

	<p>tourist industry;</p> <ul style="list-style-type: none"> (i) To liaise closely with the Ministry concerned with Tourism on all matters of policy governing the Tourist Agents Licensing Act; (j) To promote harmonious relations between the Association and Government Departments and Travel Trade Organizations both nationally and internationally; (k) To organize tourist sales promotion jointly with tourist enterprises and allied institutions at home and abroad; (l) To arbitrate on dispute amongst members of the Association; (m) To formulate rules to govern the activities of the Association and its members. (n) To organize diversified training courses workshops and seminars that are relevant to tourism in Tanzania as a means of promoting human resource, economic and technological development and capacity building. (o) To raise funds for economic and community development, to receive donations and aid from donors and friendly societies, on behalf of its members to conclude agreements as well as other related documents with donors, to coordinate and monitor programs during implementation. (p) To undertake feasibility study, research, appraisal, managing and executing programs and projects for the economic and community development in areas where tourism activities are carried out or in remote areas in Tanzania. (q) To participate in international tourism conventions, meetings and other activities sponsored by international tourism organizations 	<p>Added 25/3/2004</p>
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3.	<p>(a) There will be three classes of Membership: ORDINARY (5 Categories), Associate and Affiliate Membership.</p> <p>(i) ORDINARY MEMBERSHIP shall be open to all class “A” Tourist Agents Licence holders.</p> <p>(b) The Director of Tourism or his nominee shall be an ex-officio member of the Association</p> <p>(c) ASSOCIATE MEMBERSHIP shall be open to holders of the Tourist Agents Licence other than class “A”</p> <p>(d) AFFILIATE MEMBERSHIP – there may be such a number of Affiliate members as may be determined by the Management Council from time to time. Affiliate membership shall be open to persons/organizations engaged in the tourist related industry within or outside Tanzania.</p>	<u>MEMBERSHIP</u>
4.	<p>(a) An application for membership of the Association shall be made to the Council. Such application shall be in the form prescribed by the Management Council from time to time and shall be accompanied by the prescribed fees which shall be refunded in full if the application is not accepted.</p> <p>(b) No explanation need be given for refusal of application for membership</p> <p>(c) An application for membership does not confer any membership rights on the applicant. Membership rights and obligations become effective from the date of the meeting of the Management Council at which the membership application is accepted.</p>	<u>APPLICATION FOR MEMBERSHIP</u>
5.	<p>(a) There shall be paid by every applicant for ordinary membership such application fees as shall be determined by the Management Council from time to time</p> <p>(b) There shall be paid by every ordinary member of the Association such annual subscriptions in respect of very calendar year as shall be determined by the Management</p>	<u>MEMBRSHIP FEES AND SUBSCRIPTIONS</u>

	<p>Council from time to time. Annual subscriptions shall be due and payable on 1st January every year or in the case of a new member, within 30 days of being notified of the acceptance of his membership application. Such annual subscription fee may be proratable for new applicants for part of the year on the discretion of the Council.</p> <p>(c) There shall be paid by every ordinary member or such members as may be determined by members at their ordinary or extra-ordinary meeting such contributions for such specific purpose as shall be agreed at such a meeting. Such contributions shall be due and payable within 30 days of the date of service of demand notice for the contribution.</p>	
6.	<p>(a) To uphold and adhere to the code of business ethics issued from time to time by Association</p> <p>(b) To pay promptly within 45 days of the date of becoming due, annual membership subscriptions and such fees, fines, contributions and other dues as shall be determined from time to time.</p> <p>(c) To attend members' meetings called by the Management Council from time to time.</p> <p>(d) To participate and support the policies and activities of the Association at all times.</p>	<u>MEMBERSHIP OBLIGATIONS</u>
7.	<p>(a) Every ordinary member who has no financial liability to the Association shall have the right to:-</p> <p>(i) Vote at any meeting of members or appoint a proxy.</p> <p>(ii) Be voted into the Management Council or any committee of the Association</p> <p>(iii) Seek the association's arbitration in a dispute with another member if both are agreeable to such arbitration</p>	MEMBERSHIP RIGHTS

