

THE UNITED REPUBLIC OF TANZANIA

ACT SUPPLEMENT

No. 5

5th July, 2013

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THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) (NO.2) ACT, 2013

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(CAP. 292)

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(CAP. 171)

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(CAP. 298)

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THE UNITED REPUBLIC OF TANZANIA



NO. 2 OF 2013

I ASSENT,

JAKAYA MRISHO KIKWEJE,
*President*THIS BOOK BELONGS TO THE
LIBRARY OF THE ATTORNEY
GENERAL'S CHAMBER'S[30th June, 2013]

An Act to amend certain Written laws.

ENACTED by Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Written Laws (Miscellaneous Short title
Amendments) (No. 2) Act, 2013.

2. The Written Laws specified in various Parts of this Act are
amended in the manner specified in their respective Parts.

Amend-
ment of
certain
Written
Laws

PART II

AMENDMENT OF THE LOCAL GOVERNMENT (ELECTIONS) ACT,

(CAP. 292)

3. This Part shall be read as one with the Local Government (Elections) Act, hereinafter referred to as the "principal Act".

Construction
Cap. 292

4. The principal Act is amended in section 114 by adding immediately after sub-section (3) the following:

Amendment
of
section 114

"(4) The Court shall continue the hearing and determination of an election petition beyond the period prescribed by subsection (3) if, lapse of eighteen months occurred when the hearing had started and the court is of the view that abatement of proceedings is likely to result in denial of justice or abuse of court process."

PART III

AMENDMENT OF THE LAW REFORM COMMISSION ACT,

(CAP. 171)

5. This Part shall be read as one with the Law Reform Commission Act, hereinafter referred to as the "principal Act".

Construction
Cap. 171

6. The principal Act is amended in section 5(1), by deleting the word "six" and substituting for it the word "nine".

Amendment
of
section 5

7. The principal Act is amended by deleting the title "Secretary" whenever it appears in the Act, and substituting for it the title "Executive Secretary."

General
amendment

8. The principal Act is amended by adding immediately after section 24 the following new section:

Addition
of the new
section
24A

"24A. A person shall not use, disclose or publish any information or document of the Commission without an approval of the Commission."

PART IV

AMENDMENT OF THE PUBLIC SERVICE ACT.

(CAP.298)

9. This Part shall be read as one with the Public Service Act, hereinafter referred to as the "principal Act". Construction

10. The principal Act is amended in section 6(1) by-

(a) deleting the title "Director of Local Government Authority" and substituting for it the words "Local Government Authority";

Amendment of
section 6

(b) adding immediately after paragraph (b) the following new paragraph:

"(c) oversee and ensure career development of employees in their respective organization ;

11. The principal Act is amended in section 14 by-

(a) deleting subsection (2) and substituting for it the following new subsections:

Amendment of
section 14

"(2) The Secretary shall be the chief executive and accounting officer of the Commission and shall, subject to subsection (3), attend meetings of the Commission but shall not vote at such meetings.

(3) The Secretary shall not attend Commission's meetings deliberating on disciplinary referrals of employees of the Commission."

12. The principal Act is amended in Part VI by-

(a) adding immediately after the heading "SPECIAL PROVISIONS" the following subtitle:

Amendment of
Part VI

“(a) *The Public Service Recruitment Secretariat*”;

(b) designating subtitles (a), (b) and (c) as (b), (c) and (d) respectively.”

13. The principal Act is amended by adding immediately after section 29 the following new section:

Addition
of
section
29A

“Delegation
of functions
and powers
of the Secre-
tary

29A.-(1) The Secretary may, by Notice published in the *Gazette* delegate to any Chief Executive Officer or Council, the functions and powers of the Secretariat to conduct recruitment process in the Service.

(2) The functions and powers delegated to the Council under subsection (1) shall be exercisable pursuant to the Regulations made under this Act.

(3) For purposes of this section:

(a) “chief executive officer” includes the Permanent Secretary or Executive Director of Public Institution or of such other employing authority; and

(b) “Council” has the meaning ascribed to it under the Local Government (District Authorities) Act or the Local Government (Urban Authorities) Act.”

Cap. 287

Cap. 288

Passed in the National Assembly on the 10th June, 2013.

DR. THOMAS DIDIMU KASHILAH
Clerk of the National Assembly