

THE UNITED REPUBLIC OF TANZANIA

No. 1

15th January, 2026

SPECIAL BILL SUPPLEMENT

To The Special Gazette of the United Republic of Tanzania No. 1 Vol. 107 Dated 15th January, 2026
Printed by The Government Printer, Dodoma by Order of Government

THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) ACT,
2026

ARRANGEMENT OF SECTIONS

<i>Section</i>	<i>Title</i>
PART I PRELIMINARY PROVISIONS	
1.	Short title.
2.	Amendment of certain written laws.
PART II AMENDMENT OF THE ANTI-MONEY LAUNDERING ACT (CAP. 423)	
3.	Construction.
4.	General amendment.
5.	Amendment of section 3.
6.	Amendment of section 15.
7.	Amendment of section 16.
8.	Addition of section 18A.
PART III AMENDMENT OF THE ATOMIC ENERGY ACT, (CAP. 188)	
9.	Construction.
10.	Amendment of Schedule.

PART IV
AMENDMENT OF THE BANK OF TANZANIA ACT,
(CAP. 197)

11. Construction.
12. Repeal and replacement of section 69.

PART V
AMENDMENT OF THE BUSINESS NAMES ACT,
(CAP. 213)

13. Construction.
14. Amendment of section 2.
15. Amendment of section 6.
16. Amendment of section 21.

PART VI
AMENDMENT OF THE CIVIL AVIATION ACT,
(CAP. 80)

17. Construction.
18. Amendment of section 2.
19. Amendment of section 5.
20. Amendment of section 15.
21. Addition of Part VIA.
22. Addition of section 33A.
23. Amendment of section 37.
24. Amendment of section 38.
25. Amendment of section 45.
26. Amendment of section 73.

PART VII
AMENDMENT OF THE COMPANIES ACT,
(CAP. 212)

27. Construction.
28. Amendment of section 2.
29. Repeal and replacement of section 8.
30. Amendment of section 15.
31. Amendment of section 33.
32. Amendment of section 118.
33. Amendment of section 133.
34. Amendment of section 213.
35. Addition of section 220A.

36. Amendment of section 438.
37. Amendment of section 440.
38. Addition of sections 456A.
39. Amendment of section 457.
40. Addition of section 468A.

PART VIII
AMENDMENT OF THE CRIMINAL PROCEDURE ACT,
(CAP. 20)

41. Construction.
42. Amendment of section 4.

PART IX
AMENDMENT OF THE DRUG CONTROL AND ENFORCEMENT ACT,
(CAP. 95)

43. Construction.
44. Amendment of section 2.
45. Amendment of section 11.
46. Repeal and replacement of section 12.
47. Amendment of section 15.
48. Amendment of section 16.
49. Amendment of section 18.
50. Amendment of section 25.
51. Amendment of section 30.
52. Amendment of section 34.
53. Amendment of section 38.
54. Amendment of Third Schedule.

PART X
AMENDMENT OF THE INSTITUTE OF RURAL DEVELOPMENT PLANNING
ACT,
(CAP. 174)

55. Construction.
56. General amendment.
57. Amendment of Schedule.

PART XI
AMENDMENT OF THE INSTITUTE OF ACCOUNTANCY ARUSHA ACT,
(CAP. 240)

58. Construction.
59. General amendment.

60. Amendment of section 4.
61. Amendment of section 10.
62. Amendment of First Schedule.

PART XII
AMENDMENT OF THE INTERPRETATION OF LAWS ACT,
(CAP. 1)

63. Construction.
64. Amendment of section 85.

PART XIII
AMENDMENT OF THE JUDICIARY ADMINISTRATION ACT,
(CAP. 237)

65. Construction.
66. Amendment of section 13.
67. Amendment of section 15.

PART XIV
AMENDMENT OF THE NATIONAL YOUTH COUNCIL ACT,
(CAP. 441)

68. Construction.
69. Amendment of section 4.
70. Amendment of section 5.
71. Amendment of section 6.
72. Amendment of section 9.
73. Amendment of section 10.
74. Amendment of section 11.
75. Addition of sections 11A and 11B.
76. Amendment of section 13.
77. Amendment of section 16.
78. Amendment of Second Schedule.
79. Amendment of Third Schedule.
80. Amendment of Fourth Schedule.

PART XV
AMENDMENTS OF THE PATENTS (REGISTRATION) ACT,
(CAP. 217)

81. Construction.
82. Amendment of section 2.
83. Amendment of section 7.
84. Repeal and replacement of section 13.

85. Repeal and replacement of section 39.
86. Amendment of section 73.
87. Amendment of section 74.
88. Amendment of heading to Part XVII.
89. Repeal and replacement of section 76.
90. Repeal of sections 77 and 78.

PART XVI
AMENDMENT OF THE PRISONS ACT,
(CAP. 58)

91. Construction.
92. General amendment.
93. Amendment of section 2.
94. Addition of section 3A.
95. Amendment of section 5.
96. Addition of section 7A.
97. Amendment of section 43.
98. Amendment of section 51.
99. Addition of section 62A.
100. Addition of section 81A.
101. Amendment of section 82.
102. Amendment of section 84.
103. Amendment of section 85.
104. Amendment of section 86.
105. Amendment of section 87.
106. Amendment of section 88.
107. Amendment of section 89.
108. Amendment of section 90.
109. Amendment of section 91.
110. Amendment of section 92.
111. Amendment of section 93.
112. Amendment of section 94.
113. Amendment of section 105.

PART XVII
AMENDMENT OF THE PRIVATE HEALTH LABORATORIES (REGULATION) ACT,
(CAP. 136)

114. Construction.
115. General amendment.
116. Amendment of section 3.
117. Amendment of section 12.

118. Addition of section 12A.
119. Amendment of section 13.
120. Amendment of section 14.
121. Addition of section 17A and 17B.
122. Amendment of section 18.
123. Repeal and replacement of section 21.
124. Amendment of Schedule.

PART XVIII
AMENDMENT OF THE TANZANIA LIBRARY SERVICES ACT,
(CAP.102)

125. Construction.
126. General amendment.
127. Amendment of section 2.
128. Amendment of section 4.
129. Amendment of section 5.
130. Amendment of section 13.
131. Amendment of section 14.
132. Amendment of Schedule.

PART XIX
AMENDMENT OF THE TANZANIA TOURIST BOARD ACT,
(CAP. 364)

133. Construction.
134. General amendment.
135. Amendment of section 2.
136. Amendment of section 5.
137. Amendment of Schedule.

PART XX
AMENDMENT OF THE TOURISM ACT,
(CAP. 65)

138. Construction.
139. General amendment.
140. Amendment of section 2.
141. Repeal and replacement of section 4.
142. Amendment of section 6.
143. Amendment of section 13.
144. Amendment of section 14.
145. Amendment of section 16.
146. Amendment of section 17.

147. Amendment of section 34.
148. Amendment of section 36.
149. Repeal and replacement of section 42.
150. Repeal of section 43.
151. Amendment of section 50.
152. Amendment of section 53.
153. Amendment of First Schedule.

