THE METEOROLOGY ACT. 1978

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section *Title*

1. Short title and commencement.

2. Interpretation.

PART II

THE TANZANIA NATIONAL METEOROLOGICAL BOARD AND DIRECTORATE OF METEOROLOGY

3. Establishment of the Board.

4. Functions of the Board.

5. Directorate of Meteorology and Director-General of Meteorology.

6. Duties of the Director-General.

7. Power to instal meteorological instruments.

8. Offence to damage apparatus etc.

9. Functions of the Minister.

PART III

REGULATION OF METEOROLOGY

10. Restrictions on carrying out weather modification activities.

11. Duty of the Director-General to maintain records.

12. General powers to make regulations concerning meteorology.

1. 3. Delegation, of powers by Director-General.

SCHEDULE

THE UNITED REPUBLIC OF TANZANIA

No. 6 OF 1978

I ASSENT

President

20TH MARCH, 1978

An Act to make provision for the establishment and the functions of the National Meteorological Board and the Directorate of Meteorology, and to enable effect to be given to the World Meteorological organization Convention; and generally to provide for the control and development of technically sound and scientific Meteorological Services

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ENACTED by the Parliament of the United Republic of Tanzania-

PART I

PRELIMINARY

1. This Act may be cited as the Meteorology Act, 1978, and shall come into operation on such date as the Minister may, by notice in the *Gazette,* appoint. Short title and commencement

2. in this Act, unless the context otherwise requires- Interpretation

"Board" means the National Meteorological Board established under section 3;

"Congress" means the World Meteorological Organization Congress;

"constituent body" means a constituent body of the Organization, which includes the Executive Committee, a Regional Association or a Technical Commission;

"Convention- In the World Meteorological Organization Convention concluded at Washington, D.C. on 22nd September. 1947;

"Director-General" means the Director-General of the Directorate of Meteorology appointed under section 5;

"Directorate" means the Directorate of Meteorology established under section 5;

"Minister" means the Minister for the time being responsible for matters relating to meteorology;

"meteorological services" means services provided by the Directorate in accordance with the provisions of this Act;

"National Meteorological Centre" means a centre responsible for carrying out national functions of coordinating and developing systems of meteorological facilities and services;

"Organization" means the World Meteorological Organization;

"weather modification" moans any activity performed with the intention of producing artificial change in the composition. behaviour and dynamics of the atmosphere.

PART II

THE TANZANIA NATIONAL METEOROLOGICAL BOARD AND DIRECTORATE OF METEOROLOGY

Establishment of the Board of Meteorology

3.-(l) There is hereby established a body to be known as the Tanzania National Meteorological Board.

(2) The provisions of the Schedule to this Act shall have, effort as to the composition of the Board, the appointment and termination of the appointment of its members, the proceedings of the Board and such other matters in relation to the Board and its members as are provided for therein.

(3) The Minister may by order in the *Gazette*, amend, vary or replace all or any of the provisions of the Schedule to this Act.

Functions of the Board

4.-(l) The Board shall consider and advise the Minister in relation to such matters affecting meteorology as it may from time to time consider appropriate or which may be referred to it by the Minister.

(2) Without prejudice to the generality of subsection (1) the Board shall consider and advise the Minister in relation to, and monitor the implementation of, the following matters-

(a) meteorology legislation including legislation and measures necessary to give effect to the Convention any Annex thereto, and other international conventions relating to meteorology;

(b) measures necessary to give effect to Resolutions and Recommendations of Congress and its constituent bodies,

(c) meteorological services and measures necessary for the establishment and operation of those services;

(d) development plan and annual programme and financial estimates of the Directorate, including any aid and grants by international organizations;

(e) establishment, maintenance and development of an effective National Meteorological Centre;

(f) establishment and maintenance of systems for the rapid exchange of meteorological and related information-,

(g) establishment of networks of stations for the making of meteorologicall observations as well as hydrological and other geophysical observations related to meteorology;

(h) application of meteorology to aviation, shipping, water problems, agriculture and other human activities;

(i) activities in operational hydrology;

(j) research and training in meteorology and in related fields and the co-ordination of the international aspects of such research and training;

(k) such other matters affecting meteorology as the Minister may from time to time refer to the Board.

Directorate of Meteorology and Director-General of Meteorology

5.-(l) There shall be a Department of the Government to be known as the Directorate of Meteorology.

(2) There shall be a Director-General of Meteorology who shall be appointed by the President.

(3) The Director-General shall be the head of the Directorate and shall, subject to any directions which may be given to him by the Minister, have responsibility for the control and executive management Of matters relating to meteorology, in accordance with the provisions of this Act.

