

CHAPTER 193

THE NATIONAL SERVICE ACT

[PRINCIPAL LEGISLATION]

ARRANGEMENT OF SECTIONS

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CHAPTER 193

THE NATIONAL SERVICE ACT

An Act to make provision for the establishment, maintenance, government and discipline of a National Service and for related matters.

[6th March, 1964]

Acts Nos.

16 of 1964

17 of 1964

[R.L. Cap. 553]

PART I

PRELIMINARY PROVISIONS (ss 1-2)

[PCh193s1]1. Short title

This Act may be cited as the National Service Act.

[PCh193s2]2. Interpretation Acts Nos. 47 of 1964 s. 2; 64 of 1966 s. 2; 31 of 1974 s. 2; 22 of 1975 s. 3

(1) In this Act unless the context otherwise requires—

"appropriate authority" means the authority charged, in accordance with rules or orders made under this Act, with responsibility for the matter in question:

Provided that the reference appropriate authorities in section 6 and, in so far as it relates to persons seconded to the Service, in section 7, shall be construed as a reference to such appropriate authority aforesaid acting with the concurrence of such officer having authority in or over that part of the civil or military service of the Republic from which such person is seconded as may be appointed by the President;

"Director" means the Director of National Service appointed under this Act;

"enlistment notice" means the enlistment notice provided for in section 5F;

"member" in relation to the Service includes both a Serviceman enlisted or engaged under section 5 or section 5F;

"Minister" means the Minister responsible for the National Service;

"national service register" means the register required to be kept by the Director under section 5C;

"postponement certificate" means the certificate which may be granted under section 5G;

"Registrar" means the person appointed in section 5C to keep the national service register and includes an Assistant Registrar;

"Serviceman" means a member of the Service enlisted or engaged under section 5 or section 5F.

(2) The Minister may, by order in the Gazette, appoint any public officer or any officer of a university, college, school or other educational institution or establishment to

be an Assistant Registrar in relation to such category of persons as may be specified in such order.

PART II

ESTABLISHMENT AND MEMBERS OF SERVICE (ss 3-19)

[PCh193s3]3. Establishment of Service Act No. 22 of 1975 s. 4

(1) There shall be established and maintained a service to be known as the National Service.

(2) The functions of the National Service shall be—

(a) to train young citizens of the United Republic to serve the nation in the spheres of social and economic development and the defence of their country;

(b) to impart military training to its members with a view to enable such members to qualify for recruitment or engagement as soldiers for the infantry battalions of the Peoples Defence Forces of Tanzania;

(c) to participate in national defence operations.

[PCh193s4]4. Members of Service Acts Nos. 47 of 1964 s. 3; 64 of 1966 s. 3; 22 of 1975 s. 5

(1) The National Service shall consist of such number of members as may, for the time being, be determined by the President.

(2) The members of the National Service shall be—

(a) persons who enlist voluntarily under section 5;

(b) persons who are enlisted under section 5F.

[PCh193s5]5. Serviceman Acts Nos. 64 of 1966 s. 4; 22 of 1975 s. 6; 28 of 1978 s. 7

(1) The appropriate authority may enlist into the National Service a male or female citizen who, at the time of his or her first enlisting, is between the age of sixteen and thirty five years (both inclusive).

(2) Every serviceman shall be enlisted to serve in the National Service for a period of—

(a) in the case of a serviceman enlisted voluntarily under subsection (1), three years;

(b) in the case of a serviceman enlisted in consequence of an enlistment notice under section 11, one year,

and on the expiry of such period a serviceman may, if he so wishes and the appropriate authority so agrees, be re-engaged for a further period of the same duration as the period of his original enlistment:

Provided that in calculating any period of enlistment provided for by this subsection no account shall be taken of any period during which the service of the serviceman is suspended at his request and with the consent of the Director.

(2A) Where in the opinion of the Chief of National Service any serviceman enlisted pursuant to an enlistment notice under section 11 has not, on completion of the period of one year provided for in subsection (2) of this section, attained a standard normally expected of a serviceman in the National Service, the Chief of National Service may, by order under his hand, extend such period of one year by six months or such shorter period as the Chief of National Service may in such order specify, and in any case in which such

order is made the provisions of subsection (2) of this section shall take effect as if the reference in paragraph (a) thereof to the period of one year were a reference to such period so extended.

