

THE UNITED REPUBLIC OF TANZANIA



No. 11 OF 1989

I ASSENT

[Signature]

President

12th June 1989

An Act to establish a Planning Commission; to provide for its membership and to specify its functions; and to provide for matters incidental to those purposes

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

PART I PRELIMINARY

1.—(1) This Act may be cited as the Planning Commission Act, 1989.

(2) Subject to this section, this Act shall be deemed to have come into operation on the first day of March, 1989.

Short title
and Com-
mence-
ment

(3) Notwithstanding subsection—(2), section 5, 6, 7, 11 and 12 shall not come into operation until on the 1st day of July, 1989.

(4) Notwithstanding the establishment and operations of the Commission, the National Plan for the year 1989/1990 as approved by the National Consultative Economic and Planning Council prior to the 1st day of July, 1989, shall be deemed to be a plan prepared and passed in accordance with this Act.

2. In this Act, unless the context otherwise requires—

Interpre-
tation

“Commission” means the Planning Commission established under section 3;

“Chairman” means the Chairman of the Commission;

“Member” means member of the Commission;

“Secretary” means the Secretary appointed under section 8.

PART II

THE PLANNING COMMISSION

3.—(1) There is hereby established a commission to be known as the Planning Commission.

Establish-
ment of
Commis-
sion

(2) The Commission shall be an independent department of Government under the office of the President.

4.—(1) The members of the Commission shall be—

Composi-
tion of
Commis-
sion

- (a) the President, who shall be the Chairman;
- (b) the Vice-Chairman, who shall be appointed by the President from among the members of the Cabinet, and who shall be a full time member;
- (c) three other full time members;
- (d) the Minister for the time being responsible for Finance, and two other members, all of whom shall be part-time;

(2) All members of the Commission other than the Chairman shall be appointed by the President.

(3) In appointing members regard shall be had of the need to appoint persons who have adequate knowledge and experience in economic and planning affairs, or in the management of government or public affairs or who have proven ability in dealing with national and international affairs.

(4) The Vice-Chairman shall be responsible for the supervision of the day to day work of the Commission.

(5) Every member other than the Chairman, shall, before taking office subscribe to an oath in accordance with an Act of Parliament.

(6) Every member other than the Chairman shall hold office for five years and shall be eligible for reappointment.

(7) Every member other than the Chairman shall hold office on such terms and conditions as the President may, from time to time, prescribe.

(8) Notwithstanding subsection (6), the office of a member may become vacant before the expiration of five years if—

- (a) in the case of a full-time member, he is appointed or elected to another full-time office;
- (b) he resigns his office by giving notice in writing to the President;
- (c) he dies, or
- (d) he is removed from office by the President.

Functions
of the
Commis-
sion

5.—(1) The functions of the Commission shall be, generally to be responsible for the management of the economy and for leading the planning process and supervising the implementation of the economic and social plan as approved, with a view always to secure sustained national economic growth and development within the framework of the national policy of socialism and self-reliance.

(2) Without prejudice to the generality of the provisions of subsection

(1) the functions of the Commission shall be—

- (a) to assess the state of the national investment resources and advise the government on the efficient utilization of those resources.
- (b) to analyse trends in key economic variables including balance of payments, money supply and prices and advise the government accordingly;
- (c) to analyse the various existing policies with a view to strengthening their implementation and to propose new policies where it is deemed necessary in the national interest;

- (d) to monitor the day-to-day performance of the various sectors of the economy and ensure that appropriate measures are taken to solve any operational problems as may be detected in those sectors;
- (e) to issue guidelines on economic relations with other countries and international organizations;
- (f) to be responsible for the formulation and implementation of plans for the most effective and balanced utilization of the country's resources;
- (g) to issue guidelines for the formulation of the National Plan and to monitor the preparation process of long-term, medium term and annual plans;
- (h) to monitor the implementation of plans and take such measures as are necessary for ensuring successful implementation of those plans;
- (i) to advise the government on any change in the approved plan;
- (j) to monitor the implementation of government decisions on matters of planning and the management of the economy;
- (k) to devise strategies for the development of science and technology in the country;
- (l) to analyse any social and economic issue and recommend to the government, appropriate policies and measures to be taken in the national interest;
- (m) to do such acts and things in relation to development planning as the President may direct.