PART XXI
AMENDMENT OF THE TRADE AND SERVICE MARKS ACT,
(CAP. 326)

154. Construction.
155. Amendment of section 2.
156. Addition of sections 16A and 16B.
157. Addition of section 19A.
158. Amendment of section 26.
159. Addition of section 28A.

PART XXII
AMENDMENT OF THE VALUE ADDED TAX ACT,
(CAP. 148)

160. Construction.
161. Amendment of section 88.

NOTICE

This Bill to be submitted to the National Assembly is published for general information to the public together with a statement of its objects and reasons.

Dodoma,
14th January, 2026

MOSES M. KUSILUKA,
Secretary to the Cabinet

A Bill
for

An Act to amend certain written laws.

ENACTED by the Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

- | | |
|-----------------------------------|--|
| Short title | 1. This Act may be cited as the Written Laws (Miscellaneous Amendments) Act, 2026. |
| Amendment of certain written laws | 2. The written laws specified in various Parts of this Act are amended in the manner specified in their respective Parts. |

PART II
AMENDMENT OF THE ANTI-MONEY LAUNDERING ACT,
(CAP. 423)

- | | |
|-----------------------|--|
| Construction Cap. 423 | 3. This Part shall be read as one with the Anti-Money Laundering Act, hereinafter referred to as the “principal Act”. |
| General amendment | 4. The principal Act is amended generally by deleting the words “politically exposed person” wherever they appear and substituting for them the words “domestic politically exposed |

person or foreign politically exposed person”.

Amendment
of section 3

5. The principal Act is amended in section 3-
- (a) by deleting the definition of the term “politically exposed person”;
 - (b) in the definition of the term “reporting person” by deleting paragraph (g) and substituting for it the following:
 - “(g) advocates, notaries and other legal professionals;”;
 - (c) by adding in the appropriate alphabetical order the following new definitions:
 - ““foreign politically exposed person” means an individual who is or has been entrusted with prominent public functions by a foreign country, including a Head of State or of government, senior politician, senior government, judicial or military official, senior executive of state-owned corporation and important political party official and their family members or close associates;
 - “domestic politically exposed person” means an individual who is or has been entrusted domestically with prominent public functions, including Head of State or of government, senior politician, senior government, judicial or military official, senior executive of state-owned corporation and important political party official and their family members or close associates;”.

Amendment
of section 15

6. The principal Act is amended in section 15(11) by deleting the words “once a year” and substituting for them the words “every three years”.

Amendment
of section 16

7. The principal Act is amended in section 16(2) by deleting paragraph (b) and substituting for it the following:
 - “(b) in relation to a foreign politically exposed person-

- (i) put in place risk management systems to determine whether a customer or the beneficial owner is a foreign politically exposed person;
 - (ii) obtain senior management approval before establishing a business relationship or continuing the business relationship with existing customers;
 - (iii) take reasonable measures to establish the source of wealth and the source of funds of a customer or beneficial owner identified as a foreign politically exposed person; and
 - (iv) conduct enhanced ongoing monitoring on the relationship;
- (c) in relation to a domestic politically exposed person-
- (i) take reasonable measures to determine whether a customer or the beneficial owner is a domestic politically exposed person; and
 - (ii) in cases where there is higher risk business relationship with such a person, adopt the measures in paragraph (b)(ii), (iii) and (iv).”.

Addition of
section 18A

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

“Time for
reporting
suspicious
transaction

18A.-(1) An advocate, notary, other legal professional or accountant shall report suspicious transaction of his client, when engaging in a any of the following activities:

- (a) buying and selling of a real estate or commercial enterprise;
- (b) managing of client money, securities or other assets;
- (c) management of bank accounts, savings or securities accounts;
- (d) organisation of contributions for the creation, operation or management of a company;
- (e) creation, operation or management of a legal entity or arrangement; **or**

(f) buying or selling of business entity.

(2) A dealer in precious metals or stones shall report suspicious transaction when he engages in a cash transaction with a customer equal to or above fifteen thousand USD or its equivalent in Tanzania shillings.

(3) A trust and company service provider shall report suspicious transaction of its client when, the client engages in a transaction in a any of the following activities:

(a) acting as a formation agent of legal entity;

(b) acting as, or arranging for another person to act as, a director or secretary of a company, a partner of a partnership, or a similar position in relation to any other legal entity;

(c) providing a registered office, business address or accommodation, correspondence or administrative address for a company, a partnership or any other legal entity or arrangement;

(d) acting as, or arranging for another person to act as, a trustee of an express trust or performing the equivalent function for another form of legal arrangement; or

(e) acting as or arranging for another person to act as a nominee shareholder for another person.

(4) In the performance of an obligation set out under this Act, a designated non-financial business and professional shall comply with-

(a) the internal control's requirements;

- (b) the higher risk countries requirements stipulated in the Act; and
- (c) the tipping-off and confidentiality requirements.”.

PART III
AMENDMENT OF THE ATOMIC ENERGY ACT,
(CAP. 188)

Construction
Cap. 188

9. This Part shall be read as one with the Atomic Energy Act, hereinafter referred to as the “principal Act”.

Amendment
of Schedule

10. The principal Act is amended in the Schedule-
(a) in paragraph 1, by deleting subparagraph (1) and substituting for it the following:

“(1) The Board shall consist of-

(a) a Chairman, who shall be appointed by the President; and

(b) eight other members appointed by the Minister as follows:

(i) a senior officer majoring in natural science or technology from the Ministry responsible for science and technology;

(ii) a senior officer from the Commission for Science and Technology;

(iii) a law officer nominated by the Attorney General;

(iv) a senior officer from the Ministry responsible for health in Tanzania Zanzibar;

(v) a senior officer from either the Ministry responsible for agriculture, fisheries or livestock in Tanzania Zanzibar;

(vi) a senior officer from either the Ministry responsible for minerals, energy or industry;

(vii) one member from a research or

academic institution who is an expert in atomic energy matters or related field; and

(viii) a senior military officer who is an expert in atomic energy matters or the related field from the Tanzania Peoples Defence Force.”; and

(b) in paragraph 2, by-

(i) adding immediately after subparagraph (1), the following:

“(2) The Vice-Chairman shall be elected on the basis that where a Chairman is from one side of the Union, the Vice-Chairman shall be from the other side of the Union.”; and

(ii) renumbering subparagraph (2) as subparagraph (3).

PART IV
AMENDMENT OF THE BANK OF TANZANIA ACT,
(CAP. 197)

Construction
Cap. 197

11. This Part shall be read as one with the Bank of Tanzania Act, hereinafter referred to as the “principal Act”.

Repeal and
replacement
of section 69

12. The principal Act is amended by repealing section 69 and replacing for it the following:

“Temporary
advances in
unforeseeable
or unavoidable
event

69.-(1)

Notwithstanding sections 34, 35 and 37, the Bank may grant temporary advances to the Government in the event of an unforeseeable or unavoidable event which causes a temporary deficiency of revenue.