	<p>(b) Every member shall have the right to:-</p> <ul style="list-style-type: none"> (i) Receive the Association’s newsletters and other publications from time to time. (ii) Seek and obtain information and guidance from the Association. (iii) Participate in the activities and functions organized by the association under such terms and conditions which will apply equally to all members as may be prescribed by the Management Council. <p>For removal of doubts, it is hereby declared that no warranty or guarantee is attached to any advice, guidance, suggestion or anything said or done by the Association, hence the Association or any of its officials or employees shall not be held responsible for any loss or damage that may be suffered as a result of acting or relying on the Association’s advice, guidance, suggestion or attending or participating in any activity or function organized by the Association.</p>	
8.	<p>(a) A member shall cease to be a member of the Association if:-</p> <ul style="list-style-type: none"> (i) The member gives thirty days’ notice in writing of his intention to withdraw his membership. (ii) The member is declared bankrupt or goes into liquidation voluntarily or compulsorily, or enters into a deed of arrangement with his creditors. (iii) The member’s TALA licence is revoked or its renewal refused. <p>(b) The Management Council may fine, suspend or expel a member who:-</p> <ul style="list-style-type: none"> (i) Fails to pay subscription fees dues, fines or contributions due and 	<p style="text-align: center;"><u>TERMINATION OF MEMBERSHIP</u></p>

	<p>payable to Association within 30 days of being warned of the intention to take such action against him by a registered letter mailed to him at his last known address.</p> <p>(ii) Contravenes the Association’s constitution, rules, code of business ethics or regulations provided that no such action shall be taken against a member before being given an opportunity to defend himself before the Management Council.</p> <p>(c) Any member who resigns or expelled shall not be entitled to the refund of any fees, subscriptions, contributions, etc. paid to the Association.</p>	
9.	A former member eligible for membership may apply for membership and may be admitted on such terms as the Management Council may decide.	<u>RE-ADMISSION INTO MEMBERSHIP</u>
10.	<p>(a) (i) There shall be two classes of general meetings</p> <p>- Ordinary and Extra-ordinary</p> <p>(ii) The Annual General Meeting of the Association shall be held at a place and on a date to be decided by the Council not later than 6 months after the end of the financial year.</p> <p>(iii) Notice in writing , of such Annual General Meeting shall be sent to all members not less than 21 days before the date of the meeting</p> <p>(b) The Agenda for any Annual General Meeting shall consist of the following:-</p> <p>(i) Confirmation of the minutes of the previous Annual General Meeting and Extraordinary General Meeting (if any).</p> <p>(ii) Consideration of the Audited</p>	<u>GENERAL MEETINGS</u>