6. Subject to the provisions of the Constitution, the Decentralization Government Administration (Interim Provisions) Act, 1972 the Local Government (District Authorities) Act, 1982, the Local Government (Urban Authorities) Act, 1982 and any other written laws relating to the organization and performance of the functions of the Government, the Commission shall be the highest advisory body, responsible to Cabinet, in all matters relating to planning and management of the economy and for that purpose it shall have power—

Powers of
the Com-
mission

- (a) to give ministries, regions and districts any directives relating to matters of planning as approved by the Government;
- (b) to direct, in accordance with government decisions, areas in which investment can be made;
- (c) to approve any change in the implementation of plans;
- (d) to call for, from any institution, any information or statistics relating to matters of planning and economic planning;
- (e) to prescribe appropriate national planning procedures.

7. For the purposes of the better performance of its functions the Commission shall establish and maintain a system of collaboration, consultation and cooperation with such other institutions and persons, whether corporate or unincorporate, and whether within or outside the United Republic, as are or would be likely to assist it in the effective and efficient discharge of its functions under this Act.

Commis-
sion to
maintain
collabora-
tion

PART III

ADMINISTRATION IN GENERAL

Appoint-
ment of
Secretary

8.—(1) There shall be a Secretary of the Commission who shall be appointed by the President, and shall be a Principal Secretary in the Government.

(2) In appointing the Secretary regard shall be had to appointing a person who is an expert in economic, planning and financial affairs and who has adequate experience in the administration of government or public institutions as well as who has demonstrated ability in top leadership positions.

(3) The Secretary shall be the chief executive officer of the Commission and shall be responsible for its day to day activities and for co-ordinating its functions.

(4) The Secretary, shall be the Secretary to the Commission and he or a Deputy Secretary shall attend and act in that capacity at all the meetings of the Commission.

Appoint-
ment of
Deputy
Sec-
retaries

9.—(1) There shall be such number of Deputy-Secretaries of the Commission—as may be appointed by the President, and each of them shall be a Deputy-Principal Secretary in the Government.

(2) The Deputy Secretaries shall each assist the Secretary in the discharge of such of the functions of the office of the Secretary as may be assigned to him by the Secretary.

Appoint-
ment of
emp-
loyees

10.—(1) There shall be appointed to such offices on the Commission such number of public officers as it is necessary for carrying out the functions of the Commission.

(2) The offices of the Commission other than the Members shall be civil service offices and the holders of such offices shall be civil servants.

Appoint-
ment of
Commit-
tee

11. The Commission may establish committees for the discharge of its functions and it may delegate to any such committee so established any of its functions.

Power to
call for in-
formation

12.—(1) The Commission may in writing call upon any person or body of persons in whose custody there is any information which may be relevant to its work, to furnish it with such information or produce such document as the Commission may specify in the writing.

(2) Every person who, or body of persons which is required to furnish information under subsection (1) shall comply with the requirement and any persons who, or body of persons which fails or refuses to comply with that requirement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Commis-
sion to
hold con-
sultations

13. The Commission may hold consultations with the Planning Commission of Zanzibar.

14.—(1) At any meeting of the Commission, one half of the members Procedure
for the time being in office shall constitute a quorum.

(2) Subject to the provisions of subsection (1) and of such rules as the Chairman may make in that behalf, the Commission shall have power to regulate its own procedure.

15.—(1) The National Consultative Economic and Planning Council Act, 1982, is hereby repealed.

**Repeal of
Acts,
1982, No.
19**

(2) Subject to section 16, the National Consultative Economic and Planning Council established under the National Consultative Economic and Planning Council Act, 1982, is hereby dissolved.

16. Notwithstanding the repeal of the National Consultative Economic and Planning Council Act, 1982, the establishment of the National Consultative Economic and Planning Council shall remain in force and effect, and the Council shall continue to discharge its functions as if this Act had not been enacted, but shall cease to so exist and to discharge any functions immediately before the 1st day of July, 1989.

Savings

Passed in the National Assembly on the twenty fifth day of April, 1989.

Muhammad
Clerk of the National Assembly