(2) The advances granted under subsection (1) shall be consistent with the objectives of the Bank and the established limit on public debt.

(3) For purposes of this

section, unforeseeable or unavoidable event includes:

Cap. 242

- (a) a disaster as defined in the Disaster Management Act;
- (b) an economic event, circumstance or cause;
- (c) a state of emergency declared under the Constitution; and
- (d) a public health emergency which includes outbreak and spread of an infectious disease affecting or likely to affect a substantial part of the population within a short period which may substantially and materially disrupt or is likely to substantially and materially disrupt the stability of the economy and financial system.”.

PART V

AMENDMENT OF THE BUSINESS NAMES ACT,
(CAP. 213)

Construction
Cap. 213

13. This Part shall be read as one with the Business Names Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

14. The principal Act is amended in section 2 by adding in the appropriate alphabetical order the following definition:

““designated non-financial business professional” means a casino dealer including internet and ship-based casino, real estate agent, dealer in precious metals and stones, advocate, notary, other independent legal professional, accountant or company service provider;”.

Amendment
of section 6

15. The principal Act is amended in section 6(1)(d) by deleting the words “and beneficial owners” and substituting for

them the words “designated non-financial business professional or beneficial owners”.

Amendment
of section 21
Cap. 423

16. The principal Act is amended in section 21(2) by adding immediately after paragraph (e), the following:

“(f) reporting persons as defined under the Anti-Money Laundering Act.”.

PART VI
AMENDMENT OF THE CIVIL AVIATION ACT,
(CAP. 80)

Construction
Cap. 80

17. This Part shall be read as one with the Civil Aviation Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

18. The principal Act is amended in section 2 by adding in their appropriate alphabetical order the following definitions:

““Chief Investigator” means a government official who is appointed under section 15B(2);

““investigation” means a process conducted for the purpose of accident prevention which includes gathering and analysis of information, drawing of conclusions, including determination of causes or contributing factors and, where appropriate, making safety recommendations;

““investigator” means a person appointed in accordance with this Act to conduct investigation;

““serious incident” means an incident involving circumstances indicating that there was a high probability of occurrence of an accident and the incident is associated with the operation of an aircraft which-

(a) in the case of a manned aircraft, the incident takes place between the time any person boards the aircraft with the purpose of flight until such time as all

- such persons have disembarked; or
- (b) in the case of an unmanned aircraft, the incident takes place between the time the aircraft is ready to move with the purpose of flight until such time it comes to rest at the end of the flight and the primary propulsion system is shut down;”.

Amendment
of section 5

- 19.** The principal Act is amended in section 5(2), by-
- (a) deleting the word “reserve” appearing in paragraph (bb) and substituting for it the word “rescue”.
- (b) adding immediately after paragraph (ff) the following:
- “(gg) procedures for interception or interference of civil aircraft, methods of communication and measures of protection of safety of aircraft and persons onboard.”;
- and
- (c) renaming paragraph (gg) as paragraph (hh).

Amendment
of section 15

- 20.** The principal Act is amended in section 15 by deleting the words “territory of the Authority” appearing at the opening phrase and substituting for them the words “territory of the United Republic”.

Addition of
Part VIA

- 21.** The principal Act is amended by adding immediately after Part VI the following:

**“PART VIA
AIRCRAFT ACCIDENT AND INCIDENT
INVESTIGATION**

Application

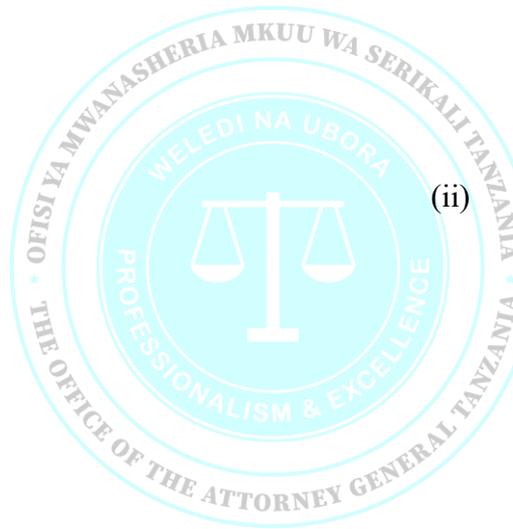
- 15A.** This Part shall apply to investigation of civil aircraft accidents and serious incidents-
- (a) within the United Republic;
- (b) outside the United Republic involving a United Republic aircraft or

an aircraft operated by a United Republic operator or where the investigation has been delegated to the United Republic, by another Contracting State by mutual arrangement and consent; or

(c) where the United Republic is the State of Registry and the-

(i) location of the accident or the incident cannot definitely be established as being in the territory of any other State; or

(ii) accident or incident has occurred in the territory of a non-contracting state which does not intend to conduct an investigation in accordance with the Chicago Convention.



Aircraft Accident
and Incident
Investigation
Unit

Cap. 298

15B.-(1) There shall continue to exist under the Ministry responsible for civil aviation, a unit known as the Aircraft Accident and Incident Investigation Unit also known by its acronym "AAIU".

(2) The AAIU shall be headed by the Chief Investigator who shall be appointed in accordance with the Public Service Act.

(3) The Minister may, by

notice published in the *Gazette*, appoint other investigators for the better and efficient conduct of the business and activities of the AAIU.

(4) The AAIU shall be responsible for civil aircraft accident and serious incident investigations.

(5) Investigation under this Part shall be conducted for purposes of prevention of accidents and serious incidents.

(6) The AAIU shall take reasonable measures to ensure that the investigation procedures and practices in relation to accidents and serious incidents are compatible with the United Republic's obligations under the Chicago Convention.

(7) The Minister shall set up a mechanism to ensure the availability of sufficient funds to cater for the effective and smooth implementation of aircraft accidents and incidents investigation implemented by the AAIU.

Independence in
conducting
investigation

15C.-(1) The AAIU shall be independent in conducting investigation, and shall-

- (a) have unrestricted access and control over the scene of accident, the wreckage and evidential material including flight recorders and air traffic service records; and
- (b) not be impeded by administrative investigations or proceedings.

(2) An investigation conducted in accordance with the provisions of this Part shall be distinct from judicial or administrative proceedings to apportion blame or liability.

(3) In conducting investigation, the AAIU shall have power to-

- (a) carry out detailed examination of relevant materials, documents and evidence; and
- (b) interview witnesses and any other persons regarding the aircraft accident or serious incident.

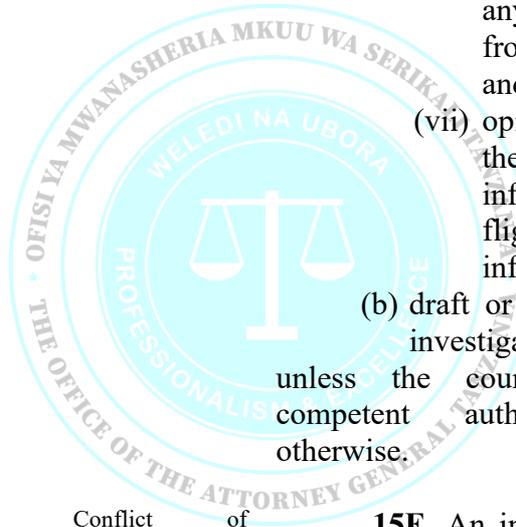
(4) The investigation under this Part shall not be commenced by any other authority where the accident or serious incident is being investigated, has been investigated or is going to be investigated by the AAIU unless the investigation is for the purpose other than under this Part.