Duties of the Director-General

6. Without prejudice to the generality of section 5 (3); it shall be the duty of the Director-General-

(a) to organize and administer surface and upper air observation networks as may be necessary to establish and accurately record the climatic conditions of the United Republic of Tanzania;

(b) to provide meteorological and climatological advice and services for the benefit of agriculture and farming and for the better exploitation of natural resources;

(c) to provide meteorological advice, forecast and related services to civil aviation;

(d) to provide meteorological services to shipping, fishing and other marine, activities;

(e) to collect, process, store and disseminate meteorological information for the United Republic of Tanzania;

(f) to carry out research and training in meteorology and climatology. and in other related fields, and to process and analyse climatic data for the purpose of use in socio-economic development planning;

(g) to co-operate with other authorities concerned with meteorology in all aspects of training and applied meteorological research;

(h) to actively participate in the activities of appropriate international organizations, in particular, the, Organization;

(i) to maintain an efficient telecommunication system for the rapid collection and dissemination of meteorological information required for internal and international use, in accordance with regulations laid down by the organizaition and by the Civil Aviation organization and other international organizations;

(j) to carry out hydromoteorological studies and other geophysical, studies;

(k) to carry out other functions which the Minister may consider desirable.

Power to instal meteorological instruments

7.-(l) The Directorate may, for the purposes of the Directorate, instal, construct, place or maintain equipment, apparatus or other instruments in, on, over or under any land, water course or branch of the sea or lake, for the purposes of recording and making any meteorological Observations:

Provided that the Directorate shall not acquire any right other than that of user in the property in, on. over or under which its equipment. apparatus or instruments are installed, constructed, placed or maintained.

(2) The Directorate shall not instal, construct, place or maintain any equipment, apparatus or other instrument in, on, over or under any property unless it has given reasonable notice of its intention to exercise such power to the owner or occupier of the property or to, the local authority having the control or management of the property.

Offence to damage apparatus etc.

8. Any person who willfully destroys or damages or interferes in any way with any equipment, apparatus or instrument installed, constructed, placed or maintained in pursuance of powers conferred on the Directorate by section 7, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding two years or to a fine not exceeding two thousand shillings or to both such fine and imprisonment; and in addition the court before which any such person is so convicted may order him to pay to, the Directorate a sum equal to the cost of repairing any damage so caused and such sum shall be recoverable in the same manner as if it were a fine.

Functions of the Minister

9. The Minister shall be responsible for the general direction and control of the Board and the Directorate and may, for that purpose-

(a) take any measures, or give directions, relating to the execution of measures designed to facilitate and promote the carrying out of research into matters relating to meteorology and the application of the results to the development of meteorology

(b) give directions of a general nature to the Board and the Directorate relating to the exercise by them of the functions of the Directorate and the management of the business and affairs of the Directorate;

(c) give particular directions to the Board concerning any matter involving agreement with, or the interest of, any foreign country.

PART III

REGULATION OF METEOROLOGY

Restrictions to carrying out of weather modification activities

10.-(1) No person may engage, attempt to engage, In any weather modification activities in, the United Republic of Tanzania unless he submits to the Director-General such reports with respect thereto, in such form and containing such information as the Director-General may prescribe.

(2) The Director-General may require that such reports be submitted to him before. during and after any such activity or attempt.

Duty of the Director-General to maintain records

11.-(a) The Director-General shall maintain a, record of weather modification activities m the United Republic of Tanzania unless he submits to the United Republic and publish summaries thereof from time to time as he determines.

(b) All reports, documents, and other information received by the Director-General under the provisions of this Act may be made available to the public.

General power to make regulations concerning meteorology

12.-(1) The Minister may make such regulations as he considers necessary or expedient to give effect to, and for the better carrying out of, the objects and purposes of this Act, to provide generally for regulation of, any matter which under this Act needs to be regulated, and for carrying out and giving effect to the Convention, any Annex thereto and any amendment of the Convention or Annex thereto.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations-

(a) regulating the activities of weather modification- I

(b) prohibiting the making of meteorological observations by unauthorized persons.

(3) Any regulations made under this section may provide in respect of any contravention thereof or non-compliance therewith, for the imposition of penalties not exceeding a fine of ten thousand shillings or two years imprisonment in default.

PART IV

MISCELLANEOUS

Delegation of power by Director-General

13.-(1) The Director-General may from time to time, by writing under his hand, either generally or particularly, delegate to such officer or officers all or any of the powers exercisable by him under any written law, but not including the power of delegation.

(2) Subject to any general or special direction given or condition attached by the Director-General, the officer to whom any powers are delegated under this section, may exercise those powers in the same manner and with the same effect as if they had been conferred on him directly by this section and not by delegation.

(3) Every person purporting to act pursuant to any delegation under this section shall be Presumed to be acting within the terms of the delegation in the absence of proof to the contrary.

(4) Any delegation under this section may be made to a specified officer or to officers of a specified category, or may be made to the holder or holders for the time being of a specified office or class of offices.

(5) Every delegation under this section shall be revocable at will, and no such delegation shall prevent the Director-General from himself exercising the power delegated.

(6) Any such delegation shall, until revoked, continue in force according to its tenor, notwithstanding the fact that the Director-General by whom it was made may have ceased to hold office and shall continue to have effect as if made by the person for the time being holding office as Director-General.

