

THE UNITED REPUBLIC OF TANZANIA



No. 27 OF 1991

I ASSENT,

A handwritten signature in dark ink, likely belonging to the President of Tanzania at the time.

President

14 April 1992

An Act to amend certain various written Laws

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) (No. 3) Act, 1991.

Short title

2. The various laws set forth in the first and second columns of the Schedule to this Act are hereby amended in the manner specified in the third column:

Amend-
ment of
certain
written
laws

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Acts 1985 No. 9	The Criminal Procedure Act	(1) Section 148 is amended in subsection (5): (a) in paragraph (a) by deleting the phrase "that person is accused of murder or treason;" and substituting for it the following phrase: Cap. 16 (a) that person is charged with murder, treason, armed robbery contrary to sections 285 and 286 of the Penal Code;" (b) in paragraph (g) by deleting the paragraph and substituting for it the following paragraph: "(g) the offence with which the person is charged involves actual money or property whose value exceeds ten million shillings unless that person deposits cash or other property equivalent to half the amount or value of actual money or property involved and the rest is secured by execution of a bond; provided that where the property to be deposited is immovable, it shall be sufficient to deposit the title deed, or if the title deed is not available such other evidence as is satisfactory to the court in proof of existence of the property; save that this provision shall not apply in the case of police bails;" (c) by repealing paragraphs (d), (e) and (h); and (d) by renumbering the paragraphs (d), (e), (f) and (g) as follows: paragraph (f) as paragraph (d) and paragraph (g) as paragraph (e).

Acts 1984 No. 13

The Economic and Organized Crime Control Act

(5) Section 35 is amended in subsection (3) by adding immediately after paragraph (f), the following:

"Cap. 95 (f) if he is charged with an offence under the Dangerous Drugs Ordinance."

Cap 95 (g) if he is charged with an offence under the Dangerous Drugs Ordinance".

Cap. 360

The Law Reform (Fatal Accidents and Miscellaneous Provisions) Ordinance

(6) By adding immediately after section 17, a new section 17A which reads:

Attorney-General to summoned as Party

17A. —(1) Where leave for application for an order of mandamus, prohibition or certiorari is sought in any civil matter against the Government, the court shall order that the Attorney-General be summoned to appear as a party to those proceedings; save that if the Attorney-General does not appear before the court on the date specified in the summons, the court may direct that the application be heard *ex parte*.

(2) In any proceedings involving the interpretation of the Constitution with regard to the basic freedoms, rights and duties specified in Part III of Chapter I of the Constitution, no hearing shall be commenced or continued unless the Attorney-General or his representative designated by him for that purpose is summoned to appear as a party to those proceedings; save that if the Attorney-General or his designated representative does not appear before the Court on the date specified in the summons, the court may direct that the hearing be commenced or continued, as the case may be, *ex parte*.

(3) For the purposes of this section the term "Government" includes a public officer and any office in the service of the United Republic established by or under any written law".

Acts 1971 No. 16

The Prevention of Corruption Act.

(2) Section 2 is amended by—

(a) deleting the definition "Director" and substituting for it the following:

"Director" means a person appointed by the President to hold the office of Director under the Bureau;";

SCHEDULE

4 No. 27

Written Laws (Miscellaneous Amendments)

1991

SCHEDULE—(contd)

COLUMN 1	COLUMN 2	COLUMN 3
		(b) Adding immediately after the definition "Director" the following: "Director-General means the Director-General of the Prevention of Corruption Bureau;"; (c) deleting the designation "Director" wherever it appears in the Act and substituting for that designation, the designation "Director-General;"; (d) deleting the definition "the Squad" and substituting for it the following definition: "the Bureau" means the Prevention of Corruption Bureau established under section 2A."; (3) by deleting immediately after section 2, the heading "THE ANTI-CORRUPTION SQUAD" and wherever these words appear in the Act, and substituting for that, the heading "THE PREVENTION OF CORRUPTION BUREAU". (4) Section 2A is amended by deleting the whole of that section and substituting for that section the following section:—
The prevention of Corruption Bureau		2A —(1) The President shall establish the Prevention of Corruption Bureau which shall consist of a Director-General, a number of Directors and other officers as the President may determine. (2) The Bureau shall be a public department under the control and supervision of the President. (3) The functions of the Bureau shall be: (a) to take necessary measures for the prevention of corruption in the public, parastatal and private sectors;

- (b) to investigate and, subject to the directions of the Director of Public Prosecutions, to prosecute for offences under this Act and other offences involving corrupt transactions;
- (c) to advise the Government and other parastatal organization on ways and means to prevent corruption.

Acts 1984 No. 2

The Magistrates' Courts Act

- (7) Section 40 is amended in subsection (2).**

- (a) in paragraph (a) by deleting the words "three hundred thousand shilling" which appear in the third line of that paragraph, and substituting for them the following words:
"twelve million shillings;" and
- (b) in paragraph (b) by deleting the words "two hundred thousand shillings" which appear last in the third line of that paragraph, and substituting for them, the following words:
"ten million shillings."

Acts 1967 No. 1

The National Bank of Commerce (Establishment and Vesting of Assets and Liabilities) Act

The Act is amended—

- (i) generally by deleting the title of "Chairman Director" whenever it appears in the Act and substituting for it the title "Managing Director,";
- (ii) in section 5 by adding the following subsection immediately below subsection (5)—
- "(6) The Board in consultation with the Minister shall appoint a Deputy Managing Director to assist in the duties of the Managing Director."

Passed in the National Assembly on the sixth day of November, 1991.

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Clerk of the National Assembly