Non-disclosure

15D. The AAIU or any person shall not disclose to the public-

- (a) any of the following documents obtained during investigation-
 - (i) statements taken from a person by the AAIU;
 - (ii) communications between persons having been involved in the operation of the aircraft;
 - (iii) medical or private information regarding

- a person involved in the accident or serious incident;
 - (iv) cockpit voice recordings and transcripts from such recordings;
 - (v) recordings and transcriptions of recordings from air traffic control units;
 - (vi) cockpit airborne image recordings and any part or transcripts from such recordings; and
 - (vii) opinions expressed in the analysis of information, including flight recorder information; and
- (b) draft or final report of the investigation, unless the court or any other competent authority determines otherwise.



Conflict of interest

15E. An investigator who has conflict of interest relating to any matter which is investigated or is likely to be investigated by the AAIU shall declare interest and shall not participate in the investigation concerning that matter.”.

Addition of section 33A

22. The principal Act is amended by adding immediately after section 33 the following:

“Interception of civil aircraft

33A.-(1) A person shall not intercept, attempt to intercept or otherwise interfere with a civil aircraft

in flight by using a weapon or any other means unless the interception or interference is undertaken as a measure of last resort and carried out in a manner that ensures the safety of the aircraft, persons and property on board.

(2) An operator of a civil aircraft that is intercepted or interfered shall comply with instructions issued by the competent authorities in accordance with this Act.

Amendment
of section 37

23. The principal Act is amended in section 37(1) by inserting the word “ministries,” between the word “other” and “government” appearing in paragraph (m).

Amendment
of section 38

24. The principal Act is amended in section 38(3), by adding the words from amongst persons with qualifications and experience in air transport, law, engineering, human resources, finance or accounts.” Immediately after the word “Minister”;

Amendment
of section 45

25. The principal Act is amended in section 45 by-
(a) deleting the word “Minister” appearing in subsection (1) and substituting for it the word “President”; and
(b) deleting subsection (3) and substituting for it the following:

“(3) The Director General shall serve for the term of five years and shall be eligible for reappointment for one further term.”.

Amendment
of section 73

26. The principal Act is amended in section 73 by deleting the word “one” appearing in subsection (1) and substituting for it the word “ten”.

PART VII
AMENDMENT OF THE COMPANIES ACT,
(CAP. 212)

Construction
Cap. 212

27. This Part shall be read as one with the Companies Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

28. The principal Act is amended in section 2 by adding in the appropriate alphabetical order, the following new definitions:

““nominee” means a person instructed by the nominator to act on his behalf in a certain capacity regarding a company;

“nominator” means a person who issues instruction directly or indirectly to a nominee to act on his behalf in the capacity of a director or a shareholder;

“nominee director” means a person who routinely exercises a function of the director in the company on behalf of, and subject to the direct or indirect instructions of the nominator; and

“nominee shareholder” means a person who exercises voting rights and other rights ancillary to it according to the instructions of the nominator or receives dividend on behalf of the nominator;”;

Repeal and
replacement
of section 8

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

“Company’s
objects **8.-(1)** A company’s memorandum shall state the specific objects in which the company intends to carry on business.

(2) Subject to subsection (1), a company shall have powers to do all such things as are incidental or conducive to the carrying on business of the specific objects.”.

Amendment
of section 15

30. The principal Act is amended in section 15(2) by adding immediately after paragraph (b), the following:

“(c) accurate and up to date records of a nominee director or nominee shareholder, if any, with particulars as prescribed in the regulations;”

Amendment
of section 33

31. The principal Act is amended in section 33 by adding immediately after subsection (4), the following:

“(5) A company which fails to change its name within such period as determined under subsection (2) shall be deemed to have lost its registration status and be struck off from the register.”.

Amendment
of section
118

32. The principal Act is amended in section 118, by -

(a) adding the words “nominee shareholder” immediately after the word “members,” appearing in the opening phrase of subsection (1);

(b) adding immediately after subsection (1), the following:

“(2) The register of a company having a nominee shareholder shall contain the particulars as prescribed in the regulations.”;

(c) renumbering subsections (2), (3), (4), (5) and (6) as subsections (3), (4), (5), (6) and (7) respectively; and

(d) deleting the references to subsections (2), (4) and (6) appearing in subsection (6) as renumbered and substituting for them the references to subsections (3), (5) and (7) respectively.

Amendment
of section
133

33. The principal act is amended in section 133(5), by-

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

“(b) the number of paid up and unpaid up shares of each class held by each member of the company at the date to which the return is made up; and”;

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

Amendment
of section
213

34. The principal Act is amended in section 213, by-

(a) adding the words “nominee directors” after the word “directors” appearing in subsection (1); and

(b) adding immediately after subsection (3) the following:

“(3A) The register of a company having nominee directors shall contain the particulars as prescribed in the regulations.”.

Addition of
section 220A

35. The principal Act is amended by adding immediately after section 220, the following:

“Power of
Registrar to
inspect

220A.-(1) The Registrar or any officer performing the duty of registration of companies under this Act shall have powers to conduct inspection of a company’s records, accounts, and other relevant documents.

(2) The Registrar or any officer performing the duty of registration of companies, with or without prior notice, may carry inspection at the registered office of the company or any other place where the company’s records are maintained.

(3) Subject to subsection (1), every company, its directors, officers, and employees shall provide full cooperation to the Registrar or the authorized officer conducting the inspection.

(4) A person who fails to provide the required documents, obstructs inspection, or provides false or misleading information shall be liable to default fine.”.

Amendment
of section
438

36. The principal Act is amended in section 438-
(a) in subsection (1), by adding immediately after paragraph (g) the following:

“(h) a list of shareholders containing the address, number and class of shares of each shareholder;

(i) accurate and up to date records of beneficial owners of such company which shall include-

(i) full name, including any former or other name;

- (ii) date and place of birth;
- (iii) telephone number;
- (iv) nationality, national identity number, passport number or other appropriate identification;
- (v) residential, postal and email address, if any;
- (vi) place of work and position held;
- (vii) nature of the interest, including the details of the legal, financial, security, debenture or informal arrangement giving rise to the beneficial ownership; and
- (viii) oath or affirmation as to whether the beneficial owner is a domestic or foreign politically exposed person or not.”; and

(b) by adding immediately after subsection (3) the following:

“(4) A foreign company registered prior to the coming into effect of the provisions of subsection (1)(h) shall, within six months from the date of coming into effect of subsection (1)(h) be required to comply with such requirements.”