SCHEDULE-(Section 3 (2))

COMPOSITION AND PROCEEDINGS OF THE BOARD

Composition of the Board

1.-(1) The Board shall consist of:-

(a) the Director-General who shall be the Chairman;

(b) not less than seven and not more than nine other members appointed by the Minister.

(2) In appointing the persons referred to in paragraph (1) (b) the Minister shall have regard to the desirability of appointing persons with technical experience or qualifications in matters relating to meteorology as well as user requirements.

(3) The members of the Board shall from among their number elect a Vice-Chairman who shall hold office for so long as he remains a member of the Board.

Directorate to provide secretarial services

2. The Directorate shall provide secretarial services to the Board.

Proceedings not to be invalid by reason of irregularity

3. No act or proceeding of the Board shall be invalid by reason only of the number of members not being complete at the time of such act or proceeding, or of any defect in the appointment of any member or of the fact that any member was at the time disqualified or disentitled as such.

Tenure of appointment

4. A member of the Board, other than the Director-General, shall, unless his appointment is sooner terminated by the appointing authority, or he ceases in any other way to be a member, hold office for the period specified in the instrument of his appointment or, if no period is so specified, for a period of three years from the date of his appointment and shall be eligible for re-appointment.

Absence from three consecutive meetings

5. Where any member absents himself from three consecutive meetings of the Board without reasonable excuse, the Board shall advise the Minister of the fact and the Minister may terminate the appointment of the member and appoint another member in his place.

Appointment of temporary member

6. Where any member is by reason of illness, infirmity or absence from the United Republic unable to attend any meeting of the Board, the Minister may appoint a tempo rary member in his place and such temporary member shall cease to hold office on the resumption of office of the substantive member.

Meetings

7.-(l) An ordinary meeting of the Board shall be convened by the Chairman and the notice specifying the provisional agenda, and, explanatory memorandum,, the place, date and time of the meeting shall be sent to each member at his usual place of business or residence not less than three weeks before the date of such meeting.

(2) The Chairman shall be bound to convene a special meeting of the Board upon receipt of a request in writing in that behalf signed by not less than three members of the Board. Not less than twenty one days' notice of such meeting shall be given to all members of the Board *in* the manner prescribed in sub-paragraph (1).

(3) The Chairman or the Vice-Chairman elected in accordance with the provisions of paragraph 1(3) presiding at any meeting of the Board may invite any person who is not a member to participate in the deliberations of the Board, but any such person shall not be entitled to vote.

Quorum

8. Three members shall form a quorum for a meeting of the Board.

Board may regulate its own proceedings

9. Subject to the provisions of this Schedule, the Board shall have power to regulate its own proceedings.

Passed in the National Assembly on the twenty-second day of February, 1978.

Maina

Clerk of the National Assembly

Printed by the Government Printer, Dar es Salaam, Tanzania.

SHERIA YA UTABIRI WA HALI YA HEWA, YA MWAKA 1978

YALIYOMO

SEHEMU YA KWANZA

UTANGULIZI

Fungu *Kichwa cha Habari*

1. Jina na mwanzo wa kutumika.
2. Ufafanuzi.

SEHEMU YA PILI

BARAZA LA TAIFA LA UTABIRI WA HALI YA HEWA LA TANZANIA
NA IDARA YA UTABIRI WA HALI YA HEWA

3. Kuanzishwa kwa Baraza la Utabiri wa Hali ya Hewa.
4. Kazi ya Baraza.
5. Idara ya Utabiri wa Hali ya Hewa na Mkurugenzi Mkuu.
6. Kazi za Mkurugenzi Mkuu.
7. Idara inaweza kuweka vyombo vya utabiri wa hewa.
8. Kosa kuharibu chombo.
9. Madaraka ya Waziri.

SEHEMU YA TATU

KANUNI ZA SHUGHULI ZA UTABIRI WA HEWA

10. Vizuizi kwa kufanya vitendo vya kubadilisha muundo wa hewa.
I 1. Wajibu wa Mkurugenzi kuweka kumbukumbu.
12. Uwezo wa jumla wa Waziri kuwe.ka Kanuni.

