

CHAPTER 314

THE PLANNING COMMISSION ACT

[PRINCIPAL LEGISLATION]

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CHAPTER 314

THE PLANNING COMMISSION ACT

An Act to establish a Planning Commission; to provide for its membership and to specify its functions; and to provide for related matters.

[1st March, 1989]

[1st July, 1989 *]

Act No. 11 of 1989

PART I

PRELIMINARY PROVISIONS (ss 1-2)

[PCh314s1]1. Short title

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

(2) [Omitted: Commencement date.]

(3) [Omitted: Spent.]

[PCh314s2]2. Interpretation

In this Act, unless the context otherwise requires—

"Chairman" means the Chairman of the Commission;

"Commission" means the Planning Commission established by section 3;

"member" means member of the Commission;

"Secretary" means the Secretary appointed under section 8.

PART II

THE PLANNING COMMISSION (ss 3-7)

[PCh314s3]3. Establishment of Commission

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

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

[PCh314s4]4. Composition of Commission

(1) The members of the Commission shall be—

(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.

[PCh314s5]5. Functions of the Commission

(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 securing 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 to—

(a) assess the state of the national investment resources and advise the government on the efficient utilisation of those resources;

(b) analyse trends in key economic variables including balance of payments, money supply and prices and advise the government accordingly;

(c) 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) 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) issue guidelines on economic relations with other countries and international organisations;

(f) be responsible for the formulation and implementation of plans for the most effective and balanced utilisation of the country's resources;

(g) issue guidelines for the formulation of the National Plan and to monitor the preparation process of long-term, medium term and annual plans;

(h) monitor the implementation of plans and take such measures as are necessary for ensuring successful implementation of those plans;

(i) advise the government on any change in the approved plan;

(j) monitor the implementation of government decisions on matters of planning and the management of the economy;

(k) devise strategies for the development of science and technology in the country;

(l) analyse any social and economic issue and recommend to the government, appropriate policies and measures to be taken in the national interest;

(m) do such acts and things in relation to development planning as the President may direct.

[PCh314s6]6. Powers of Commission G.N. No. 262 of 1989

Subject to the provisions of the Constitution *, the Regional Administration Act *, the Local Government (District Authorities) Act *, the Local Government (Urban Authorities) Act * , and any other written laws relating to the organisation 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 to—

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

[PCh314s7]7. Commission to maintain collaboration

For the purposes of the better performance of its functions the Commission shall establish and maintain a system of collaboration, consultation and co-operation 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.

PART III

ADMINISTRATION IN GENERAL (ss 8-16)

[PCh314s8]8. Appointment of Secretary G.N. No. 262 of 1989

(1) There shall be a Secretary of the Commission who shall be appointed by the President.

(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.

[PCh314s9]9. Appointment of Deputy Secretaries

(1) There shall be such number of Deputy-Secretaries of the Commission as may be appointed by the President.

(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.

[PCh314s10]10. Appointment of employees

(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 public servants.

[PCh314s11]11. Appointment of Committee

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.

[PCh314s12]12. Power to call for information

(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 commits an offence and on conviction is liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding six months or to both the fine and imprisonment.

[PCh314s13]13. Commission to hold consultations

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

[PCh314s14]14. Procedure G.N. No. 262 of 1989

(1) At any meeting of the Commission, one half of the members 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.

(3) The Chairman may make regulations for the better carrying out of the provisions and purposes of this Act, and those regulations shall be published in the Gazette.

[PCh314s15]15. Repeal

[Repeals Act No. 19 of 1982 and dissolves of the National Consultative Economic
and Planning Council.]

[PCh314s16]16. Omitted

[Spent.]