

CHAPTER 360

THE PUBLIC OFFICERS (SALARIES AND ALLOWANCES) ACT

An Act to make provision for the salaries and allowances to be paid to persons holding certain public offices, and for the payment of gratuities to certain public officers.

[9th December, 1961]

[s. 1]

Ord. No. 69 of 1961

[R.L. Cap. 460]

C.A. Act No. 2 of 1962

Acts Nos.

41 of 1965

25 of 1966

[PCh360s1]1. Short title

This Act may be cited as the Public Officers (Salaries and Allowances) Act.

[PCh360s2]2. Interpretation

In this Act, unless the context requires otherwise—

"allowances"—

(a) includes, where the person concerned is a person to whom the allowances are payable, the allowances referred to in clause 3 of the agreement made between the Government of Tanzania and Her Majesty's Government in the United Kingdom and known as the Overseas Service (Tanganyika) Agreement, 1961;

(b) does not include any compensation, gratuity or pension payable in respect of service in a public office.

[PCh360s3]3.-4. Repealed

[Repealed by R.L. Cap. 500 4th Sch.]

[PCh360s5]5. Salaries and allowances of certain public officers

There shall be paid in any year to the holders of the public offices specified in the first column of the Schedule—

(a) the salaries respectively specified opposite to the offices in the second column of the Schedule; and

(b) the allowances to which the holders of the offices are from time to time respectively entitled.

[PCh360s6]6. Gratuity payable to certain officers

(1) Where the holder of an office to which this section applies is not under the terms of his appointment to that office otherwise entitled to receive any pension or gratuity in respect of his service in that office he shall, upon his ceasing to be the holder of that office, be paid in

respect of his service in that office a gratuity amounting to one year's salary in that office or at the rate of twenty-five per centum of the salary for each completed year of his service in that office, whichever shall be the greater:

Provided that the holder of an office to which this section applies shall not be paid a gratuity in accordance with the provisions of this section if he ceases to be the holder of that office by reason of his resignation from it without permission or by reason of his removal from it, in accordance with the provisions of the Constitution * relating to removal from that office, for inability to perform the functions of such office (except where the inability arises from infirmity which does not result from his own wilful neglect or default) or for misbehaviour.

(2) Any gratuity payable under subsection (1) shall be charged on and paid out of the Consolidated Fund without further appropriation than this Act.

(3) The offices to which this section applies are the offices of Judge of the High Court and Controller and Auditor-General.

(4) In this section the expression "salary" shall, where the holder of the office has under the terms of his appointment to it been entitled to receive any allowance (by whatever name called) by way of addition to the basic salary appropriate to the office as an inducement to serve in that office, be deemed to include that allowance.

SCHEDULE Acts Nos. 41 of 1965; 25 of 1966 s. 23

(Section 5)

Office Annual Salary

Chief Justice Two thousand nine hundred pounds

Puisne Judge Two thousand five hundred pounds

Controller and Auditor-General Two thousand four hundred pounds

The Chairman of the Permanent Commission of Enquiry Three thousand pounds

Other members of the Permanent Commission of Enquiry Two thousand pounds