SEHEMU YA NNE

MENGINEYO

13. Uwakilishi wa madaraka ya Mkurugenzi Mkuu.

JAMHURI YA MUUNGANO WA TANZANIA

NA. 6 YA 1978

NAKUBALI,

Rais

20.: MACHI, 1978

Sheria ya kuweka masharti ya kuanzishwa kwa Baraza la Taifa la Utabiri wa Hali ya Hewa na Idara ya Utabiri wa Hali ya Hewa, ya kutambua Shirika la Dunia la Utabiri wa Hali ya Hewa, na kwa jumla ya kuweka masharti ya usimamizi na usitawishaji wa huduma thabiti za utabiri wa hali ya hewa

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Imetungwa na Bunge la Jamhuri ya Muungano wa Tanzania

SEHEMU YA KWANZA

UTANGULIZI

1. Sheria hii itaitwa Sheria ya Utabiri wa Hali ya Hewa ya. mwaka 1978 na itaanza kutumika kotoka terehe itakayowekwa na waziri kutangazwa katika *Gazeti la Serikali.* (Jina na mwanzo wa kutumika)

2. Katika Sheria hii, i1a iwapo maelezo yake yatahitiajia vinginevyo (Ufafanuzi)

"Baraza" maana yake ni Baraza la Taifa la Utabiri wa Hali ya Hewa liloanzishwa kwa mujibu wa fungu la 3;

"huduma za utabiri wa hewa" maaaa yake ni huduma za utabiri wa hali ya hewa zinazotolewa na Idara kwa mujibu wa masharti ya Sheria hii;

"Idara" maana yake ni Idara ya Utabiri wa Hali ya Hewa iliyoanzishwa kwa mujibu wa fungu la 5-,

"kikao" maana yake m kikao chochate cha Shirika na inachanganya kikao cha Kamati ya Utendaji, cha Shirika la Kanda au cha Kamati ya Ufundi;

"Kituo cha Taifa cha Utabiri wa Hali ya Hewa" maana, yake ni kituo chenye wajibu wa kutekeleza shughuli za kitaifa za huduma za utabiri wa hali ya hewa;

"kubadilisha hali ya hewa" maana yake ni kitendo chochote ambacho kinaweza kuleta mabadiliko makubwa katika umbile, mwenendo wa hewa na nguvu yake;

"Mkataba" ni Mkataba wa Shirika la Utabiri wa Hali ya Hewa la Dunia uliotiwa sahihi huko Washington D.C. tare he 22 Septernba, 1947,;

"Mkurugenzi Mkuu" maana yake ni Mkurugenzi Mkuu wa Idara ya Utabiri wa. Hali ya Hewa, aliyeteuliwa kwa mujibu wa fungu la 5;

"Shirika" maana yake m Shirika la Utabiri wa Hali ya, Hewa la Dunia.

SEHEMU YA PILI

BARAZA LA TAIFA LA UTABIRI WA HALI YA HALI LA TANZANIA NA IDARA YA UTABIRI WA HALI YA HEWA

Kuanzishwa kwa Baraza la Utabiri wa hali ya hewa

3.-(l) Linaanzishwa baraza litakaloitwa Baraza la Taifa la Utabiri wa Hali ya Hewa la Tanzania.

(2) Masharti yaliyo kwenye Nyongeza ya Sheria, hii yatahusika na muundo wa Baraza, uteuzi na ukomo wa uteuzi wa wajumbe wake, uendeshaji wa mikutano ya Baraza na mambo mengine yahusuyo Baraza Wa Wajumbe wake kama yalivyoelezwa katika masharti hayo.

(3) Waziri aweza, kwa kutangaza katika Gazeti la Serikali, kurekebisha, kugeuza au kubadirisha masharti yote ya, au sharti lolote la, Nyongeza kwenye Sheria hii.

Kazi ya Baraza

4-(l) Kazi ya Baraza itakuwa ni kufikiria na kumshauri Waziri katika mambo yote yanayohusu utabiri wa hali ya hewa kama vile litakavyoona inafaa, au kutoa ushauri katika mambo ambayo Waziri atataka limsha,uri.

(2) Bila ya kuathiri masharti yaliyowekwa kwenye kifungu cha (1) Baraza litafikiria na kumshauri Waziri juu ya, na pia litasimamia utekelezaji wa, mambo yafuatayo-

(a) Sheria ya utabiri wa hali ya hewa pamoja na Sheria za, na hatua ambazo ni za lazima ili kutimiza masharti ya, Mkataba na Sheria ndogo zilizotengenezwa chini yake, na mikataba mingine ya kimataifa inayohusu utabiri wa hali ya hewa;

(b) hatua zinazofaa kuchukuliwa i1i kutimiza Maazimio na Mapendekezo ya Shirika na vikao vyake:

(c) huduma za utabiri wa hewa pamoja na. hatua zinazofaa kuchukuliwa ili kuanzisha na kuendeleza huduma hizo,

(d) mipango ya maendeleo ya kila mwaka na makadirio ya fedha kwa matumizi ya Idara pamoja na misaada yoyote au zawadi zozote zinazoweza kutolewa m mashirika ya kimataifa;

(e) kuanzishwa, kudumishwa na kukuzwa kwa Kituo cha Taifa cha Utabiri wa hali ya Hewa;

(f) kuanzishwa na kudumishwa kwa vyombo vya ubadilishaji wa haraka habari za utabiri wa hewa;

(g) kuanzishwa kwa vituo vya kufanyia uchunguzi na ukusanyaji wa habari za utabiri wa hali ya hewa na uchunguzi wa mambo mengine yanayohusiana na, maarifa ya hewa na ana na mambo yake:

(h) matumizi ya maarifa ya hewa, na anga kwenye usafiri wa anga, usafiri wa melini, matatizo ya, maji, kilimo na shughuli zingine za kibinadamu;

"kubadilisha hali ya hewa" maana yake ni kitendo chochote ambacho kinaweza kuleta mabadiliko makubwa katika umbile, mwenendo wa hewa na nguvu yake;

"Mkataba" ni Mkataba wa. Shirika la Utabiri wa Hali ya Hewa la Dunia uliotiwa sahihi huko Washington D.C. tarehe 22 Septemba, 1947;

"Mkurugenzi Mkuu" maana yake ni Mkurugenzi Mkuu wa Idara, ya Utabiri wa Hali ya Hewa, aliyeteuliwa kwa mujibu wa fungu la 5,

"Shirika" maana yake ni Shirika la Utabiri wa Hali ya Hewa la Dunia.

SEHEMU YA PILI

BARAZA LA TAIFA LA UTABIRI WA HALI YA HEWA YA TANZANIA NA IDARA YA UTABIRI WA HALI YA HEWA

Kuanzishwa kwa Baraza la Utabiri wa hali ya hewa

3.-(1) Linopanzishwa baraza litakaloitwa Baraza la Taifa la Utabiri wa Hali ya Hewa la Tanzania.

(2) Masharti yaliyo kwenye Nyongeza ya Sheria hii yatahusika na muundo wa Baraza, uteuzi na ukomo wa uteuzi wa wajumbe wake, uendeshaji wa mikutano ya Baraza na mambo mengine yahusuyo Baraza na wajumbe wake kama yalivyoelezwa katika masharti hayo.

(3) Waziri aweza, kwa kutangaza katika *Gazeti la Serikali* kureke bisha kugeuza au kubadilisha masharti yote ya au sharti lolote la, Nyongeza kwenye Sheria hii.

Kazi ya Baraza

4-(1) Kazi ya Baraza itakuwa ni kufikiria na kumshauri Waziri katika mambo yote yanayohusu utabiri wa hali ya hewa kama vile litaka. vyoona inafaa, au kutoa ushauri katika mambo ambayo, Waziri atataka limshauri.

(2) Bila ya kuathiri masharti yaliyowekwa kwenye kifungu cha (1) Baraza litafikiria na kumshauri Waziri juu ya, na pia litasimamia utekelezaji wa, mambo yafuatayo-

(a) Sheria ya utabiri wa hali ya hewa pamoja na Sheria za, na hatua ambazo ni za lazima ili kutimiza masharti ya, Mkataba na Sheria. ndogo zilizotengenezwa chini yake, na mikataba mingine ya kimataifa inayohusu utabiri wa hali ya hewa;

(b) hatua zinazofaa kuchukuliwa ili kutimiza Maazimio, na Mapendekezo ya Shirika na vikao vyake:

(c) huduma za utabiri wa hewa pamoja na, hatua zinazofaa kuchukuliwa i1i kuanzisha na kuendeleza huduma hizo,

(d) mipango ya maendeleo ya kila mwaka na makadirio ya fedha kwa matumizi ya Idara pamoja na misaada yoyote au zawadi zozote zinazoweza kutolewa m mashirika ya kirnataifa;

(e) kuanzishwa kudumishwa na kukuzwa kwa Kituo cha Taifa cha Utabiri wa Hali ya Hewa;

(f) kuanzishwa na kudumishwa kwa vyombo vya ubadilishaji wa haraka wa habari za utabiri wa hewa:

(g) kuanzishwa kwa vituo vya kufanyia uchunguzi na ukusanyaji wa habari za utabiri wa hali ya hewa na uchunguzi wa mambo mengine yanayohusiana na maarifa ya hewa na anga na mambo yake,

(h) matumizi ya maarifa ya hewa na anga, kwenye usafiri wa anga usafiri wa melini, matatizo ya maji, kilimo na shughuli zingine za kibinadamu;

(i) utendaji katika shughuli zinazohusu somo la maji;

(j) utafiti na mafunzo katika maarifa ya hewa na anga na mambo yake, na katika mambo yanayohusiana na mambo hayo na kuunganisha maoni ya utafiti huo na mafunzo hayo pamoja na yale ya kimataifa;

(k) mambo mengine ambayo yanahusu maarifa ya, hewa na anga na mambo yake, kama, vile Waziri atakavyoona.

Idara ya Utabiri wa Hali ya Hewa na Mkurugenzi Mkuu

5.-(1) Itakuwako idara ya serikari itakayoitwa Idara ya Utabiri wa Hali ya Hewa.

(2) Atakuwepo Mkurugenzi Mkuu wa, Idara ambaye atachaguliwa na Rais.

(3) Mkurugenzi Mkuu atakuwa ndiye mkuu wa Idara, na kwa kufuata masharti yoyote atakayopewa na Waziri, atakuwa na. wajibu wa kuthibiti na kusimamia, mambo yanayohusu utabiri wa hali ya hewa kwa: mujibu wa, Sheria hii.