Amendment
of section
440

37. The principal Act is amended in section 440(1) by deleting paragraph (b) and substituting for it the following-

“(b) the directors, secretary or shareholders of a foreign company or the particulars contained in the list of the directors, secretary and shareholders;”.

Addition of
sections
456A

38. The principal Act is amended by adding immediately after section 456, the following:

“Register of
nominee directors
and shareholders

456A. The Registrar shall establish and maintain a Register of nominee directors and nominee shareholder with particulars as prescribed in the regulations.”.

Amendment of section 457

39. The principal Act is amended in section 457 by adding immediately after paragraph (f), the following-

Cap. 423 “(g) reporting person as defined under the Anti-Money Laundering Act.”.

Addition of section 468A

40. The principal Act is amended by adding immediately after section 468 the following:

“Guidelines

468A. The Registrar may issue guidelines in any media of nationwide circulation and Registrar’s official website in order to facilitate the effective implementation of provisions under this Act.”.

PART VIII
AMENDMENT OF THE CRIMINAL PROCEDURE ACT,
(CAP. 20)

Construction Cap. 20

41. This Part shall be read as one with the Criminal Procedure Act, hereinafter referred to as the “principal Act”.

Amendment of section 4 Cap. 366 Cap. 298

42. The principal Act is amended in section 4 by adding the words “save for a matter under the Employment and Labor Relations Act and the Public Service Act” at the end of subsection (3).

PART IX
AMENDMENT OF THE DRUG CONTROL AND ENFORCEMENT ACT,
(CAP. 95)

Construction Cap. 95

43. This Part shall be read as one with the Drug Control and Enforcement Act, hereinafter referred to as the “principal Act”.

Amendment of section 2

44. The principal Act is amended in section 2-

(a) in the definition of the term “cannabis”, by deleting the word “excluding” and substituting for it the word “including”; and

(b) in the definition of the term “cannabis plant”, by deleting the words “containing tetrahydro-

cannabinol”.

Amendment
of section 11

45. The principal Act is amended in section 11(1) by deleting the words “in production of drugs” appearing in paragraph (b) and substituting for them the words “of any prohibited plant”.

Repeal and
placement of
section 12

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

“Authority to
make Rules

12.-(1) The Authority may make rules to provide for licensing, permits, production, manufacture, possession, transport, import into, export from the Mainland Tanzania, sale, purchase, consumption, use, storage, distribution, disposal or acquisition of any narcotic drug or psychotropic substance.

(2) Without prejudice to the generality of subsection (1), the Authority may make rules regulating-

- (a) cultivation or gathering of any portion of coca plant, cannabis plant, khat plant, production, possession, sale, purchase, transport, import into the Mainland Tanzania, use or consumption of coca leaves only on the account of Government;
- (b) cultivation of opium poppy only on account of the Government;
- (c) production and manufacture of opium and production of poppy

straw;

- (d) sale of opium and opium derivatives from Government factories for export from the Mainland Tanzania or to manufacturing chemists;
- (e) manufacture of drugs other than prepared opium but not including manufacture of medicinal opium or any preparation containing any manufactured drugs from materials which the maker is lawfully entitled to possess;
- (f) manufacture, possession, transport, sale, purchase, consumption or use of psychotropic substances; or
- (g) importation into Mainland Tanzania and transshipment of narcotic drugs and psychotropic substances.”.



Amendment
of section 15

47. The principal Act is amended in section 15(3)-

- (a) in paragraph (i), by adding the words “in solid form or more than one hundred millilitres in liquid form” immediately after the word “grams”; and
- (b) in paragraph (iii), by adding the words “in solid form or more than two hundred millilitres in liquid form” immediately after the word “kilogram”.

Amendment
of section 16

48. The principal Act is amended in section 16(2), by-

- (a) deleting the words “or below” appearing in paragraph

- (a) and substituting for them the words “and not less than 2 grams in solid form or 100 millilitres and not less than 20 millilitres in liquid form”;
- (b) deleting the words “or below in liquid form, or 100 kilogram or below in solid form” appearing in paragraph (b) and substituting for them the words “but not less than 25 litres in liquid form, or 100 kilograms but not less than 25 kilograms in solid form”; and
- (c) deleting paragraph (c) and substituting for it the following:
 - “(c) cannabis which is in solid form of the weight of 50 grams or above;
- (d) adding immediately after paragraph (c) the following:
 - “(d) cannabis resin or cannabis oil which is-
 - (i) in solid form not exceeding 5 grams; or
 - (ii) in liquid form not exceeding 5 millilitres; and
 - (e) khat in solid form weighing not less than 2 kilograms, or in liquid form weighing two hundred millilitres or above.”.

Amendment
of section 18

49. The principal Act is amended in section 18(1) by deleting the words “provisions of this Act or” appearing in the opening phrase.

Amendment
of section 25

50. The principal Act is amended in section 25 by adding the words “an offence” immediately after the word “commit” appearing in paragraphs (a) and (b).

Amendment
of section 30

51. The principal Act is amended in section 30(1) by adding the words “in solid form or 20 millilitres or more in liquid form” immediately after the word “more” appearing in paragraphs (a) and (b).

Amendment
of section 34

52. The principal Act is amended in section 34(1) by adding the words “or an authorised officer of the Authority” between the words “General” and “or” appearing in the opening phrase.

- Amendment of section 38 **53.** The principal Act is amended in section 38(2) by adding the words “if any” immediately after the word “origin” appearing in paragraph (d).
- Amendment of Third Schedule **54.** The principal Act is amended in the Third Schedule, by-
 (a) deleting the word “FORENSIC” appearing in the title of Form No. DCEA 001 and substituting for it the words “SAMPLE OR EXHIBIT”; and
 (b) deleting the word “SAMPULI” and substituting for it the word “WA SAMPULI AU KIELELEZO” appearing in the title of Fomu Na. DCEA 001.
- PART X**
AMENDMENT OF THE INSTITUTE OF RURAL DEVELOPMENT PLANNING ACT, (CAP. 174)
- Construction Cap. 174 **55.** This Part shall be read as one with the Institute of Rural Development Planning Act, hereinafter referred to as the “principal Act”.
- General amendment **56.** The principal Act is amended generally by deleting the words “Director” and “Director’s” wherever they appear and substituting for them the words “Rector” and “Rector’s” respectively.
- Amendment of Schedule **57.** The principal Act is amended in paragraph 1 of the Schedule, by-
 (a) deleting subparagraph (b);
 (b) deleting subparagraph (c) and substituting for it the following:
 “(c) not more than ten and not less than seven other members, who shall be appointed by the Minister.”; and
 (c) renaming paragraph (c) as paragraph (b).