(3) After the conclusion of his engagement with the National Service, a serviceman shall form part of the National Service Reserve and shall be liable to serve any branch of the Defence Forces when called upon to do so in such manner and for such purposes as the Minister may, by regulations under section 34, prescribe.

(4) Every serviceman shall, on first joining the National Service, make the declaration set out in the first Schedule hereto.

[PCh193s6]6. Liability to be called up for National Service Act No. 31 of 1974 s. 5

(1) Subject to the provisions of this Act every person to whom this section applies shall be liable to have his name entered in the National Service Register and to be called upon to serve in the National Service in accordance with the provisions of this Act.

(2) This section shall apply to every male or female citizen who has attained the apparent age of sixteen years but has not attained the apparent age of thirty-five years and—

(a) who has completed an academic year in Form VI or has attained such alternative academic standard as the Minister may, by order in the Gazette, prescribe; or

(b) who having completed an academic year in Form IV subsequently enrolled in any post-secondary school institution, whether within or outside Tanzania, for a course of studies (other than a correspondence course only) and has ceased to be a student of such institution either because of the completion of the course of studies or because he has

abandoned the course after having been such student of such institution for a period of not less than one-half of the normal duration of the course:

Provided that—

(i) the provisions of this subsection shall not apply to any person who completed an academic year in Form VI or attained the prescribed academic standard or ceased to be a student of any institution referred to in paragraph (b), as the case may be, before 1st November, 1966;

(ii) the provisions of this subsection shall not apply to any person who having completed Form IV enrolls in a post-secondary school institution for a course of studies in Form V or Form VI but does not complete an academic year in Form VI;

(iii) where a person after completing an academic year in Form VI or attained the prescribed academic standard proposes to prosecute further studies at any educational institution (otherwise than by a correspondence course) this section shall apply in relation to him—

(A) immediately after the completion of such further studies; or

(B) if he fails to undertake the prosecution of further studies within six months from the date of the completion of an academic year in Form VI or attaining the prescribed academic standard, or such longer period as the Director may in any case allow by a writing under his hand, immediately upon the expiry of such period of six months or, as the case may be, such longer period allowed by the Director; or

(C) if he, after commencing the prosecution of further studies, at any time before the completion of the course of studies, abandons the same, immediately after he abandons such course.

(3) No person to whom subsection (2) applies shall enter into any contract of service any term of which may conflict with his liability to be called up for national service under this Act, and any such term in any such contract shall be void and unenforceable.

(4) Notwithstanding the provisions of subsection (2), this section shall not apply to any person who—

(a) is certified by a Government medical officer as being blind;

(b) is detained in custody as a criminal lunatic;

(c) is a public officer and was a public officer at the commencement of this Act;

(d) having become a public officer after the commencement of this Act, attends any in-service training course at any post-secondary school institution for a duration not exceeding nine months;

(e) being a woman, was lawfully married prior to 7th November, 1969; or

(f) is a person who is exempted or who belongs to a category of persons exempted from the provisions of this section by an order made under section 16.

(5) For the purposes of subsections (2) and (4)—

(a) "post-secondary school institution" means any university, college or other educational or vocational training establishment, offering a course of studies or training for any profession, vocation or occupation, whether or not any degree, diploma or other

award is granted to students enrolling therein and completing any course of studies, and which normally requires the completion of at least Form IV or the attainment of equivalent academic standard as a qualification for entry or enrolment therein for a course of studies, but does not include any such institution which offers only correspondence course and does not require its students to attend any lecture or seminar;

(b) a person shall be deemed to have completed an academic year in Form VI if he has been a student at a school or other educational institution offering a course of studies in Form VI and remained enrolled as a member of the class for Form VI for the whole of one academic year, whether or not he sat for or passed any examination for Form VI.

[s. 5A]

[PCh193s7]7. Restriction on employment of persons liable to serve in the National Service Act No. 4 of 1982 s. 2

(1) In this section employment on temporary terms means an employment which does not exceed a period of six months.

(2) No person shall employ or offer employment or issue a licence or permit for carrying out any private business, to any person who is liable to serve in the National Service unless that other person shows evidence that he has already served or that he has been exempted from serving in the National Service.

(3) A person who is liable to serve in the National Service but has not been called so to serve may be employed but his employment shall be on temporary terms.