Kazi za Mkurugenzi Mkuu

6. Bila kuathiri masharti yaliyowekwa kwenye fungu la 5, kazi za Mkurugenzi Mkuu zitakuwa-

(a) kusimamia vituo vya uchunguzi wa hali ya hewa na kwa kufanya hivyo, kuweza kuweka kumbukumbu sahihi za hali ya hewa ya Jamhuri ya Muungano wa Tanzania;

(b) kutoa ushauri juu ya, maarifa ya hewa na anga na pia juu ya huduma, za utabiri wa hali ya hewa kwa manufaa ya kilimo na pia kwa. ajili ya matumizi bora ya mali asili;

(c) kutoa huduma za utabiri wa hali ya hewa kwa manufaa ya usafiri wa anga;

(d) kutoa huduma za utabiri wa hali ya hewa kwa manufaa ya usafiri wa baharini, uvuvi na shughuli zingine za baharini;

(e) kukusanya, kuhifadhi na kutoa. habari za utabiri wa hewa kwa manufaa ya Jamhuri ya Muungano wa Tanzania;

(f) kufanya utafiti na kuendesha mafunzo katika mambo yahusuyo maarifa ya hewa na anga na mambo mengine yahusianayo na mambo kama yale, na. pia kutayarisha na kuchanganua data ya hali ya hewa kwa ajili ya mipango ya maendeleo ya jamii na uchumi;

(g) kushirikiana na mtu yeyote aliye na mamlaka juu ya mambo yanayohusu maarifa ya hewa na anga, katika mambo yote ya mafunzo ya utafiti katika mambo hayo;

(h) kushiriki kwa vitendo katika shughuli za mashirika ya kimataifa yanayoshughulika na mambo ya utabiri wa hewa na hasa zile za Shirika;

(i) kudumisha utaratibu mathubuti wa mawasiliano katika kukusanya na kuisambaza kwa haraka habari za utabiri wa hali ya hewa kwa matumizi ya nchi na ya kimataifa, na kwa kufuata kanuni zilizowekwa na shirika la Kimataifa la Usafiri wa Anga na mashirika mengine ya kimataifa;

(j) kuendesha uchu.nguzi juu ya matumizi ya maji katika shughuli za utabiri wa hewa na uchunguzi katika mambo ya kijiografia;

(k) kutekeleza shuguli zinginezo ambazo Waziri ataona zinahitajika.

Idara inaweza kuweka vyombo utabiri wa hali ya hewa

7. (1) Idara inaweza kujengea mahali, kuweka kifaa au chumbo chochote ndani, juu au chini ya ardhi, maji au sehemu ya maji, ziwa au bahari kwa ajili ya kuweka kumbukumbu za uchunguzi wowote wa bahari ya hewa:

Isipokuwa Idara haitapata haki ya umilikaji ila ya matumizi tu, katika sehemu yoyote ambayo irneweka kifaa an chombo chochote.

(2) Idara haitajenga mahali, wala haitaweka kifaa au chombo cho chote ndani, juu au chini ya. sehemu yoyote bila kwanza kutoa taarifa ya muda wa kutosha juu ya. wa ya kutaka kufanya hivyo, kwa mtu yeyote ambaye anamiliki au anahusika na sehemu hiyo.

Kosa kuharibu chombo

8. Itakuwa ni kosa kwa mtu yeyote kuharibu kwa makusudi au kuingilia kwa namna yoyote kifaa au chombo chochote kilichowekwa kwa mujibu wa madaraka yaliyopewa Idara chini ya kifungu cha 7, na kama akipatikana na kosa atapewa adhabu ya kifungo kwa muda usiozidi miaka miwili, au atatozwa faini ya shilingi zisizozidi elfu mbili au adhabu zote mbili za kifungo na faini na korti inayotoa adhabu inaweza kuamuru kuwa mtu yule aliyepatikana na hatia ailipe Idara fedha ambazo ni sawa na ghararna ya kutengeneza kitu kilichoharibika na fedha hizo zitadaiwa na kulipwa. kwa njia ile ile kama vile ingekuwa ni faini.

Madaraka ya Waziri

9. Waziri atakuwa na wajibu wa kutoa maelekezo kwa Baraza na kwa ajili hiyo-

(a) ataweza kuchukua hatua zinazofaa au atatoa maelekezo ambayo yatarahisisha na kuendeleza shughuli za uchunguzi katika mambo yanayohusu maarifa ya hewa na anga na matumizi ya matokeo ya uchunguzi huo katika kuendeleza huduma za utabiri wa hewa;

(b) ataweza kutoa. maelekezo ya jumla kwa. Baraza na Idara kuhusu utekelezaji wa kazi na shughuli za Idara;

1(c) ataweza kutoa maelekezo maalum kwa Baraza kuhusu jambo lolote linalohusu makubaliano na nchi au maslahii ya nchi ngeni.

