

GOVERNMENT NOTICE No. 387 published on 3/08/2018

SOCIAL SECURITY (REGULATORY AUTHORITY) ACT
(CAP. 135)

GUIDELINES

(Made under section 5(1)(c))

THE SOCIAL SECURITY SCHEMES (CONDUCT OF AFFAIRS OF ANNUAL MEMBERS
CONFERENCE) GUIDELINES, 2018

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PART I
PRELIMINARY PROVISIONS

- Citation **1.** These Guidelines may be cited as Social Security Schemes (Conduct of Affairs of Annual Members Conference) Guidelines, 2018
- Application **2.** These Guidelines shall apply to all schemes in Tanzania Mainland.
- Interpretation **3.** In these Guidelines, unless the context requires otherwise-
- Cap. 135 "Act" means the Social Security (Regulatory Authority) Act;
"Authority" means the Social Security Regulatory Authority established under section 4 of the Act;
"Annual Members Conference" also referred to as "Conference" means a formal consultative meeting of a scheme which is held once a year comprising of members and other key stakeholders of the scheme with the purpose of deliberating over issues of importance to the welfare of such a scheme;
"Board" means the Board of Trustees established under the respective scheme's laws;
"mandatory scheme" means a compulsory scheme established by law and guaranteed by the Government

to provide social security benefit to employees;
"member" means an employee or worker registered by a scheme and includes a person entitled to or receiving benefit under a scheme;
"scheme" means the social security scheme and includes mandatory and supplementary schemes;
"supplementary scheme" means a voluntary scheme chosen by the member to compliment benefit of any mandatory scheme;
"trustee" means a trustee of a scheme and includes a chairperson.

Objectives

4.-(1) The objectives of these Guidelines shall be to provide guidance to schemes for proper conduct of affairs of the Conference.

(2) Without prejudice to sub paragraph (1), the Guidelines shall specifically aim at-

- (a) providing an opportunity to members and other key stakeholders to access information's relating to the scheme and receive general education on social security issues;
- (b) providing a formal consultative forum for members and other key stakeholders to take stock of and review the performance of the scheme;
- (c) providing opportunities to members and other key stakeholders to make recommendations on the future direction of the scheme.

PART II CONDUCT OF AFFAIRS

Frequency of Conference

5.-(1) Every scheme shall conduct a Conference at least once in every financial year.

(2) The duration of a Conference shall not exceed three calendar days.

Participants

6.-(1) A Conference shall consist of members, contributing employers and may include other key stakeholders.

(2) Members shall be accorded priority to participate in the Conference.

Venue of Conference

7. A Conference shall be held at a venue to be determined by the Board.

Notice of Conference

8.-(1) Notice, including the theme of the conference, shall be issued indicating the venue and time of the conference, not less than one month before the conference date.

(2) Notice under sub paragraph (1) shall be circulated through a reputable and widely distributed newspapers and may be circulated through social media, television, radio, website and letters to the participants.

Agenda of conference

9.-(1) The agenda of a Conference shall include presentations on-

- (a) the Board Chairperson's report;
- (b) audited accounts;
- (c) operations report which shall include membership registration, collections and benefits payments;
- (d) report on performance of investments;
- (e) presentation by the Authority on compliance;
- (f) public awareness on social security;
- (g) recognition of outstanding cases and testimonies;
- (h) questions and answers session;
- (i) Presentation on implementation of resolutions of the previous Conference;

(2) Reports on performance of supplementary schemes which operate under a mandatory scheme shall be tabled separately during the Conference.

(3) The Conference pack may be made available to the participants at least a day before the Conference and it shall be made available to the Authority five days before the Conference.

Resolutions

10.-(1) There shall be a Resolution Committee.

(2) The composition of the Resolutions Committee shall be guided by tripartite representation drawn from the

Conference participants.

(3) The Authority shall not participate as a member in a Resolution Committee.

(4) The resolutions may be drafted by the Resolutions Committee and shall be adopted by the Conference.

(5) The management of the scheme shall be responsible for the implementation of Conference resolutions and prepare feedback to the next Conference.

PART III GENERAL PROVISIONS

Sanctions

11.-(1) Any scheme which contravenes the provisions of these Guidelines commits an act which constitutes “unsafe or unsound conduct” as provided in the Act, and such act shall be punishable in the manner provided in the Act.

(2) Notwithstanding the penalty imposed under sub paragraph (1), and powers conferred under the Act, the Authority shall-

- (a) direct the scheme to comply with these Guidelines;
- (b) propose disqualification of the Board of Trustees of schemes and management of the schemes to the respective appointing Authority;
- (c) suspend or disqualify the firm from conducting actuarial activities to the Schemes for a period as may be specified in the order;
- (d) take any other necessary measures as the Authority may considers appropriate for the better implementation of these Guidelines.

Dis-application of Guidelines and savings

12.-(1) The Social Security Schemes (Conduct of Affairs of Annual Members Conference) Guidelines, 2014 issued prior to the coming into effect of these Guidelines are hereby disappplied.

Social Security Schemes (Conduct of Affairs of Annual Members Conference)

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(2) Notwithstanding sub paragraph (1), anything done, action, claim or directive made pursuant to the Social Security Schemes (Conduct of Affairs of Annual Members Conference) Guidelines, 2014 shall continue to have effect as if were made, issued or prepared under these Guidelines.

Dodoma
....., 2018

IRENE C. ISAKA
Director General