(4) Where, after a period of temporary employment a person who is liable to serve in the National Service, is not called so to serve, he may, with a permit issued in that behalf by the Director, continue being employed on temporary terms.

(5) Every employer shall notify the Director the name or names of persons who are in his employment and who are liable to serve in the National Service.

(6) Any person who contravenes this section commits an offence and is on conviction liable to a fine not exceeding shillings ten thousand or to imprisonment not exceeding twelve months or to both such fine and imprisonment.

[s. 5B]

[PCh193s8]8. Appointment of Registrar of National Service Act No. 64 of 1966 s. 5

The Director shall be Registrar and he shall keep a register of persons who are liable under this Act to be called up for national service and shall perform such other duties in connection with the said register and the enlistment of members of the National Service as may be prescribed in this Act or in any rules made under this Act.

[s. 5C]

[PCh193s9]9. Rules relating to registration Act No. 64 of 1966 s. 5

(1) The Minister may make rules in relation to the following matters—

(a) requiring the principals of secondary schools or other educational or professional institutions to furnish to the Registrar particulars about students attending such schools or institutions who may be liable under this Act to be called up for national service;

(b) requiring public officers to furnish to the Registrar particulars of students outside the United Republic who may be liable under this Act to be called up for national service; and

(c) requiring persons whose names have been entered on the national service register to furnish to the Registrar such particulars as may be prescribed.

(2) Rules made under subsection (1) may make different provisions in relation to different classes of person subject to registration and may exclude provision for any class of persons subject to registration with respect to which the Minister is satisfied that sufficient particulars can be ascertained by him otherwise than by virtue of those rules.

[s. 5D]

[PCh193s10]10. Registration Act No. 64 of 1966 s. 5

(1) It shall be the duty of the Registrar to ensure that the names and particulars of persons liable under this Act to be called up for national service received by him pursuant to rules made under section 9 are entered in the national service register.

(2) The Registrar shall from time to time make any necessary alteration or correction in the national service register in relation to any entry therein and shall remove from the said Register the name of every person who dies before being called up for national service or who ceases to be liable to be called up for national service.

(3) If at any time before being called up for national service a person whose name is entered in the national service register changes his name or address he shall forthwith notify the change to the Registrar and if he fails to do so he commits an offence against this Act.

[s. 5E]

[PCh193s11]11. Obligation of persons liable to report and service of enlistment notices Acts Nos. 64 of 1966 s. 5; 31 of 1974 s. 6

(1) Every person who, upon the commencement of this Act is or at any later date becomes liable to be called upon to serve in the National Service in accordance with the provisions of this Act, shall within thirty days of the commencement of this Act or his so becoming liable, as the case may be, present himself in person to the Registrar.

(2) Any person who, being liable under this Act to be called upon to serve in the National Service, fails without reasonable excuse to present himself in person to the Registrar within the period specified in subsection (1) commits an offence and is liable on conviction to a fine not exceeding shillings two thousand or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(3) The Registrar may cause to be served on any person who is liable under this Act to be called up for national service an enlistment notice stating that he is called up for national service and requiring him to present himself at such place and time, and to such authority, as may be so specified; and subject to this section, the person upon whom the notice is served shall be deemed as from the day so specified to have been duly enlisted in the National Service and the period for which he is enlisted shall begin on the said day or such later day as he may in fact present himself for service.

(4) Where an enlistment notice has been served on any person, the Director may, at any time while that person remains liable under this Act to be called up for national service, cancel the notice or cause to be served on him a further enlistment notice varying

the original notice by altering the place or time at which he is thereby required to present himself.

(5) Where, at the beginning of the day specified in an enlistment notice or the day on which the person to whom the notice relates is thereby required to present himself, any of the following conditions is fulfilled, that is to say—

(a) a postponement certificate relating to him is in force;

(b) that any application or appeal made by him under section 12 is pending,

the enlistment notice served on him shall be of no effect.

(6) An enlistment notice served on any person shall cease to have effect if before the day on which he is thereby required to present himself he ceases to be liable under this Act to be called up for national service.

(7) There shall be paid to persons required to present themselves in accordance with enlistment notices served upon them, such travelling and other allowances as the Minister may prescribe.

(8) Any person upon whom an enlistment notice has been served who, being liable to be called up for national service, on the day when he is thereby required to present himself, fails without reasonable excuse to present himself in accordance with the provisions of such notice commits an offence against this Act and is liable on conviction to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(9) Rules made under section 34 may provide for the duties of the Registrar and Assistant Registrars in relation to enlistment notices and service of enlistment notices.