SEHEMU YA III

KANUNI Z-A SHUGHULI ZA UTABIRI WA HALI YA HEWA

Vizuizi kwa kufanya vitendo vya kubadilisha muundo wa hewa

10.-(1) Ni marufuku kwa mtu yeyote kufanya au kujaribu kufanya kitendo chochote katika Jamhuri ya Muungano wa Tanzania ambacho kinaweza kuleta mabadiliko makubwa katika hali na muundo wa hewa, mpaka kwanza awe ametoa ripoti juu ya nia ya kufanya hivyo, kwa Mkurugenzi Mkuu, na ripoti hiyo itakuwa kama vile Mkurugenzi Mkuu ataagiza.

(2) Mkurugenzi aweza kuagiza kwamba ripoti kama inavyotakiwa chini ya kifungu cha (1) apelekewe kabla ya, au wakati wa, au baada ya kitendo au jaribio lolote.

Wajibu wa Mkurugenzi kuweka kumbukumbu

11.-(l) Mkurugenzi Mkuu ataweka kumbukumbu ya, majaribio au matendo yoyote ya kubadilisha hewa yanayofanyika katika Jamhuri ya Muungano wa Tanzania na mara kwa mara, atatangaza kwa namna, na atakavyoona, muhtasari wa mambo hayo.

(2) Ripoti yoyote au haki yoyote au habari zozote zitakazopokewa na Mkurugenzi Mkuu kwa mujibu wa masharti ya Sheria hii zaweza kutolewa kwa mtu yeyote.

Uwezo wa jumla wa Waziri kuweka kanuni

12.-(1) Waziri aweza kuweka kanuni kama vile atakavyoona ni lazima au inafaa. kwa madhumuni ya kutekeleza vizuri zaidi masharti na madhumuni ya Sheria hii, na pia ili kusimamia jambo lolote ambalo chini ya Sheria hii linahitaji kusimamiwa na vile vile ili kuwezesha kanuni shabaha ya Mkataba kutimizwa.

(2) Bila. kuathiri masharti yaliyo katika kifungu cha (1) Waziri aweza kuweka kanuni—

(a) kusimamia vitendo vya, au majaribio ya, kuleta mabadiliko katika muundo na nguvu ya hewa;

(b) za kukataza. kufanya. uchunguzi, wa mambo ya. hali ya hewa bila, idhidi maalum.

(3) Kanuni zozote ambazo zinaweza kuwekwa chini ya fungu hili la Sheria zinaweza kuweka masharti kwamba mtu yeyote atakayetenda, jambo lolote kinyume cha kanuni hizo aweza, kutozwa faini isiyozidi shilingi kumi elfu au akishindwa kulipa faini hiyo ataenda jela miaka isiyoz,idi miwili,

SEHEMU YA NNE

MENGINEYO

Uwakilishi wa madaraka ya Mkurugenzi

13.-(1) Mkurugenzi Mkuu aweza mara kwa mara kwa maandishi yake, au kwa jumla au kuhusu jambo lolote maalum, kuwakilisha kwa afisa mwingine au maafisa wengine, madaraka yote au baadhi ya madaraka yote au baadhi ya madaraka aliyopewa chini ya Sheria yoyote, isipokuwa hawezi kuwakilisha madaraka yake ya kuwakilisho,

(2) Kwa kufuata maelekezo yoyote ya kiujumla au maelekezo maalum yaliyotolewa, au masharti yaliyoambatishwa na Mkurugenzi Mkuu, afisa aliyewakilishwa madaraka yoyote kwa, mujibu wa, fungu hili aweza kuyatumia madaraka hayo kwa namna ile ile na kuleta matokeo yale yale kama kwamba madaraka hayo alikabidbiwa yeye moja kwa, moja chini, ya fungu hili na wala si kwa kuwakilishwa.

(3) Kila mtu atakayetenda jambo lolote kwa mujibu wa rnadaraka yaliyowakilishwa kwake chini ya fungu hili atahesiabiwa kama vile anafanya hivyo kwa masharti ya uwakilishwi wa madaraka hayo, isipokuwa kama itaonyeshwa vingine,

(4) Uwakilishi wa madaraka chini ya fungu hili utafanywa kwa afisa atakayetajwa, au kwa maofisa wa aina fulani, au kwa mtu au watu wanaoshika madaraka kwenye ofisi zitakazatajwa.

(5) Uwakilishi wowote wa madaraka chini ya fungu hili unaweza kubatilishwa wakati wowote na hakuna uwakilishi ambao utamzuia Mkurugenzi yeyote mwenyewe kutumia madaraka aliyoyawakilisha.

(6) Uwakilishi wowote wa madaraka utaendelea hadi pale utakapobatilishwa na pia utaendelea vile vile hata kama Mkurugenzi Mkuu ambaye aliufanya ameacha kushika madaraka, na utaendelea kama vile umefanywa na watu anayeshika, kwa wakati huo, madaraka ya Mkurugenzi Mkuu.