PART XI
AMENDMENT OF THE INSTITUTE OF ACCOUNTANCY ARUSHA
ACT,
(CAP. 240)

Construction Cap. 240	58. This Part shall be read as one with the Institute of Accountancy Arusha Act, hereinafter referred to as the “principal Act”.
General amendment	59. The principal Act is amended generally, by- (a) deleting the word “Principal” wherever it appears and substituting for it the word “Rector”; and (b) deleting the word “Council” wherever it appears and substituting for it the words “Governing Council”.
Amendment of section 4	60. The principal Act is amended in section 4 by adding the words “management sciences and apprenticeships” immediately after the word “accountancy” appearing in paragraphs (a), (b) and (c).
Amendment of section 10	61. The principal Act is amended in section 10 by deleting subsection (1) and substituting for it the following: “(1) The Rector shall be the Secretary to the Governing Council.”
Amendment of First Schedule	62. The principal Act is amended in the First Schedule- (a) in paragraph 2 by deleting item (b) and substituting for it the following: “(b) not more than ten members who shall be appointed by the Minister.”; (b) by deleting paragraph 4 and substituting for it the following: “Tenure of appointment 4. A member of the Governing Council shall hold office for a term of three years and shall be eligible for reappointment for one further term.”; and (c) in paragraph 9, by deleting the words “a special or emergency” appearing in the proviso to subparagraph (1) and substituting for them the words “an extraordinary”.

PART XII
AMENDMENT OF THE INTERPRETATION OF LAWS ACT,
(CAP. 1)

Construction
Cap. 1 **63.** This Part shall be read as one with the Interpretation
of Laws Act, hereinafter referred to as the “principal Act”.

Amendment
of section 85 **64.** The principal Act is amended in section 85 by adding
a proviso to subsection (1) as follows:
“Provided that, subsidiary legislation shall
be made in the same language as the principal
legislation under which it is made.”

PART XIII
AMENDMENT OF THE JUDICIARY ADMINISTRATION ACT,
(CAP. 237)

Construction
Cap. 237 **65.** This Part shall be read as one with the Judiciary
Administration Act, hereinafter referred to as the “principal
Act”.

Amendment
of section 13 **66.** The principal Act is amended in section 13, by-
(a) adding immediately after subsection (3) the
following:
“(4) Members of the Commission shall be
entitled to allowances and other entitlements as
may be determined by the relevant authority.”;
and
(b) renumbering subsection (4) as subsection (5).

Amendment
of section 15 **67.** The principal Act is amended in section 15, by-
(a) deleting subsection (2) and substituting for it the
following-
“(2) The Secretary shall be responsible for
coordinating and implementing the day-to-day
affairs of the Commission.”;
(b) adding immediately after subsection (2) the
following:
“(3) The Secretary may appoint such
number of employees to assist him in the
performance of his functions.”.

PART XIV
AMENDMENT OF THE NATIONAL YOUTH COUNCIL ACT,
(CAP. 441)

- Construction
Cap. 441 **68.** This Part shall be read as one with the National Youth Council Act, hereinafter referred to as the “principal Act”.
- Amendment
of section 4 **69.** The principal Act is amended in section 4(3) by deleting paragraph (c).
- Amendment
of section 5 **70.** The principal Act is amended in section 5(3) by adding the words “or Vice Chairperson” after the word “Chairperson” appearing in the opening phrase.
- Amendment
of section 6 **71.** The principal Act is amended in section 6(i) by deleting the word “Government” and substituting for it the word “Minister”.
- Amendment
of section 9 **72.** The principal Act is amended in section 9(3)(a) by deleting the word “Secretariat” and substituting for it the word “Secretary”.
- Amendment
of section 10 **73.** The principal Act is amended in section 10(3)(a) by deleting the word “Secretariat” and substituting for it the word “Secretary”.
- Amendment
of section 11 **74.** The principal Act is amended in section 11-
(a) in subsection (2), by adding the words “elected among youths” immediately after the word “members”; and
(b) in subsection (3), by deleting the word “secretariat” appearing in paragraph (a) and substituting for it the words “Development Committee”.
- Addition of
sections 11A
and 11B **75.** The principal Act is amended by adding immediately after section 11, the following:
“Election
Supervisory
Committee **11A.**-(1) There is hereby established an Election Supervisory Committee which shall be responsible for supervising and overseeing the

elections of the Council.

(2) The Election Supervisory Committee shall be composed of the following members appointed by the Minister:

- (a) a Chairman from the Ministry responsible for matters relating to youth;
- (b) two officers from the Ministry responsible for matters relating to youth;
- (c) one officer from the Ministry responsible for matters relating to gender, children and community development;
- (d) one officer from the Ministry responsible for local authorities;
- (e) three other persons from the Public Service with knowledge on matters relating to youth; and
- (f) a Law Officer representing the Attorney General.

(3) In performing its functions, the Election Supervisory Committee shall-

- (a) set procedures for the nomination of members of the Council, taking into account, among other things, youth population, wards, districts, special groups and gender equality;
- (b) oversee the elections of members of the National, Regional, District and

Ward Youth Councils, other than members appointed by virtue of their office;

- (c) verify the register of voters;
- (d) verify candidates contesting in the elections;
- (e) secure ballot papers and ballot boxes;
- (f) identify and designate voting centres;
- (g) supervise polling processes; and
- (h) supervise the counting of votes.

(4) The Committee may form such number of subcommittees at District and Ward levels as it deems necessary for the purpose of regulating elections.

(5) Members of the Committee shall hold office for a term of three years and may be eligible for appointment for one further term.”.

Secretary of
Election
Supervisory
Committee

11B. The Minister shall appoint an officer nominated from the Ministry responsible for local government authorities who shall be the Secretary to the Election Supervisory Committee.

Amendment
of section 13

76. The principal Act is amended in section 13 by deleting subsection (5) and substituting for it the following:

“(5) A member of the Council, Board or Committee who contravenes this section commits an offence and is liable on conviction-

- (a) in the case of a first-time offender, to a fine of not less than one million shillings; and

(b) in the case of a subsequent offender, to vacate office in the manner set out under this Act.”.

Amendment
of section 16

77. The principal Act is amended in section 16(7), by-
(a) deleting the fullstop appearing at the end of that subsection and substituting for it a Full colon; and
(b) adding a proviso as follows:
“Provided that, the recruitment process shall be in accordance with laid down procedures governing recruitments in the public service.”.

Amendment
of Second
Schedule

78. The principal Act is amended in paragraph 3 of the Second Schedule by adding the words “which shall undertake responsibilities as assigned to it by resolution of the Regional Youth Council.” at the end of subparagraph (2).

Amendment
of Third
Schedule

79. The principal Act is amended in paragraph 3 of the Third Schedule by adding the words “which shall undertake responsibilities as assigned to it by resolution of the District Youth Council” at the end of that paragraph.

Amendment
of Fourth
Schedule

80. The principal Act is amended in paragraph 3 of the Fourth Schedule by adding the words “which shall undertake responsibilities as assigned to it by resolution of the Ward Youth Council.” at the end of subparagraph (2).

PART XV

AMENDMENT OF THE PATENTS (REGISTRATION) ACT, (CAP. 217)

Construction
Cap. 217

81. This Part shall be read as one with the Patents (Registration) Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

82. The principal Act is amended in section 2,-
(a) by deleting the definition of the term “ARIPO office” and substituting for it the following:
““ARIPO office” means the Secretariat of the African Regional Intellectual Property Organization established by Lusaka Agreement of 1976;” and

(b) in the definition of the term “regulations” by deleting the phrase “and the verb “to work” shall be construed in accordance with section 39(3)”.

