



No. 10 OF 2001

I ASSENT

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President

6 th April, 2001.
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An Act to amend Certain Written Laws

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ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) Act, 2001.

Short title

2. The Written Laws specified in the first and second columns of the Schedule to this Act are hereby amended in the manner specified opposite to each of them in the third column of that Schedule.

Amend-
ment of certain
Written
laws

COLUMN 1	COLUMN 2	COLUMN 3
Cap. 502	The Presidential Affairs Act, 1962.	"(3) The commissioner or other person appointed by him to investigate the affairs of any insurer, broker, agent or any applicant for registration may, wherever necessary, employ an auditor, actuary or other person to assist him in the investigation. (b) by renumbering subsection (3) subsection (4), (c) by adding immediately after subsection (4) as renumbered the following subsection- "(5) All expenses of, and incidental to, an investigation under this section shall where the insurer, broker, agent or an applicant for registration is found to have violated the provisions of this Act, be settled by such insurer, broker, agent or an applicant for registration, and if they are not paid by him, within a period of one, month after the Commissioner makes a demand to him, shall. constitute a civil debt recoverable summarily by the Commissioner". The principal Act is amended- (a) by deleting the long title and substituting for it the following- 'An Act to provide for certain matters relating to the functions and offices of the President, Vice President and the Prime Minister.' (b) by adding immediately after section 1 the following section- "Interpretation IA. In this Act unless the context requires otherwise- "President" means the President of the United Republic; "Vice President" means the Vice President of the United Republic; "Prime Minister" means the Prime Minister of the United Republic;

COLUMN 1	COLUMN 2	COLUMN 3
		(5) A suit, claim or matter dismissed under subsection (4) may be preferred against the Corporation and the provisions of subsection (6) shall apply <i>mutatis mutandis</i> to any decree obtained from a suit described under this section. (6) Where before the closing date a decree is obtained against the company in any suit, claim or matter which would be dismissed under subsection (1) and (2) herein, that decree shall be executed against the Corporation in the same way as a decree obtained against the Corporation in accordance with the provisions of this Act. (7) Where a notice is served in accordance with subsection (11) of section 10 in a liability contingent upon determination by a court, the plaintiff shall upon receipt of that notice substitute forthwith the Corporation as a party in place of the company. (8) For purposes of this section, "closing date" means the 30th day of April, 2000".
Cap. 16	The Penal Code, Cap. 16	The Ordinance is amended in section 160A by inserting, the words "or carries or causes to be carried out female genital mutilation" immediately after the word "mutilation" which appears in the forth line of subsection (1).
Act No. 18 of 1996	The Insurance Act, 1996	The principal Act is amended in subsection 119- (a) by adding immediately after subsection (2), the following new section

COLUMN 1	COLUMN 2	COLUMN 3
Act No. 23 of 1997	The National Bank of Commerce (Reorganization and Vesting of Assets and Liabilities) Act, 1997	The Act is amended- (i) in section 3 by deleting the definition of the word "Corporation" and substituting for it the following definition- "Corporation: means the Consolidated Holding Corporation;" (ii) in the title of Part 11 by deleting the word "NBC" and substituting for it the word (iii) by deleting the, designation "NBC Holding corporation" which appears in subsection (1) of section 4 and substituting for it the designation "Consolidated Holding Corporation"; (iv) by adding immediately after section 10 the following new section- "Entertainment of a suit, claim or matter in court 10A-(1) Without prejudice to the generality of section 10, where a suit, claim or matter is or was filed in court against the Company, of which the cause of action arose on or before the effective date that court shall dismiss such suit, claim or matter. (2) Where the court is satisfied that any suit, claim or matter instituted against the Company, relates to reorganization process or act done in accordance with the Public Corporations Act, 1992, and the process or act has divested any right or liability of the Company, to the Corporation, it shall dismiss such suit, claim or matter. (3) Subject to the Law of Limitation Act, 1971, where any matter is dismissed pursuant to subsection (1) or (2), the plaintiff may institute such suit, claim or matter against the Corporation. (4) Subject to the provisions of subsections (1) and (2), where a suit claim or matter filed in court against the Government relates to a cause of action which arose between the effective date and the closing date, which cause of action relates to a divestiture process done in accordance with this Act or the Public Corporations Act, 1992, such suit claim or matter shall be dismissed.
Act No. 2 of 1992		
Act No. 10 of 1971		

