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THE FAIR COMPETITION ACT,
(CAP. 285)

RULES

(Made under section 90)

THE FAIR COMPETITION TRIBUNAL (AMENDMENT) RULES, 2026

Citation
GN. No.
219 of 2012

1. These Rules may be cited as the Fair Competition Tribunal (Amendment) Rules, 2026 and shall be read as one with the Fair Competition Tribunal Rules, 2012 hereinafter referred to as “the principal Rules”.

Amendment
of rule 2

2. The principal Rules are amended in rule 2-
- (a) by deleting the definition of the term “party” and substituting for it the following:
““party” in relation to an appeal or application, means an appellant, intervenor, applicant or respondent;”;
 - (b) by deleting the definition of the term “regulatory body” and substituting for it the following:
““regulatory body” means any regulatory body the decision of which is appealable to the Tribunal;”;
 - (c) by adding in their appropriate alphabetical order, the following new definitions:
““authorised officer” means a person authorised by a party through power of attorney;
“intervenor” means a person who has sufficient interest in the outcome of the proceedings and who has been granted leave to join in the proceedings as an interested party;”.

Amendment
of rule 6

3. The principal Rules are amended in rule 6, by-
(a) deleting subrule (2); and
(b) redesignating the contents of subrule (1) as rule 6.

Deletion of
rule 7

4. The principal Rules are amended by deleting rule 7.

Amendment
of rule 9

5. The principal Rules are amended in rule 9(2) by deleting the words “within the time” and substituting for them the words “within fourteen days”.

Amendment
of rule 11

6. The principal Rules are amended in rule 11 by deleting subrules (1) and (2) and substituting for them the following:

“(1) Memorandum and record of appeal shall be lodged within the time of appeal prescribed in the respective laws establishing the Commission or regulatory body.

(2) In computing the days prescribed in the respective laws establishing the Commission or regulatory body, the period of time from which the appellant requests in writing for copies of proceedings and decision of the Commission or regulatory body to the date the appellant obtains such copies, shall be excluded:

Provided that, the appellant submits to the Tribunal, a copy of the letter requesting for such documents when lodging the notice of appeal.”.

Amendment
of rule 12

7. The principal Rules are amended in rule 12(2) by adding the words “within seven days,” between the words “may” and “refer”.

Amendment
of rule 13

8. The principal Rules are amended in rule 13 by deleting the words “notice of appeal or notice of cross

appeal shall be deemed to have been withdrawn and the party may be liable to pay costs” and substituting for them the words “Chairman may mark notice of appeal or notice of cross-appeal withdrawn”.

Amendment
of rule 19

9. The principal Rules are amended in rule 19 by adding immediately after subrule (3) the following:

“(4) Where a respondent has been duly served with the memorandum of appeal but fails to file reply to the memorandum of appeal under subrule (1), and has not furnished the Tribunal with good cause for his failure to file a reply, the Tribunal may proceed to hear and determine the matter ex-parte.

(5) A party to an appeal who is dissatisfied with the decision of the Tribunal under subrule (4) may, within twenty one days from the date of that decision, apply to the Tribunal to set aside the ex-parte decision.

(6) The Tribunal may, upon an application made under subrule (3), set aside its decision if it considers it just to do so.

(7) Where the Tribunal refuses the application, the aggrieved party may appeal to the Court of Appeal.”.

Amendment
of rule 21

10. The principal Rules are amended in rule 21 by-

- (a) deleting the words “an affidavit in reply” appearing in subrule (3) and substituting for them the words “counter affidavit within fourteen days”;
- (b) adding immediately after subrule (3) the following:

“(4) Where new facts are raised in the counter affidavit, the applicant may file a reply to the counter affidavit within seven days.;

and

(c) renumbering subrule (4) as subrule (5).

Amendment
of rule 28

11. The principal Rules are amended in rule 28(1) by deleting the word “may” and substituting for it the word “shall”.

Amendment
of rule 29

12. The principal Rules are amended in rule 29 by deleting the words “not less than three members including the Chairman” and substituting for them the words “the Chairman and two other members except for matters coming for necessary orders and matters falling under rules 13 and 43 in which the Chairman may sit in absence of members”.

Deletion of
rule 31

13. The principal Rules are amended by deleting rule 31.

Addition of
rule 32A

14. The principal Rules are amended by adding immediately after rule 32 the following:

“Remote
hearing

32A.-(1) The Tribunal may, at its discretion or at the request of the parties, allow proceedings to be conducted remotely.

(2) Where the Tribunal directs that a hearing be conducted remotely, the hearing may be conducted by one or a combination of video conferencing and telephone conferencing or any other electronic device approved by the Tribunal.”.

Addition of
rule 37A

15. The principal Rules are amended by adding immediately after rule 37 the following:

“Proceedings of
Tribunal

37A. The proceedings of the Tribunal shall be taken down in writing by the Chairman, a person under supervision of the Chairman or may be recorded by electronic means and shall be signed by the Chairman

and the members present.”.

Amendment
of rule 43

16. The principal Rules are amended in rule 43(2) by deleting the word “Tribunal” and substituting for it the word “Chairman”.

Deletion and
substitution of
rule 50

18. The principal Rules are amended by deleting rule 50 and substituting for it the following:

“Review by
Tribunal
Cap 33

50.-(1) The Tribunal may, on its own motion or upon application by any party, entertain an application for review in accordance with order XLII of the Civil Procedure Code:

Provided that, a review initiated by the Tribunal’s own motion shall not be determined unless parties have been summoned to appear.

(2) An application for review under subrule (1) shall be made within thirty days from the date of the decision.

(3) An application for review shall be by memorandum of review which shall be substantially in the FCT FORM G specified in the Second Schedule to these Rules.

(4) Upon hearing the parties and it appears to the Tribunal that there is no sufficient ground for a review, the Tribunal shall dismiss the application.

(5) Where an application for review is granted, the Tribunal shall make necessary orders to meet the ends of justice.”.

Addition of
rule 50A

19. The principal Rules are amended by adding immediately after rule 50 the following:

“Appeal

Cap.141

50A.-(1) A person who is aggrieved by the decision of the Tribunal may appeal to the Court of Appeal in accordance with the Appellate Jurisdiction Act and Court of Appeal Rules.

(2) Where an application for a copy of the proceedings of the Tribunal has been made within thirty days from the date of the decision intended to be appealed against, the time certified by the Registrar of the Tribunal as required for the preparation and delivery of that copy to the appellant shall be excluded in computing the time within which the appeal is to be instituted.”.

Dodoma,
14th July, 2026

ROSE ALLY EBRAHIM
*Chairman for the Fair Competition
Tribunal*