal No. 101 of 2009; judgment delivered on 5<sup>th</sup>March 2010 (unreported); arbitration award.
  - 18. EAST AFRICAN DEVELOPMENT BANK v. BLUELINE ENTERPRISES LIMITED, Court of Appeal of Tanzania at Dar es Salaam, Civil Appeal No. 110 of 2009; judgment delivered on 28<sup>th</sup> December 2011; immunity of international organization.

#### X TAX APPEALS TRIBUNAL

OTIS ELEVATORS LTD v. COMMISSIONER OF INCOME TAX, Tax Appeal No. 1 of 1992, judgment delivered on 17 January 1994 (unreported).

#### XI TAX REVENUE APPEALS TRIBUNAL

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#### XII COUNSEL IN ARBITRATION PROCEEDINGS

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- 2. In the Matter of Arbitration Between MONJI RAMJI & COMPANY And NATIONAL INSURANCE CORPORATION OF TANZANIA LIMITED, Award issued on 27 May 1992.
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- 6. In the Matter of Arbitration Between D. B. SHAPRIYA & Co. Ltd. And BISH INTERNATIONAL B.V., construction dispute; Award issued on 11.9.2001.

#### XIII ARBITRATOR

- 1. Arbitrator; arbitration in respect of a Dispute between Tenants of Bushtrekker Building (Claimants) And Tanzania Development Finance Company Limited (TDFL) Respondent), January 2000; landlord and tenant.
- 2. Chairman of Arbitral Tribunal (with Mr. S. J. Chavda and Mr. C. G. Sarkodie); arbitration Award in respect of a Dispute between HARISHCHANDRA K. ASHER (Claimant) and JAYANTILAL N. MEISURIA (Respondent) in High Court Land Case No 74 of 2006, 25thJune 2010; co-ownership of land.
- Member, Independent Appeal Board (with Mr. L. B. Akonnay, Chairman and Mr. M. J. Kamba), Millenium Challenge Account – Tanzania (MCA-T), appeal <u>Between Specon Services Ltd And MCA-T</u>, July 2011.
- 4. Member, Independent Appeal Board (with Mr. M. J. Kamba, Chairman and Mr. N. Mwihava), Millenium Challenge Account Tanzania (MCA-T), appeal <u>Between RODDOM CONSULT And MCA-T</u>, November, 2012.

#### XIV CURRENT RESEARCH PROGRAMME

**MANUSCRIPTS** 

Manuscript under preparation, LAND LAW CASEBOOK – COMMERCIAL TRANSACTIONS IN LAND."

TUIJADILI KATIBA INAYOPENDEKEZWA, KATIBA YA JAMHURI YA MUUNGANO WA TANZANIA, Second Edition.

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