COLUMN 1	COLUMN 2	COLUMN 3
		"household" means a fully furnished house, outbuildings and surrounding land that is used as a dwelling house and includes bedding, cooking, laundry and other domestic equipment necessary for the day today use". (c) by deleting the heading appearing under Part IV of the Act and substituting for it with the following- "THE HOUSEHOLD OF THE PRESIDENT, VICE PRESIDENT AND THE PRIME MINISTER" (d) by adding immediately after section 10 the following new sections- "Expenses' for the Vice President's Household 10A. There shall, in respect of each financial year, be charged on and paid out of the Consolidated Fund such sum of money as maybe certified by the Paymaster General as being the sum required for and in respect of expenses of the Vice Presidents household and t he up keep of the Vice-President's house, lodges and grounds and other official residences of the Vice President." "Expenses for Prime Minister's Household 10B. There shall, in respect of each financial year, be charged on and paid out of the consolidated Fund such sum of money as, may. be certified by the Paymaster General as being the sum required for and in respect of expenses of the Prime Minister's household and the upkeep of the Prime Minister's house, lodges and grounds and other official residences of the Prime Minister."
Act No. 16 of 1997	The Architects and Quantity Surveyors (Registration) Act, 1997	The principal Act is amended- (a) in section 4- (i) by deleting item (i) and substituting for it the following item-

COLUMN 1	COLUMN 2	COLUMN 3
	"(i) to maintain registers and sub-registers of architects, quantity surveyors or firms of architects or quantity surveyors both local or foreign, architectural and quantity surveying assistants, architectural technicians, and to make decisions on applications for their registration and annual subscription and such other fees as may be required." (ii) by deleting item (iv) and substituting for it the following- "(iv) to issue stop orders against works being constructed, levy penalties and take legal action of both civil and criminal nature against persons or firms both local or foreign, practising or operating as architects or quantity surveyors who breach any provision of this Act and by-laws made under it."ⁱⁱⁱ (iii) by deleting the word "and" which appears at the end of item (xv); (iv) in item (xvi) by deleting a fullstop appearing after the word "direct" and substituting for it a semicolon and the word "and" (v) by adding immediately after item (xvi) the following item- "(xvii) to promote and enforce professional conduct ethics and integrity of architects, quantity surveyors and firms practising or operating in Tanzania." (b) in section 35 by adding immediately after paragraph (d) the following-paragraph	No. 10 Written Laws (Miscellaneous Amendments) 2001 6

COLUMN 1	COLUMN 2	COLUMN 3	No. 10 Written Laws (Miscellaneous Amendments) 2001 7
		"(e) provides architectural or quantity surveyors consultancy services in buildings or civil works without being properly registered under this Act." (c) in section 38 by adding immediately after paragraph (n) the following paragraph- "(o) for regulation of Architects and Quantity Surveyors in their execution of buildings or civil works, and for that purpose to prescribe standards and conditions to be observed by them and to provide, sanction for non, compliance thereto. (p) to provide for a procedure for controlling or stopping breaches of the provisions of this Act and Regulations made under it." (d) by adding immediately after section 40 the following new section- "Savings 41.-(1) Notwithstanding the repeal made under section 40, any thing done or any action taken or purported to have been done under the repealed Act, shall in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done under the provisions of this Act. (2) All subsidiary legislation made or given under the repealed Act shall be deemed to have been made or given under the provisions of this Act and shall remain in force until revoked or rescinded by another subsidiary legislation made or given under this Act.	
Act No. 17 of The Open University Act, I 992 1992		The principal Act is amended in section 8- (a) by adding immediately after subsection (2), the following subsection-	

COLUMN 1	COLUMN 2	COLUMN 3
"Act No. I of The Elections Act, 1985 1985	"(3) Notwithstanding subsection (2), the appointing authority may for special reasons and by recommendation from the Search Committee reappoint a person who has served for two. consecutive terms to be a Vice Chancellor for another one term."; (b) by renumbering subsections (3) and (4) as (4) and (5). Section 37 of the principal Act is amended- (a) by deleting paragraph (b) of subsection (1) and substituting for it the following:- "(b) where a by-election is to be held, the nomination day shall be not less than twenty four months and not more than twenty five months after the occurrence of the event by reason of which the by-election is to take place; save that, for any reasonable cause, the National Ask may, by resolution passed on a motion to be moved by a Minister, set a period earlier than twenty four months within which the Commission may appoint a nomination day for the relevant by-election or by election and such earlier period shall be specified in the resolution." , (b) by adding immediately after subsection (1) the following subsection- "(2) Subject to the provisions of subsection (1)(b), the Speaker shall in writing notify the Chairman of the Commission the period which has been set by the National Assembly for that purpose. ' , (c) by renumbering subsections (2) and (3) as (3) and (4).	Passed in the National Assembly on the 4' April, 2001 <i>Clerk of National Assembly</i>