

THE UNITED REPUBLIC OF TANZANIA

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SUBSIDIARY LEGISLATION

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**THE LAW REFORM (FATAL ACCIDENTS AND MISCELLANEOUS
PROVISIONS) ACT,
(CAP. 310)**

RULES

**THE LAW REFORM (FATAL ACCIDENTS AND MISCELLANEOUS PROVISIONS)
(JUDICIAL REVIEW PROCEDURE) RULES, 2026**

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SCHEDULES

THE LAW REFORM (FATAL ACCIDENTS AND MISCELLANEOUS PROVISIONS) ACT,
(CAP. 310)

RULES

(Made under section 20(1))

THE LAW REFORM (FATAL ACCIDENTS AND MISCELLANEOUS PROVISIONS) (JUDICIAL REVIEW PROCEDURE) RULES, 2026

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| Citation | 1. These Rules may be cited as the Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial Review Procedure) Rules, 2026. |
| Application | 2. These Rules shall apply to applications for orders of <i>mandamus</i> , prohibition or <i>certiorari</i> under the Act. |
| Interpretation | 3. In these Rules, unless the context otherwise requires- |
| Cap. 310 | “Act” means the Law Reform (Fatal Accidents and Miscellaneous Provisions) Act; and
“Judicial review” means an application for an order of <i>mandamus</i> , prohibition or <i>certiorari</i> under section 17 of the Act. |
| Who may apply for judicial review | 4.-(1) A person whose interest has been, is being or is likely to be adversely affected by any act or omission, proceeding or matter, may apply for judicial review.
(2) An application under these Rules may be instituted either in the Registry at Dodoma or in the sub-registry for the area in which the cause of action arose or where the respondent resides. |
| Application for leave to apply for judicial review | 5.-(1) An application for judicial review shall be made upon the grant of leave, by the court, to file such application in accordance with these Rules.
(2) Subject to section 18(1) of the Act, an application for leave under subrule (1) shall be made by |

chamber summons supported by an affidavit stating-

(a) the names, description and address of parties;
and

(b) the material facts in a chronological order on which the relief is sought.

(3) The chamber summons shall be in the format substantially in Form A set out in the First Schedule to these Rules, signed by or on behalf of the applicant.

(4) The respondent may, within fourteen days from the date of service of the application, file a counter affidavit.

(5) The Court shall hear and determine an application for leave within twenty-one days from the date the application was made.

Time limit

6. Leave to apply for judicial review shall not be granted unless the application for leave is made within six months from the date of the proceedings, act or omission to which the application for leave relates.

Application for
judicial review

7.-(1) Where leave to apply for judicial review has been granted, the application shall be made within fourteen days from the day the leave was granted.

(2) Application under subrule (1) shall be made by way of chamber summons supported by an affidavit stating:

(a) the names, description and address of parties;
and

(b) the material facts in a chronological order on which the relief is sought.

(3) The chamber summons shall be in the format substantially in Form B set out in the First Schedule to these Rules and shall be signed by or on behalf of the applicant.

(4) The application shall be confined to grounds or reliefs set out in the chamber summons.

(5) The court shall, upon issuing the chamber summons, fix a hearing date.

Service of
application

8.-(1) The applicant shall, within seven days after filing the application, serve a copy of the application on the respondent.

(2) The applicant shall, at least three days before the hearing date, file in court an affidavit stating-

- (a) the names, address of the place and date of service on all persons who have been served with chamber summons; and
- (b) the fact and reasons why the service has not been effected on a person who ought to be served under the provisions of these Rules.

Counter affidavit

9. The respondent may, within fourteen days from the date of service of the application for judicial review, file a counter affidavit.

Adjournment of the hearing for supply of copies

10. Where the Court is of the opinion that a person who ought to have been served with a copy of the application has not been served, it may adjourn the hearing to allow that person to be served.

Service of documents

11. Every party to the proceeding shall supply to all other parties, copies of all the documents which he proposes to use at the hearing.

Right to be heard in opposition

12.-(1) Any person who is not a party but whose interest may be affected by the determination of the application may, at any time before the hearing, apply to be made a party to the application.

(2) The Court shall hear the person referred to under subrule (1), if it is of the opinion that he is a proper person to be heard.

Special provisions relating to *certiorari*

13. Where the application for judicial review is for an order of *certiorari* and the judge is satisfied that there are reasons for quashing the decision to which the application relates, he may-

- (a) direct the proceedings to be quashed forthwith and order its removal from the court; or
- (b) remit the matter to the court, tribunal or authority concerned, with a direction to reconsider it in accordance with the findings of the court.

Court fees

14. A person who makes an application or files a document under these Rules shall pay fees as prescribed in

the Second Schedule.

Matters not
provided for
in these Rules

15. Where there is any matter not provided for in these Rules, the practice and procedure applicable to the High Court shall apply, with necessary modifications.

Revocation
GN. No. 324
of 2014

16. The Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial Review Procedure, Practice and Fees) Rules, 2014 are hereby revoked.

FIRST SCHEDULE

The Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial Review Procedure) Rules

GN. No. 288 (Contd)

(Made under rule 5(3)&7(3))

FORM A

APPLICATION FOR LEAVE

IN THE HIGH COURT OF TANZANIA

..... REGISTRY/ SUB-REGISTRY

In the..... Registry/sub-registry at.....

Miscellaneous Cause No of

In the Matter of an application for leave to apply for orders of
mandamus/prohibition/certiorari In the matter of

.....

Between

..... Applicant

And

..... Respondent

Chamber Summons

(Made under)

LET THE APPLICANT appear before sitting in chambers, on
the day of 20 at 8:30 in the forenoon or sooner thereafter,
when the applicant/counsel for the applicant may be heard on an application for the
following orders;-

- (a)
- (b)
- (c)

This application is brought at the instance of and is supported by the
affidavit(s) of

Given under my hand and seal of this Court, this day of..... 20

.....

REGISTRAR

Presented for filing this day of 20,

REGISTRY OFFICER

DRAWN AND FILLED BY:

..... *TO BE SERVED UPON:*

.....

The Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial Review Procedure) Rules

GN. No. 288 (Contd)

FORM B

CHAMBER SUMMONS

IN THE HIGH COURT OF TANZANIA

..... REGISTRY/SUBREGISTRY

In the Registry/Sub-registry at Miscellaneous Cause No..... of.

In the Matter of an application for order(s) of mandamus/prohibition/certiorari in the matter of.

Between

..... Applicant

And

..... Respondent

Chamber Summons

(*Made under*)

LET THE PARTIES appear before Honourable sitting in chambers, on the day of 20 at 8:30 in the forenoon or sooner thereafter, when the applicant/counsel for the applicant may be heard on an application for the following orders:

- (a)
- (b)
- (c)

This application is brought at the instance of and is supported by the affidavit of

Given under my hand and seal of this Court, this day of 20

REGISTRAR

Presented for filing this.....day of 20

REGISTRY OFFICER
DRAWN AND FILLED BY:

..... *TO BE SERVED UPON:*
.....

*The Law Reform (Fatal Accidents and Miscellaneous Provisions) (Judicial
Review Procedure) Rules*

GN. No. 288 (Contd)

SECOND SCHEDULE

(Made under rule 14)

FEES

Fee type	Fee amount
(a) On filing an application for leave by way of chamber summons supported by an affidavit.	Tshs. 100,000/=
(b) On filing an application for judicial review.	Tshs. 200,000/=
(c) On filing a counter affidavit by a person other than the Attorney General.	Tshs. 50,000/=

Dodoma
25th September, 2026

GEORGE MCHECHE MASAJU
Chief Justice