



NO. 6 OF 1998

I ASSENT.

Benjamin W. Mkapa
President
30th June 1998.

An Act to amend the Roads Tolls Act, 1985 for the purpose of establishing the Roads Fund and for related matters.

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Roads Tolls (Amendment) Act, 1998 and shall be read as one with the Roads Tolls Act, 1985 (in this Act referred to as the "principal Act").

Short title
Act No 13
of 1985

2. The principal Act is amended as follows:

Various
amend-
ments

A: In section 3, by adding in the appropriate alphabetical position the following definitions—

"Board" means the Board established in section 5;

"Fund" means the Road Fund established by section 4.

B: By inserting immediately after "Part I" the following new Part:

"PART II

THE ROAD FUND

4.—(1) There is hereby established a Fund to be known as the Roads Fund into which shall be paid all monies collected as roads tolls imposed on petrol and diesel; or from any other source at the rate or rates to be determined by the Parliament from time to time.

Establish-
ment of
the Fund

(2) The monies deposited in the Fund shall be used exclusively for the construction, rehabilitation, maintenance or repair of trunk and core roads in the regions and districts in accordance with proposals for designs survey or other requirements prepared and approved—

Act No.
30 of 1997

- (a) initially by the ministry responsible for works until such time as the TAN ROADS Agency is established under the Executive Agencies Act, 1997; in respect of trunk and regional roads;
- (b) by the responsible Local Authorities in the district in respect of district roads.

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“(3) The monies deposited into the Fund shall be audited by the Controller and Auditor General in accordance with the provision of the Exchequer and Audit Ordinance.

The
Board and
its com-
position

5.—(1) The Fund shall be under the control and supervision of the Board which shall be composed of the following members:—

- (i) the Prime Minister who shall be the chairman;
- (ii) the Minister responsible for works who shall be the Vice-Chairman;
- (iii) the Attorney General-member;
- (iv) the Minister responsible for Finance-member;
- (v) the Minister responsible for planning-member;
- (vi) the Minister responsible for Natural Resources and Tourism-member;
- (vii) the Minister responsible for energy-member;
- (viii) the Minister responsible for Local Government-member;
- (ix) the Minister responsible for Communication and Transport-member.

(2) The Board shall meet at least four times each year.

(3) The Permanent Secretary to the Treasury shall be the Secretary to the Board.

(4) There shall be a Secretariat which shall assist the Board in the management, conduct and supervision of the affairs of the Board and the Fund.

(5) The Secretariat shall consist of the following members:

- (i) the Permanent Secretary-Ministry responsible for Finance who shall be the chairman;
- (ii) the Permanent Secretary-Ministry responsible for works; and
- (iii) such other members appointed by the minister as he deems fit.

(6) Without prejudice to subsection (3), the Secretariat shall prepare and submit to the Board quarterly reports in respect of the financial position of the Fund.

Functions
of the
Board

6. The functions of the Board shall be—

- (a) to make proposals of the rates of tolls or taxes payable or to be imposed on petrol, diesel or from any other source for the purpose of the objects of the Fund;

- (b) to make regulations in respect of the agents for collection of tolls or taxes for the purposes of the Fund;
- (c) to determine the rate of distribution of the monies from the Fund after receiving proposals from the TANROADS and Local Authorities referred to in section 4(2);
- (d) to monitor the use of funds issued to TANROADS Agency referred to in paragraph (c) or any other agency issued with funds from the Fund for the purposes of the objects of the Fund."

C: By renumbering Parts II and III as Parts III and IV and section 4—11 as 7 to 14 respectively.

Passed in the National Assembly on the 10th June, 1998


Clerk of the National Assembly