	<p>Accounts for the previous year.</p> <ul style="list-style-type: none"> (iii) Election of the Committee Members. (iv) Appointment of Auditors (v) Such other matters as the Committee may decide or as to which notice shall have been given in writing, by a member or members to the Council at least 10 days before the date of the meeting <p>(c) Any extraordinary meeting may be called for a specific purpose by the Council on its own or on a requisition by at least ten members writing to the Council. No matter shall be discussed at such meeting other than that specified in the notice calling the meeting. Notice of such meetings shall be sent to all members not less than 7 (seven) days before the date of the meeting.</p> <p>(d) The quorum for all general meetings shall be not less than one-fourth or 30 of the registered ordinary members, whichever is the less.</p> <ul style="list-style-type: none"> (i) One delegate representing each ordinary member PROVIDED that if any member is unable to send a delegate, he shall be permitted to vote by proxy. The forms shall reach the Chairman not later than 24 hours before the relevant meeting (ii) In the absence of the Chairman the Vice-Chairman, and in his absence a member elected by the meeting, shall preside over all the meetings of the Association. (iii) Resolutions shall be passed by simple majority on a show of hands unless a secret ballot is called for by at least two of those present entitled to vote. In the case of an equality of votes the Chairman shall have a second or casting vote. 	
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11.	<p>(a) The governing body of the Association shall be called the Management Council or simply the Council and it shall consist of:-</p> <ul style="list-style-type: none"> (i) A Chairman (with a casting vote) (ii) A Vice-Chairman (iii) Seven members (iv) Treasurer (v) Executive Secretary – Ex-officio. (vi) Immediate past Chairman for a period of one year after tenure. <p>(b) Members of the Council shall hold office for a term of 2 years provided that one half of the members shall retire by rotation and may offer themselves for re-election at every annual general meeting. As a transitional measure, one half of the members elected in 1993 shall retire and may offer themselves for re-election at the Annual General Meeting in 1994.</p> <p>(c) The quorum for a meeting of the Council shall be not less than four members of the Council.</p> <p>(d) Any vacancies on the Council caused by death, resignation, or failure of a member to attend three consecutive meetings, shall be filled by the Council until next annual general meeting of the Association.</p> <p>(e) The Council shall have power to appoint sub-committees as it may deem desirable, to make reports to the Council</p> <p>(f) The Council shall meet as often as necessary, and in any case not less than once every 3 months, to deliberate on the day-to-day affairs of the Association. It shall engage or appoint such officers and staff as it may consider necessary for the efficient and economical running of the Association.</p> <p>(g) Voting at all meeting shall be by a show of hands or by secret ballot as the chairman of the meeting may decide.</p>	<p style="text-align: center;"><u>MANAGEMENT</u> <u>COUNCIL</u></p> <p>Amended 25/3/2004</p> <p>Added 25/3/2004.</p>

12.	<p>(a) The Chairman shall, unless prevented by illness or other sufficient cause, preside over all meetings of the Committee and at all general meetings of the Association</p> <p>(b) The Vice-Chairman shall perform any duties of the Chairman in the Chairman's absence.</p> <p>(c) The executive Secretary shall be a remunerated official appointed by the Council as the Chief Executive of the Association shall, under the general supervision of the Council, handle all management and administrative functions of the Association.</p> <p>(d) As the guardian of the assets and liabilities of the Association, the Hon. Treasurer, under the general guidance of the Council, shall:-</p> <ul style="list-style-type: none"> (i) Manage and or supervise the finances of the Association (ii) See that proper books and vouchers of account are kept, and all income and expenditure of the Association is accounted for. (i) Furnish accurate and proper accounts and financial reports to the Council and members (ii) Prepare budgets for consideration by the Council 	<p><u>DUTIES OF OFFICE BEARERS</u></p> <p><u>CHAIRMAN</u></p> <p><u>VICE CHAIRMAN</u></p> <p><u>EXECUTIVE SECRETARY</u></p> <p><u>HON. TREASURER</u></p>
13.	<p>(a) All funds and property of the Association shall be under the control of the Council. It will be the responsibility of the Council to draw the Annual Budget out of which it may incur expenditure in furtherance of the objectives of the Association. The Association's Bank account shall be operated on the authority of any two of the signatures of the Treasurer, Chairman or Executive Secretary.</p>	<p><u>FINANCES</u></p>

	<p>(e) The funds of the Association may only be used for the promotion of the objectives of the Association.</p> <p>(c) The financial year of the Association shall be from 1st January to 31st December.</p> <p>(f) The Council shall have power to suspend any office-bearer who it has reasonable cause to believe is not properly accounting for any funds or property of the Association and shall have power to appoint another person in his place. Such suspension shall be reported to a General Meeting.</p> <p>(g) The books of accounts and all documents relating thereto and a list of members of the Association shall be available for inspection by any ordinary member at the registered office of the Association, on giving not less than seven days' notice in writing to the Executive Secretary.</p> <p>(h) The accounts and balance sheet for the preceding year together with auditor's certificate, shall be submitted to the Annual General Meeting</p>	
14.	<p>(a) An auditor shall be appointed by the Association for the following year at the Annual General Meeting. All the Association's records and documents shall be open to the inspection of the Auditor</p> <p>Within not more than 60 days of the end of the financial year the Hon. Treasurer shall provide to the Auditor an account of the Association's receipts and payments for the year ended and a statement of assets and liabilities as at the end of the said financial year, and such records as the auditors may require.</p> <p>The auditor shall examine such Annual Accounts and Statements and either certify that they are correct, duly vouched for and</p>	<u>AUDITORS</u>