Amendment
of section 7

83. The principal Act is amended in section 7(2) by deleting the word “more” appearing in paragraph (e) and substituting for it the word “mere”.

Repeal and
replacement
of section 13

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

“Temporary
exclusion
from
patentability

13. The Minister may, on the recommendations of the Registrar, by notice published in the *Gazette*, exclude from patentability inventions relating to specified kinds of products or processes for the manufacture of such products, for a period not exceeding ten years.”.

Repeal and
replacement
of section 39

85. The principal Act is amended by repealing section 39 and replacing for it the following:

“Term of
patent

39. A patent shall expire at the end of twenty years from the date of filing an application for patent.”.

Amendment
of section 73

86. The principal Act is amended in section 73(1) by deleting the words “and XVII”.

Amendment
of section 74

87. The principal Act is amended in section 74-

- (a) in subsection (5), by deleting the word “seventh” and substituting for it the word “tenth”;
- (b) by deleting subsection (6);
- (c) by renumbering subsections (7), (8) and (9) as subsections (6), (7) and (8) respectively.

Amendment
of heading to
Part XVII

88. The principal Act is amended by deleting the heading to Part XVII and substituting for it the following:

**“PART XVII
DESIGNS REGISTERED UNDER REGIONAL OR
INTERNATIONAL INSTRUMENTS”.**

Repeal and
replacement
of section 76

89. The principal Act is amended by repealing section 76 and replacing for it the following:

“Recognition
of designs
registered
under Regional
or International
instruments

76.-(1) A design registered by virtue of a regional or international instruments in respect of which the United Republic is a designated state, shall have the same effect in Tanzania as a design registered under this Act, unless the Registrar has communicated to the Regional or International Office in respect of the application thereof, a decision in accordance with the provisions of such instrument that if the design is registered, that design shall have no effect in Tanzania.

(2) The designs recognised under the Protocol in respect of which the United Republic is a designated state before the commencement of this section shall be deemed to have been recognised under the provisions of this section.”.

Repeal of
sections 77
and 78

90. The principal Act is amended by repealing sections 77 and 78.

**PART XVI
AMENDMENT OF THE PRISONS ACT,
(CAP. 58)**

Construction
Cap. 58

91. This Part shall be read as one with the Prisons Act, hereinafter referred to as the “principal Act”.

General
amendment

92. The principal Act is amended generally by deleting the words “Principal Commissioner” and “Commissioner” wherever they appear in the Act and substituting for them the words “Commissioner General”.

Amendment
of section 2

93. The principal Act is amended in section 2 by deleting the definition of the term “young prisoner”.

Addition of
section 3A

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

“Functions of
Service

3A.-(1) Save as otherwise provided in this Act, the Service shall be responsible for-

- (a) providing safe custody of prisoners;
- (b) providing remand services;
- (c) rehabilitations of offenders; and
- (d) facilitating the reintegration of offenders into their communities.

(2) In the performance of its functions under this Act, the Service shall observe the following principles:

- (a) classification of prisoners based on security needs, rehabilitation needs and social reintegration prospects;
- (b) treatment of all prisoners with respect for their inherent dignity as human beings;
- (c) use of proportionate force consistent with the protection of society, prisons officers and prisoners;
- (d) affording prisoners with

- effective complaints handling mechanisms; and
 (e) effective and progressive delivery of rehabilitation and reintegration programs for prisoners.”.

Amendment
of section 5

95. The principal Act is amended in section 5(1) by deleting the words “subordinate officers as he may see fit” and substituting for them the words “officers from the rank of Assistant Inspector to the rank below Assistant Inspector”.

Addition of
section 7A

96. The principal Act is amended by adding immediately after section 7, the following:

“Regional and
District Prison
Officers

7A.-(1) The control and operation of the Service in a region shall vest in the Regional Prisons Officer who shall be appointed by the Commissioner General for that purpose.

(2) A Regional Prisons Officer shall, subject to such orders and directions as the Commissioner General may provide, have the administrative command, superintendence, control and directions within the respective region and may make superintendent orders.

(3) There shall be a district prisons officer in each district who shall, subject to the orders and directions of the Regional Prisons Officer have the administrative command, superintendence, control and directions within the respective district.

(4) The district prisons officer shall, subject to the orders and directions of the Regional Prisons Officer have the administrative

command, superintendence, control and directions within the respective district.”.

Amendment of section 43

97. The principal Act is amended in section 43(2) by deleting the words “one hundred” and substituting for them the words “fifty thousand”.

Amendment of section 51

98. The principal Act is amended in section 51(1)(a) by deleting the words “young prisoners” and substituting for them the words “a child prisoner”.

Addition of section 62A

99. The principal Act is amended by adding immediately after section 62 the following:

“Establishment of rehabilitation programs

62A.-(1) The Service shall, for purposes of reintegrating eligible prisoners, establish rehabilitation programs in respect of-

- (a) educational and vocational training;
- (b) spiritual services;
- (c) resourceful physical works,
- (d) graphic works,
- (e) artistic works, and
- (f) psychological support services.

(2) The Service may collaborate with other government institutions and community-based organizations to deliver cultural and community-specific reintegrate services designed to support successful post-release adjustment.”.

Addition of section 81A

100. The principal Act is amended by adding immediately after section 81 the following:

“Reintegration upon release or discharge of prisoner

81A. The Service shall, upon release or discharge of a prisoner, arrange for the transportation of a released prisoner to his place of

residence or elsewhere and may, in so doing, connect the released prisoner to the responsible Government institution, community support services entity or social support networks to foster continuity of reintegration.”.

Amendment
of section 82

101. The Principal Act is amended in section 82 by deleting the words “five thousand shillings” appearing in the closing phrase and substituting for them the words “one hundred thousand shillings or to imprisonment for a term not exceeding six months or to both”.

Amendment
of section 84

102. The principal Act is amended in section 84 by deleting the word “two” appearing in the closing phrase and substituting for it the words “one hundred”.

Amendment
of section 85

103. The principal Act is amended in section 85-
(a) in subsection (1), by deleting the words “five thousand” appearing in the closing phrase and substituting for them the words “one million”; and
(b) in subsection (2), by adding the word “hundred” between the words “one” and “thousand” appearing in the closing phrase.

Amendment
of section 86

104. The principal Act is amended in section 86 (1) by inserting the word “hundred” between the words “one” and “thousand”.

Amendment
of section 87

105. The principal Act is amended in section 87 by inserting the word “hundred” between the words “one” and “thousand” appearing at the closing phrase.

Amendment
of section 88

106. The principal Act is amended in section 88-
(a) in subsection (1), by deleting the words “five thousand” appearing in the closing phrase and substituting for them the words “one million”; and
(b) in subsection (2), by deleting the words “ten thousand” and substituting for them the words “five

million”; and

Amendment
of section 89

107. The principal Act is amended in section 89 by deleting the words “two thousand” appearing in the closing phrase and substituting for them the words “one million”.