[s. 5F]

[PCh193s12]12. Postponement of certificates Acts Nos. 64 of 1966 s. 5; 31 of 1974
s. 6

(1) Subject to this section, any person upon whom an enlistment notice has been served under section 11 may apply in the prescribed manner for a certificate of postponement of liability under this Act to be called up for national service on the ground that exceptional hardship would ensue if he were called up for service, and may, on that ground, apply in the prescribed manner for the renewal of any postponement certificate granted to him.

(2) Where application for a postponement certificate or for the renewal of a postponement certificate is made, that application shall be considered by a National Service (Hardship) Committee constituted under subsection (3).

(3) A National Service (Hardship) Committee shall be appointed for such areas or regions as the Minister may determine and shall consist of a Chairman and two other members all of whom shall be appointed by the Minister.

(4) An application for the grant of a postponement certificate may be made at any time after an enlistment notice has been served on the applicant but before the day specified in the notice as the day on which he is thereby required to present himself.

(5) An application for the renewal of a postponement certificate shall be made at least fourteen days before the expiration of the period for which that certificate was granted or last renewed.

(6) No postponement certificate shall be granted or renewed so as to postpone the liability of any person to be called up for national service for a period or aggregate of periods exceeding six months unless the Minister has by a writing under his hand authorised the grant of such certificate.

[s. 5G]

[PCh193s13]13. Appeals from determination of National Service (Hardship) Committees Act No. 64 of 1966 s. 5

An applicant for a postponement certificate or the renewal of a postponement certificate who is aggrieved by the determination of a National Service (Hardship) Committee may, in the prescribed manner, appeal to the Minister whose decision shall be final.

[s. 5H]

[PCh193s14]14. Revocation of postponement certificates Act No. 64 of 1966 s. 5

(1) If at any time while a postponement certificate is in force, it appears to the Registrar that, by reason of any change in the circumstances of the person to whom the certificate was granted, the certificate ought to be revoked or the period for which it was granted or last renewed ought to be shortened, the Registrar may apply to a National Service (Hardship) Committee and that Committee may either refuse the application or cancel the certificate or vary it by shortening the said period.

(2) Where an application is made under subsection (1), the person to whom the postponement certificate in question was granted shall be entitled to be heard on the

application, and if he is aggrieved by the determination of the National Service (Hardship) Committee, he may, in the prescribed manner, appeal to the Minister whose decision shall be final.

[s. 5I]

[PCh193s15]15. Provisions as to National Service (Hardship) Committees Act No. 64 of 1966 s. 5

(1) The Registrar or any person authorised by him shall be entitled to be heard on any application before a National Service (Hardship) Committee.

(2) No determination of an appeal to the Minister or any application to a National Service (Hardship) Committee or the determination thereof shall be questioned in any court of law.

[s. 5J]

[PCh193s16]16. Exemption from liability

The Minister may, by notice published in the Gazette, exempt any person from liability under this Act to be called upon to serve in the National Service.

[s. 5K]

[PCh193s17]17. Repealed

[Repealed by Act No. 31 of 1974 s. 3.]

[s. 6]

[PCh193s18]18. Prolongation of engagement and secondment Act No. 22 of 1975 s.

Notwithstanding the foregoing provisions of this Act, any member of the National Service whose engagement expires during a state of war, insurrection, hostilities or public emergency may be retained in the National Service and his engagement prolonged for such further period as the appropriate authorities, with the approval of the President, direct.

[s. 7]

[PCh193s19]19. Discharge Act No. 22 of 1975 s. 10

The appropriate authority may at any time during the term of an engagement discharge a member of the National Service if, for any reason, his services are no longer required or if in the opinion of the appropriate authority, the continued engagement of the serviceman is contrary to the public interest or the interest of the National Service.

[s. 8]

PART III

ORGANISATION AND GOVERNMENT OF THE SERVICE (ss 20-22)

[PCh193s20]20. Units of the Service Act No. 22 of 1975 s. 11

The National Service shall be divided into such numbers and descriptions of branches, units and sub-units, as the Minister shall from time to time direct.

