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ACT SUPPLIMENT

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THE NATIONAL HOUSING CORPORATION (AMENDMENT) ACT,
2025

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THE UNITED REPUBLIC OF TANZANIA



NO. 9 OF 2025

I ASSENT

SAMIA SULUHU HASSAN,
President
[30th June, 2025]

An Act to amend the National Housing Corporation Act with a view to make better provisions for its effective implementation.

ENACTED by the Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

Short title

Cap. 295

1. This Act may be cited as the National Housing Corporation (Amendment) Act, 2025, and shall be read as one with the National Housing Corporation Act, hereinafter referred to as the “principal Act”.

PART II
AMENDMENT OF VARIOUS PROVISIONS

Amendment
of section 5

2. The principal Act is amended in section 5-
- (a) in subsection (1) by deleting the words “carry out of the functions and”;
 - (b) by adding immediately after subsection (1) the following:
“(2) Without prejudice to the generality of subsection (1), and subject to the provisions of any other relevant law, the Board shall perform the following functions:

- (a) approve housing projects and other investments of the Corporation;
 - (b) approve annual, revised and supplementary budget of the Corporation;
 - (c) ensure proper management and administration of assets and other properties of the Corporation;
 - (d) exercise disciplinary authority over employees of the Corporation;
 - (e) approve plans, policy and guidelines for the effective performance of the functions of the Corporation;
 - (f) approve transactions relating to acquisition and sale of landed property;
 - (g) approve borrowing by the Corporation; and
 - (h) perform such other functions as may be required under this Act.”; and
- (c) renumbering subsections (2) and (3) as subsections (3) and (4) respectively.

Addition of section 5A

3. The principal Act is amended by adding immediately after section 5 the following:

“Committees of Board

5A. The Board may, for the purpose of facilitating performance of its functions, establish such number of committees from amongst its member as it may deem necessary.”.

Amendment of section 9

4. The principal Act is amended in section 9 by deleting subsection (2) and substituting for it the following:

“(2) Notwithstanding subsection (1)-

- (a) tenancy agreements;
- (b) local purchase orders and agreements not exceeding the value of fifty million shilings;
- or
- (c) contracts of casual labourers,

between the Corporation and any person or body of persons may be executed in that behalf by any two senior officers of the Corporation appointed for that purpose by the Director General.”.

Repeal and replacement of section 12

5. The principal Act is amended by repealing section 12 and replacing for it the following:

“Period of payment of rent

12. A tenant shall, as from the date of commencement of his tenancy, remit to the Corporation the rent payable in respect of the premises before the end of the month to which the rent relates.”.

Repeal and replacement of section 13

6. The principal Act is amended by repealing section 13 and replacing for it the following:

“Interest on delayed rent

13. Where a tenant fails to remit to the Corporation the whole or part of the rent due from him within the time required, such tenant shall pay, in addition to the rent payable, a sum arrived at by applying the commercial bank interest rate on the unpaid amount of rent.”.

Amendment of section 15

7. The principal Act is amended in section 15(2) by deleting the phrase “not exceeding two thousand shillings or to imprisonment for a term not exceeding six months or to both” and substituting for it the phrase “of not less than five hundred thousand shillings but not exceeding two million shillings or to imprisonment for a term of not less than six months but not exceeding twelve months or to both”.

Repeal and replacement of section 16

8. The principal Act is amended by repealing section 16 and replacing for it the following:

“False statements

16. An applicant for a tenancy agreement, partnership or any other services who willfully fails to disclose any material information within his knowledge, or who willfully makes any statement which he knows to be false or does not believe to be true, commits an offence and on conviction shall-

- (a) in the case of tenancy agreement or partnership between the Corporation and an individual, be liable to a fine of not less than five hundred thousand shillings but not exceeding two million shillings or to imprisonment for a term of not less than six months but not exceeding twelve months or to both; and

(b) in the case of tenancy agreement or partnership between the Corporation and a company, be liable to a fine of not less than two million shillings but not exceeding ten million shillings.”.

Amendment of section 17

9. The principal Act is amended in section 17 by deleting subsection (2) and substituting for it the following:

“(2) A person who resists or obstructs any member, officer of the Corporation, police officer or any other authorised person in the exercise of his power under this section, commits an offence, and on conviction shall be liable to a fine of not less than five hundred thousand shillings but not exceeding two million shillings or to imprisonment for a term of not less than six months but not exceeding twelve months or to both.”.

Repeal and replacement of section 18

10. The principal Act is amended by repealing section 18 and replacing for it the following:

“Appointment of Director General

18.-(1) There shall be a Director General of the Corporation who shall be appointed by the President.

(2) The Director General shall be the chief executive officer and accounting officer of the Corporation.

(3) A person shall be eligible for appointment as Director General if such person has knowledge and experience in housing of not less than five years and real estate matters, business administration and management, engineering, economics, law, finance or any other related field.

(4) The Director General shall hold office for a term of five years, and may, subject to satisfactory performance of his functions, be eligible for reappointment for one further term.”.

Addition of section 18A

11. The principal Act is amended by adding immediately after section 18 the following:

“Employees and other staff of Corporation

18A. Subject to the provisions of laws governing public service, there shall be employed by the Board such number of employees and other staffs

of the Corporation in such categories and levels as may be necessary for the efficient discharge of the functions of the Corporation and upon such terms and conditions as may be determined by the Board.”.

Repeal and replacement of section 20

12. The principal Act is amended by repealing section 20 and replacing for it the following:

“Remuneration of members

20. Members shall be entitled to such remuneration, fees or allowances as may be prescribed by the relevant authority.”.

Repeal and replacement of section 21

13. The principal Act is amended by repealing section 21 and replacing for it the following:

“Gratuity or other retirement benefits

21. The Board may, subject to the approval of relevant authority, grant gratuity or other retirement allowances or benefits to employees of the Corporation.”.