NYONGEZA-(Fungu la 3(2)

MUUNDO WA BARAZA NA MIKUTANO YAKE

Idadi ya Wajumbe

I.-(1) Baraza litakuwa na Wajumbe wafuatao:-

(a) Mkurugenzi Mkuu ambaye pia atakuwa ndiye Mwenyekiti,

(b) Wajumbe wengine wasiopungua saba na wasiozidi tisaa mbao watateuliwa na Waziri.

(2) Katika kuteua, wajumbe kwa mujibu wa ibara 1(b) Waziri atatilia maanani umuhimu wa kuchagua watu walio na uzoefu katika mambo yahusuyo utabiri wa hewa na pia watu ambao watawakilisha matakwa ya watu wanaotumia huduma za utabiri wa hewa.

(3) Wajumbe wa Baraza watamchagua mmoja wao kuwa Makamu Mwenyekiti na ambaye afashika madaraka, hayo kwa wakati wote watakaokuwa ni mjumbe wa Baraza.

Idara kutoa huduma za, kiofisi

2. Idara itatoa huduma ya kiofisi.

Majadiliano ya Baraza yasibatilishwe sababu ya

3. Kitendo chochote cha Baraza hakitabadilishwa eti kwa sababu tu wajumbe hawakutimia wakati kilipochukuliwa au kwa sababu ya hitilafu yoyote katika uteuzi wa Mjumbe yoyote wa, Baraza, au kwamba wakati Mjumbe alipoteuliwa hakuwa na sifa za kumfanya ateuliwe.

Muda wa kuwa Mjumbe

4. Mjumbe yeyote isipokuwa Mkurugenzi Mkuu, kama hataondolewa na Waziri au kwa namna nyingine kukomeshwa kuwa mjumbe kabla ya muda wake kumalizika, atashika madaraka yake kama mjumbe kwa muda utakaotajwa katika hati ya uteuzi, au endapo hakuna muda maalum uliotajwa, kwa muda wa miaka mitatu tangu siku ile atakapoteuliwa, na muda huo ukimalizika aweza kuteuliwa tena.

Kukosa kuhudhuria mikutano ya Baraza mara tatu mfululizo

5. Endapo Mjumbe atakosa kuhudhuria Mikutano ya Baraza mara tatu mfululizo bila sababu maalumu Baraza litamshauri Waziri juu ya jambo hili na Waziri anaweza kubadilisba uteuzi wa mjumbe yule na kuchagua mjumbe mwingine badala yake.

Uteuzi wa mjumbe wa muda

6. Endapo mjumbe ye yote wa Baraza hawezi kuhudhuria Mkutano wa baraza kwa sababu ya ugonjwa, uzee au kwa kuwa nje ya Jamhuri ya Tanzania, Waziri aweza kuchagua .mjumbe wa muda kuchukua nafasi yake na mjumbe huyo ataacha kuwa mjumbe mara tu yule mjumbe aliyechukua nafasi yake atarudia madaraka yake.

Mikutano ya Baraza

7.-(1) Mkutano wa kawaida wa Baraza utaitishwa na Mwenyekiti kwa kutoa taarifa ambayo itakuwa na agenda ya Mkutano na maelezo yake, na pia kutaja mahali Mkutano utafanyika, tarehe na wakati wa Mkutano na taarifa hiyo atapelekewa mjumbe mahali pa anwani yake, wiki tatu kabla ya mkutano.

(2) Endapo Mwenyekiti atapata maombi, kwa maandishi yaliyowekewa sahihi na wajumbe wasiopungua watatu, ya kutaka Mkutano maalumu ufanyike basi Mwenyekiti ataitisha Mkutano huo maalum wa Baraza. Taarifa ya mkutano huo itatolewa kwa wajumbe siku ishirini na moja kabla ya Mkutano, na kwa namna kama ilivyoelezwa kwenye ibara ndogo ya (1).

(3) Mwenyekiti au Makamu wa Mwenyekiti aliyechaguliwa kwa mujibu wa ibara ya 1(3) na ambaye anaongoza mkutano anaweza kumwalika mtu yeyote ambaye si mjumbe kujumuika katika shughuli za mkutano wa Baraza, ila mtu kama huyo hatakuwa na uwezo wa kupiga kura.

Kiwango cha Mkutano

8. Kiwango katika Mkutano wowote wa Baraza kitakuwa ni wajumbe watatu.

Baraza laweza kujiwekea utaratibu

9. Bila kuathiri masharti mengineyo ya Nyongeza hii, Baraza la Wakurugenzi laweza kujiwekea na kufuata utaratibu wa kuendesha shughuli zake.

Imepitishwa katika Bunge tarehe ishirini na mbili mwezi Februari, 1978.

Clerk of the National Assembly

Imepigwa Chapa na Mpigachapa wa Serikali, Dar es Salaam, Tanzania