[s. 9]

[PCh193s21]21. The Chief of National Service Act No. 22 of 1975 s. 12

The President may appoint a member of the Tanzania People's Defence Forces to be the Chief of National Service, and, subject to this Act, to any rules made hereunder and to the directions of the President, the Minister and the Chief of Defence Forces, the Chief

of National Service shall have the command, superintendence direction and administration of the National Service.

[s. 10]

[PCh193s22]22. Repealed

[Repealed by Act No. 22 of 1975 s. 13.]

[s. 11]

PART IV

DUTIES AND EMPLOYMENT OF THE SERVICE (ss 23-25)

[PCh193s23]23. Duties of Servicemen Act No. 22 of 1975 s. 14

(1) Every member of the National Service shall—

(a) perform such duties and carry out such training as he may be directed by the officers senior to or placed in command over him;

(b) obey and execute promptly all orders lawfully issued to him by the officers senior to or placed in command over him.

(2) A Serviceman shall, for the purposes of discipline, training and operations and for the purposes of compensation for disability or death in the course of training or operation, be deemed to be a member of the Regular Force of the Tanzania Peoples Defence Forces:

Provided that the command in respect of the military operations of the National Service shall vest in the Chief of Defence Forces.

[s. 12]

[PCh193s24]24. Repealed

[Repealed by Act No. 2 of 1965 Sch.]

[s. 13]

[PCh193s25]25. President may send servicemen to neighbouring states Act No. 22 of 1975 s. 15

(1) The President may, on the application of the Government of any neighbouring state, order such parts or members of the National Service as he may think fit to proceed for service to such neighbouring state.

(2) For the purposes of this section "neighbouring state" means any state having a common border with the United Republic and any such other state as the President may, by notice in the Gazette, declare to be a neighbouring state.

(3) All members of the National Service serving outside the United Republic under the provisions of this section shall be under the orders of their own superior officers, and shall, in so far as appertains to the maintenance of discipline, be subject to the provisions of this Act and rules and orders made thereunder and shall, so far as is possible, perform duties of a like nature to those which they may be required to perform in Tanzania but so that except as aforesaid nothing in this section shall operate contrary to the general law for the time being in force in such neighbouring state which shall apply to and be observed by such members of the Service.

[s. 14]

PART V

DISCIPLINE (ss 26-33)

[PCh193s26]26.-29. Repealed

[Repealed by Act No. 22 of 1975 s. 16.]

[ss. 15-18]

[PCh193s30]30. Persons causing disaffection, etc.

Any person who—

(a) causes or attempts to cause or does any act calculated to cause disaffection amongst members of the National Service; or

(b) induces or attempts to induce, or does any act calculated to induce any member of the National Service to desert or to commit any breach of discipline, commits an offence and is liable upon conviction to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

[s. 19]

[PCh193s31]31. Arms and accoutrements

(1) When a member of the National Service ceases to belong to the Service, all powers and authorities vested in him by or under this Act shall immediately cease and determine and he shall forthwith deliver up to the person appointed by the Director for that purpose, all arms, ammunition, accoutrements, clothing, uniform and other appointments which have been supplied to him or entrusted to his care and which are the property of the United Republic.

(2) Any member of the National Service who, having ceased to belong to the Service, fails to deliver up any arms, ammunition, accoutrements, clothing, uniform or

other appointments as required by this section, commits an offence and is liable on conviction to a fine not exceeding four hundred shillings or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

[s. 20]

[PCh193s32]32. False statements and forgery Acts Nos. 64 of 1966 s. 6; 31 of 1974

s. 11

Any person who—

(a) in giving any information for the purposes of this Act knowingly or recklessly makes a statement which is false in a material particular; or

(b) with intent to deceive—

(i) forges, or uses, or lends to or allows to be used by any other person, any certificate issued under this Act; or

(ii) makes, or has in his possession any document so closely resembling any certificate so issued, as to be calculated to deceive,

commits an offence against this Act and is liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

[s. 20A]

[PCh193s33]33. Penalty for other offences

A person committing an offence under this Act, not being an offence for which a penalty is thereby expressly provided, by reason of non-compliance with any of the

provisions of this Act shall be liable on conviction to a fine not exceeding two thousand shillings.

