THE UNITED REPUBLIC OF TANZANIA



No. 19 OF 1992

I ASSENT,

.....

President

28/12/92

An Act to Amend certain various Written Laws

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

Short title

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) Act (No. 3) 1992.

Amendment of certain written laws

2. The various Laws set fourth in the first and second column of the schedule to this Act are hereby amended in the manner specified in the third column.

SCHEDULE

First Column	Second Column	Third Column
Acts, 1985 No. 9	The Criminal Procedure Act.	The Act is amended in section 192 by deleting subsections (1) and (2) and substituting for them the following: "(1) Notwithstanding the provisions of section 229, if an accused person pleads not guilty, the court shall as soon as is convenient hold a preliminary hearing in open court in the presence of the accused or his advocate if he is represented by an advocate and the public prosecutor to consider such matters as are not in dispute between the parties and which will promote a fair and expeditious trial. (2) In ascertaining such matters that are not in dispute, the court shall explain to an accused who is not represented by an advocate about the nature and purpose of the preliminary hearing and may put questions to the parties as it thinks fit. The answers to the questions may be given without oath or affirmation".
Cap. 167	The Highways Ordinance	Section 2 is amended by deleting the definition of the minister and substituting for it the following— "minister" means the minister for the time being responsible for roads.
Cap. 508	The Judicial Service Act	Section 21B is amended in subsection (3)— (a) by deleting the expression "District Chairman of the Party" which appears in paragraph (a) and substituting for it the expression "District Commissioner;" and (b) by deleting the expression "District Executive Committee of the Party" which appears in paragraph (b) and substituting for it the expression District Council.
Acts, 1969 No. 21	The Legal Aid (Criminal Proceedings) Act	The Act is amended in section 2 by deleting the definition of the expression "certifying authority" and substituting for it the following— "certifying authority" means in the case of a proceeding before the High Court, the Chief Justice or the Principal Judge of the High Court or the Judge incharge of the district registry where the proceeding is conducted; and in the case of proceedings before district court or a court of a resident magistrate the chief Justice or the Principal Judge of the High Court or Judge in charge of the district registry where the proceeding is conducted.

		In section 3, the Act is amended by renumbering the existing section 3 as 3(1) and adding immediately thereafter the new provision—
		"(2) The certifying authority may issue such certificate before or after the commencement of the trial in such form or manner he thinks fit or proper.".
Cap. 16	The Penal Code	Section 136 of the Penal Code is amended by adding immediately after sub-section (3) the following provision:
		"(4) Where any person is convicted by a court of an offence under this section, the court shall sentence such person to a term of imprisonment which shall not be less than twenty years.".
Acts, 1972 No. 25	The Decentralisation of Government Administration (Interim Provision) Act	Section 6 is amended—
		(a) in subsection (2) by deleting paragraphs (b), (c), (e), (f) and (m); and
		(b) renumbering paragraphs (d), (g), (h), (i), (j), (k), (l) as paragraphs (b), (c), (d), (e), (f), (g) and (h) respectively.
Acts 1968 No. 47	The Customary leaseholds (Enfrinchisement)	The Act is amended—
		(a) in sub-section (1) of section 3 by adding immediately before the definition of the expression "effective date", the defenition of the expression "Appeals tribunal as follows:
		"Appeals tribunal" means the Customary land Appeals tribunal established pursuant to section 13 of this Act.
		(b) in section 13—
		(i) by deleting the word minister appearing in subsection (1) and (3) and substituting for it the expression "Appeals Tribunal"; and
		(ii) by adding immediately after subsection (1) the following provision:
		"(2) the Minister may by notice in the *Gazette* and upon such terms conditions, establish for the purpose of this Act, a customary Land Appeals tribunal for any area in the United Republic of Tanzania.

SCHEDULE—*(contd.)*

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
		(3) The Appeals tribunal shall consists ot— (a) Chairman who shall be appointed by the Minister from among legally qualified persons. (b) Two other members as the minister may appoint." (iii) by renumbering subsections (2) and (3) as subsections (4) and (5) respectively.
Acts; 1974 No. 12	The Wildlife Conservation Act	Section 82 is amended in paragraph (a) by deleting the words "not less than two hundred or more than five hundred" and substituting for them the words "not less than two thousand but not exceeding fifty thousand"
Cap. 108	The Births and Deaths Registration Ordinance	The ordinance is amended in subsection (1) of section 20A by (i) by deleting paragraph (a) and (ii) deleting the expression "Branch Executive Committee of the Party", wherever it appears and substituting for the expression "Registrar-General" (iii) by renumbering paragraph (b) as paragraph (a)

Passed in the National Assembly on the Seventh day of December. 1992

Clerk of the National Assembly

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