Amendment of section 22

14. The principal Act is amended in section 22-
(a) by deleting subsection (1) and substituting for it the following:

“(1) Subject to subsection (4), the Board may, by instrument in writing under the seal of the Corporation, delegate to the Director General any of its functions or powers under this Act.”;

(b) by deleting subsection (2);

(c) in subsection (4) by deleting paragraph (b) and substituting for it the following:

“(b) powers to implement functions under section 5(2)(b), (d), (e), (f) and (g);”;
and

(d) by renumbering subsections (3) and (4) as subsections (2) and (3) respectively.

Amendment of section 23

15. The principal Act is amended in section 23(1), by-

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

“(c) such grants as may be provided for the purpose of the Corporation; and”;

(b) renaming paragraph (c) as paragraph (d).

Amendment of section 24	<p>16. The principal Act is amended in section 24, by-</p> <p>(a) deleting subsection (2) and substituting for it the following:</p> <p>Cap. 134 “(2) Subject to the provisions of the Government Loans, Guarantees and Grants Act, the Government may guarantee the repayment of the principal sum and interests on any loan, promissory note or bond issued to, or as the case may be, raised by the Corporation.”; and</p> <p>(b) deleting subsections (3), (4) and (5).</p>
Repeal of sections 25 and 26	<p>17. The principal Act is amended by repealing sections 25 and 26.</p>
Amendment of section 27	<p>18. The principal Act is amended in section 27 by deleting the words “with the prior approval of the Minister,”.</p>
Amendment of section 31	<p>19. The principal Act is amended in section 31, by-</p> <p>(a) deleting subsection (2); and</p> <p>(b) designating the content of subsection (1) as section 31.</p>
Addition of section 31A	<p>20. The principal Act is amended by adding immediately after section 31 the following:</p> <p>“Conflict of interest 31A.-(1) A member of the Board or an employee of the Corporation shall be considered to have a conflict of interest for the purpose of this Act, if the member or employee has or acquires any pecuniary or other interest that would conflict with the proper performance by that person of the functions or exercise of powers as a member of the Board or employee of the Corporation.</p> <p>(2) Where at any time a member of the Board or employee of the Corporation has a conflict of interest in relation to any matter-</p> <p>(a) before the Corporation for consideration or determination;</p> <p>(b) before any employee of the Corporation referred to or otherwise come to that officer for his advice, assistance or decision;</p>

- (c) that the Corporation would reasonably expect to be likely to come before it for consideration or determination,

that member or employee, as the case may be, shall immediately disclose the interest the person holds to other members of the Board or to the Director General in the case of an employee, and shall refrain from taking part in the consideration or determination of the matter.

(3) Where the Corporation becomes aware of the existence of a conflict of interest, it shall make a determination as to whether that conflict is likely to interfere with the proper and effective performance of the functions of the Corporation, and the person against whom a conflict of interest is determined shall not take part on the matter for which the conflict of interest relates.

(4) A member of the Board or an employee of the Corporation shall be presumed to have conflict of interest if that person fails without reasonable cause to declare his interests.”.

Amendment
of section 32

21. The principal Act is amended in section 32 by deleting the phrase “not exceeding five thousand shillings or to imprisonment for a term not exceeding two years or to both” and substituting for it the phrase “of not less than five hundred thousand shillings but not exceeding two million shillings or to imprisonment for a term of not less than six months but not exceeding twelve months or to both”.

Amendment
of Schedule

22. The principal Act is amended by deleting the Schedule and substituting for it the following:

SCHEDULE

(Made under section 5(3))

PROVISIONS RELATING TO PROCEEDINGS OF THE BOARD

- Composition of Board
- 1.-(1) The Board shall consist of-
- (a) a Chairman, who shall be appointed by the President; and
 - (b) eight other members who shall be appointed by the Minister.
- (2) The Director General shall be the Secretary to the Board.
- Qualification for appointment of Board members
2. In appointing members of the Board, regard shall be given to persons who-
- (a) are graduate from a recognised institution; and
 - (b) have at least ten years experience in either housing and real estate field, land management, engineering, architecture, building, law, economics, finance, accountancy or business administration.
- Vice-Chairman
3. Members of the Board shall elect from amongst themselves a Vice-Chairman of the Board.
- Tenure of office
- 4.-(1) The Chairman and member of the Board shall be appointed for a term of three years and each be eligible for re-appointment for one further term.
- (2) Notwithstanding subparagraph (1), a member may at any time resign from office by giving notice in writing addressed to the appointing authority, and from the date specified in the notice or, where no date is so specified, from the date of receipt of the notice by the appointing authority, he shall cease to be a member.

shall have a casting vote in addition to his deliberative vote.

(2) Notwithstanding subparagraph (1), a decision may be made by the Board without a meeting by circulation of relevant papers among the members, and the expression of the views of the majority of the members in writing, but any member shall be entitled to require that the decision be deferred and the subject matter be considered at the meeting of the Board.

Minutes

11.-(1) The Board shall cause to be recorded and kept minutes of all proceedings of its meetings, and the minutes of each meeting shall be confirmed by the Board at the next meeting and signed by the Chairman of the meeting and the Secretary to the Board.

(2) When confirmed pursuant to subparagraph (1), the minutes shall be *prima facie* evidence that the proceedings as recorded in the minutes were the proceedings and decision of that meeting.

Board to regulate its own proceedings

12. Subject to the provisions of this Schedule, the Board may regulate its own proceedings.”

Passed by the National Assembly on 10th June, 2025

BARAKA ILDEPHONCE LEONARD
Clerk of the National Assembly