[s. 20B]

PART VI

RULES AND ORDERS (ss 34-35)

[PCh193s34]34. Rules and orders Acts Nos. 64 of 1966 s. 7; 46 of 1969 s. 3; 22 of 1975 s. 17

(1) In addition to the powers to make rules provided in the foregoing provisions of this Act, the Minister may make rules relating to the following matters—

(a) the establishment, organisation and distribution of the Service, and the various ranks and appointments therein;

(b) the duties to be performed by members of the Service and their guidance in the discharge of such duties;

(c) allowances of members of the Service;

(d) requiring that where a member of the Service is granted permission to enter into employment of any person his employment shall be governed by such terms and conditions as may be specified in the rules;

(e) the description and issue of arms, ammunition, accoutrements, uniforms, emblems and badges of rank and necessities to be supplied to members of the Service;

(f) the conditions governing the discharge of members of the Service;

(g) leave conditions of the Service;

(h) generally for the good order and government of the Service;

(i) the issue in specified circumstances of fresh postponement certificates in place of certificates which have been lost, destroyed or defaced.

(2) Subject to the provisions of this Act, rules made under the provisions of this section may, subject to any restrictions or exceptions therein contained, empower the Director to make general, special, routine and standing orders with respect of all or any of the following matters, that is to say—

(a) the discipline, good order and guidance of the branches, units and subunits under his command;

(b) the organisation and duties of the branches, units and subunits under his command;

(c) the distribution, posting, transfer, attachment and inspection of personnel; and

(d) the description, supply, use and disposal of arms accoutrements, clothing and other stores.

(3) The Chief of National Service may delegate any of his powers under subsection (2) to any other officer or member of the Service.

[s. 21]

[PCh193s35]35. Rules to prevail where conflict between rules and written laws Acts Nos. 46 of 1969 s. 4; 31 of 1974 s. 13

Where, under paragraph (d) of subsection (1) of section 34, rules are made providing for terms of employment of a member of the Service who is employed by any

person, such terms shall be binding on such member as well as on the employer notwithstanding any written law to the contrary and notwithstanding any provision to the contrary in any such contract of employment.

[s. 21A]

PART VII

MISCELLANEOUS PROVISIONS (ss 36-41)

[PCh193s36]36. Unlawful possession of articles supplied to members of the Service

(1) Any person, not being a member of the Service, who is found in possession of any article whatsoever which has been supplied to a member for use in the execution of his duty, who fails to account satisfactorily for his possession thereof, commits an offence and is liable on conviction to a fine not exceeding four hundred shillings or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(2) Any person who, without lawful authority—

(a) purchases any article whatsoever which has been supplied to such member for use in the execution of his duty; or

(b) aids and abets such member in selling or disposing of any article, commits an offence and is liable on conviction to a fine not exceeding four hundred shillings or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

[s. 22]

[PCh193s37]37. Unauthorised use of uniforms, decorations, etc. Act No. 22 of 1975
s. 19

Any person who without lawful authority, the proof of which shall lie upon him—

(a) wears a uniform of the National Service or any other uniform that is so similar to the uniform of National Service that it is likely to be mistaken therefor;

(b) wears a distinctive mark relating to wounds received or service performed in any National Service operation, or a medal, ribbon, badge, chevron or any decoration or order that is awarded in relation to any service in the National Service, or any imitation thereof, or any mark or device or thing that is likely to be mistaken for any such mark, medal, ribbon badge, chevron, decoration or order;

(c) falsely represents himself to be a person who is or has been entitled to use or wear any such thing as is specified in paragraph (b) of this subsection; or

(d) purchases or takes in pawn any decoration or order awarded to any member of the National Service or solicits or procures any person to sell or pledge any such decoration, or acts for any person in the sale or pledging thereof unless at the time of such purchasing, taking, soliciting, procuring or acting, the person to whom the decoration or order was awarded was dead or had otherwise ceased to be a member of the National Service and of the Defence Forces, commits an offence and is liable on conviction to a fine not exceeding two thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

[s. 22A]

[PCh193s38]38. Use of uniforms or other articles for theatrical performance Act No.
22 of 1975 s. 19

Nothing in section 36 or 37 shall prohibit—

(a) the use or wearing of National Service badges for purposes of ornaments
or the wearing of brooches or other ornaments representing such military badges; or

(b) the wearing or use of such uniforms or things as are referred to in section
36 and 37 for purposes of any theatrical performance.

[s. 22B]

[PCh193s39]39. Repealed

[Repealed by Act No. 22 of 1975 s. 20.]

[s. 23]

[PCh193s40]40. Amendment of Laws

[Amends certain laws.]