	<p>in accordance with the law or report to the Association in what respect they are found to be correct, unvouched for or not in accordance with the Law.</p> <p>(b) A copy of the auditor’s report on the accounts and statements shall be furnished to all members at the same time as the notice convening the Annual General Meeting is sent out. An Auditor may be paid such fees for his duties as may be resolved by the Annual General Meeting that appointed him.</p> <p>(c) No auditor shall be an office-bearer or member of the Council of Management of the Association.</p>	
15.	<p>(a) There is hereby established a Board of Trustees consisting of 3 respectable persons of high esteem. The trustees shall be appointed by the Management Council at its first meeting after an Annual General Meeting, and shall hold office until another Board is appointed. Current members of the Council shall not be eligible for appointment to the Board.</p> <p>(b) All the assets and property of the Association shall be vested in the Trustees for the use and benefit of the Association and its members only.</p>	<u>TRUSTEES</u>
16.	<p>If any prosecution, action or suit at law is commenced against any trustee or any member of the Council or the staff of the Association, for say thing done by him in the proper and reasonable discharge of his duties, he shall be defended and indemnified by the Association and whose funds may be applied for the purpose.</p>	<u>INDEMNITY</u>
17.	<p>Branches of the association may be formed with the approval of the Council and they will adopt this Constitution with the following exceptions:-</p> <p>(a) It will be the responsibility of the branch Secretary to organize a voting committee of</p>	

	<p>the branch. A representative of the branch may attend the Council</p> <p>(b) Branches will not be dissolved without the approval of the Council.</p>	
18.	<p>The Insignia of the Association shall be the GIRAFFE mask seen full face surmounted by the official abbreviation (TATO) of the Association, as shown on the pamphlet by the Association.</p> <p>Ordinary members of the Association may have letter heads and other suitable stationery, pamphlets and brochures stamped with the appropriate Insignia of the Association. The said Insignia shall remain the property of the Association and shall be deleted from letter heads and other stationery, pamphlets and brochures of a member which ceases to be a member immediately upon resignation or expulsion and blocks of the said Insignia in the possession of the ex-member shall be returned to the Executive Secretary.</p>	<u>INSIGNIA</u>
19.	<p>This Constitution may be altered only by the resolution of a general meeting passed by at least <u>two thirds</u> of the total votes cast. Notice of twenty one (21) days of any intended alteration shall be given to all members when calling such general meeting.</p>	<u>CHANGE OF THE CONSTITUTION</u>
20.	<p>(a) The Association shall not be dissolved except by a resolution passed at a General Meeting which shall decide how the assets of the Association shall be disposed of. If no quorum is obtained, the proposal to dissolve the Association shall be submitted to a further General Meeting which shall be held one month later. Notice of this meeting shall be given to all members of the Association at least fourteen (14) days before the date of the meeting. The quorum for the second meeting shall be the number of present persons entitled to vote.</p> <p>(b) No dissolution shall be effected without prior permission in writing of the Registrar of Societies, obtained upon application to him made in writing and signed by three</p>	<u>DISSOLUTION</u>

	<p style="text-align: center;">Council Members.</p> <p>(c) When the dissolution of the Association has been approved by the Registrar of Societies, no further action shall be taken by any member of the Council of the Association in connection with the aims of the Association other than to collect and liquidate for cash all the Assets of the Association.</p>	
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This edition of the Constitution of the Tanzania Association of Tour Operators (TATO), incorporates all the amendments made to the Constitution since its registration in 1983 up to and including 25th March, 2004 and supersedes all editions.

Arusha
25th March, 2004

M.B. Akunaay
EXECUTIVE SECRETARY