[s. 24]

[PCh193s41]41. Transitional provision

The units raised and maintained in Tanzania under the authority of the Government
under the style of the National Service before the commencement of this Act shall, with
effect from the commencement of this Act, be deemed to have been raised under this Act.

[s. 25]

FIRST SCHEDULE

DECLARATION

(Section 5(4))

THE NATIONAL SERVICE ACT

(CAP. 193)

I,, swear by Almighty God/do solemnly and sincerely declare that I will be faithful and loyal to the United Republic of Tanzania and that I will faithfully serve the United Republic during my service in the National Service and will obey all orders of the President and of the officers placed over me.

.....

Signature or Mark of Serviceman

Declared at this

.....

day of 20.....

Before me

SECOND SCHEDULE

CLASS OF PERSONS LIABLE TO BE CALLED UP FOR NATIONAL SERVICE

G.N. No. 123 of 1970

(Section 6(2)(a))

Every person who has attained the apparent age of 16 years and who—

(1) has, on or after the 1st November, 1966, completed in the United Republic or elsewhere, an academic year in Form VI; or

(2) has enrolled or who enrolls as a student either before or after the coming into operation of this Act at any university or university college in the United Republic or elsewhere and, by reason of graduation or for any other reason whatsoever, ceases to be a student at such university or university college on or after the twenty-first day of October, 1966; or

(3) having completed an academic year in Form IV, has enrolled or enrolls as a student either before or after the coming into operation of the Act at any of the following institutions and ceases for any reason on or after the twenty-first day of October, 1966, to be a student at such institution—

- (i) the Agricultural Training Institute, Morogoro;
- (ii) the Agricultural Training Institute, Nyegezi;
- (iii) the Agricultural Training Institute Ukiriguru;
- (iv) the Agricultural Training and Research Institute, Kilombero;
- (v) the Agricultural Training Institute, Mpwapwa;
- (vi) the Olmotonyi Forestry School;
- (vii) the Marine Fisheries Research Training Institute, Kunduchi;
- (viii) the Civil Service Training Centre, Dar es Salaam;
- (ix) the College of Wild Life Management, Moshi;
- (x) the Co-operative College, Moshi;
- (xi) the Dar es Salaam Technical College;
- (xii) the Health Training School, Dar es Salaam;

- (xiii) the Institute of Public Administration, Dar es Salaam;
- (xiv) the Medical Assistants Training Centre, Tanga;
- (xv) the Medical Assistants Training Centre, Bumbuli;
- (xvi) the Medical Assistants Training Centre, Machame;
- (xvii) the Nyegezi Social Training Centre;
- (xviii) the School of Nursing, Dar es Salaam;
- (xix) the Shinyanga Commercial Institute;
- (xx) the Survey Training Centre, Dar es Salaam;
- (xxi) the College of National Education, Butimba;
- (xxii) the College of National Education, Dar es Salaam;
- (xxiii) the College of National Education, Marangu;
- (xxiv) the College of National Education, Korogwe;
- (xxv) the College of National Education, Morogoro;
- (xxvi) the College of National Education, Mpwapwa;
- (xxvii) the College of National Education, Songea;
- (xxviii) the College of National Education, Katoke;
- (xxix) the College of National Education, Tabora;
- (xxx) the College of National Education, Iringa;
- (xxxi) the Ubungo Draughting Assistants School, Dar es Salaam;
- (xxxii) the Dar es Salaam College of Business Education;
- (xxxiii) the Institute of Development Management, Mzumbe;

- (xxxiv) the Musoma Home Economics Centre;
- (xxxv) the Dental Unit, Dar es Salaam;
- (xxxvi) the Central Pathology Laboratory, Dar es Salaam;
- (xxxvii) the Chemical Laboratory, Dar es Salaam;

other than a person—

- (a) who is certified by a medical officer to be blind;
- (b) in respect of whom a reception order under the Mental Diseases Act * is subsisting;
- (c) who is being detained in custody as a criminal lunatic;
- (d) who is a public officer and was such an officer on the commencement of this Act;
- (e) who, having become a public officer after the commencement of this Act, attends any in-service training course at any of the institutions specified in paragraph (3), where the duration of such course is less than nine months;
- (f) who, being a woman, was lawfully married prior to the 7th November, 1969,

shall be a person of the class of persons liable to be called up to serve in th