Amendment
of section 90

108. The principal Act is amended in section 90 by deleting the words “five thousand” and substituting for them the words “one million”.

Amendment
of section 91

109. The principal Act is amended in section 91(3) by deleting the words “five thousand” and substituting for them the words “one million”.

Amendment
of section 92

110. The principal Act is amended in section 92 by deleting the words “three thousand” and substituting for them the words “one million”.

Amendment
of section 93

111. The principal Act is amended in section 93 by deleting the word “three thousand” and substituting for them the words “one million”.

Amendment
of section 94

112. The principal Act is amended in section 94-
(a) in subsection (1), by deleting the word “two” and substituting for them the words “one hundred”; and
(b) in subsection (2), by deleting the word “two” and substituting for them the words “one hundred”.

Amendment
of section
105

113. The principal Act is amended in section 105(1), by-
(a) adding immediately after paragraph (cc), the following:
“(dd) procedures for prisoners’ rehabilitation and reintegration;”; and
(b) renaming paragraph (dd) as paragraph (ee).

PART XVII
AMENDMENT OF THE PRIVATE HEALTH LABORATORIES
(REGULATION) ACT,
(CAP. 136)

Construction
Cap. 136

114. This Part shall be read as one with the Private

Health Laboratories (Regulation) Act, hereinafter referred to as the “principal Act”.

General amendment

115. The principal Act is amended generally by deleting the word “technologist” wherever it appears in the Act and substituting for it the word “practitioner”.

Amendment of section 3

116. The principal Act is amended in section 3, by-
(a) deleting the definitions of the terms “private health laboratory” and “private health laboratory services” and substituting for them the following:

““private health laboratory” means any health laboratory registered or recognized as such by the Board to provide private health laboratory services in accordance with this Act, and includes a laboratory attached to a private health facility, an autonomous laboratory, mortuary, mobile laboratory and point of care testing site;

“private health laboratory services” means services provided by a private health laboratory to an individual and the community and includes clinical chemistry, haematology and blood transfusion, histopathology and cytology, postmortem examination, parasitology and medical entomology, microbiology and immunology, molecular biology, clinical sample transportation and research;” and

(b) adding in the appropriate alphabetical order the following new definitions:

““point of care testing site” means a site where laboratory tests are performed at or near the location of patient care;

“clinical sample transportation” means all procedures required for safe and secure transportation of patient’s sample for diagnostic purposes;

“health laboratory scientist” has the meaning

Cap. 48

ascribed to it under the Health Laboratory Practitioners Act;”.

Amendment
of section 12

Cap. 48

- 117.** The principal Act is amended in section 12-
- (a) in subsection (2) by deleting the phrase “who is registered under this Act and possesses a certificate of registration in respect of that private health laboratory” and substituting for it the words “registered under the Health Laboratory Practitioners Act”; and
- (b) in subsection (3) by deleting the words “not less than fifty thousand shillings” and substituting for them the words “not less than one million shillings but not exceeding five million shillings”.

Addition of
section 12A

118. The principal Act is amended by adding immediately after section 12 the following:

“Responsibility
of approved
person

12A. An approved person shall be responsible for the day-to-day operations of a private health laboratory and ensuring implementation of quality management system.”.

Amendment
of section 13

119. The principal Act is amended in section 13(1), by deleting the words “laboratories to be identified” and substituting for them the words “laboratories, whether attached to a private health facility or autonomous, to be identified or recognised”.

Amendment
of section 14

120. The principal Act is amended in section 14(11) by deleting the words “not less than twenty thousand shillings but not exceeding one hundred thousand shillings” and substituting for them the words “not less than one million shillings but not exceeding five million shillings”.

Addition of
sections 17A
and 17B

121. The principal Act is amended by adding immediately after section 17 the following:

“General
penalty

17A. A person who contravenes any provisions of this Act for which no specific penalty is provided, commits an offence and on

conviction, shall be liable to a fine of not less than one million shillings but not exceeding five million shillings or to imprisonment for a term of not less than six months but not exceeding two years or to both.

Immunity

17B. Anything done by a member of the Board, Registrar, Deputy Registrar or staff in the execution or performance or purported execution or performance of the duties or functions under this Act, shall not render a member, Registrar, Deputy Registrar or staff liable for the matter or thing done if done in good faith.”

Amendment
of section 18

122. The principal Act is amended in section 18(2), by-

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

“(d) prescribing specific functions and procedures to be complied with by approved persons;”;

and

(b) renaming paragraphs (d) and (e) as paragraphs (e) and (f) respectively.

Repeal and
replacement
of section 21

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

“Appeal

21. A person who is aggrieved by the decision of the Board under this Act may, at any time within thirty days after receiving the notice of decision of the Board, appeal to the Minister.”

Amendment
of Schedule

124. The principal Act is amended in the Schedule-

(a) in paragraph 1 by deleting subparagraph (1) and substituting for it the following:

“(1) The Board shall consist of the following persons to be appointed by the Minister:

(a) a Chairman, who shall be appointed

from amongst senior health laboratory scientists or pathologists; and

- (b) six other members as follows:
- (i) a pathologist;
 - (ii) head of laboratory services from the Ministry responsible for health;
 - (iii) a senior health laboratory practitioner from any private health laboratory;
 - (iv) a senior health laboratory practitioner representing voluntary agency organisations;
 - (v) a law officer representing the Attorney General; and
 - (vi) a qualified and experienced health practitioner as the Minister may determine.”;

(b) by adding immediately after paragraph 1 the following:

“Termination of membership

1A. The Minister may terminate a member of the Board-

- (a) for incompetence;
- (b) for gross misconduct;
- (c) for absence from or non-attendance of three consecutive meetings of the Board without reasonable excuse;
- (d) for failure to disclose conflict of interest as required under this Act; or
- (e) for inability to perform the functions as a Board member arising from infirmity of body or mind.”;

(c) by adding immediately after paragraph 8, the following:

“Committees of Board

9. The Board may establish

committees from amongst its members to carry out any special or general functions determined by the Board and may delegate to any such committee such function as the Board may deem fit and necessary.

Conflict of interest

10. A member of the Board who has a conflict of interest relating to any matter being discussed by the Board shall declare interest, and such person shall not participate in decision making concerning that matter.”.

PART XVIII
AMENDMENT OF THE TANZANIA LIBRARY SERVICES ACT,
(CAP.102)

Construction
Cap.102

125. This Part shall be read as one with the Tanzania Library Services Act, hereinafter referred to as the “principal Act”.

General
amendment

126. The principal Act is amended generally by deleting the word “Director” wherever it appears in the Act and substituting for it the word “Director General”.

Amendment
of section 2

127. The principal Act is amended in section 2-
(a) by deleting the definition of the term “book” and substituting for it the following:

““book” means a printed or non-printed information materials including a book, document, periodical, magazine, newspaper, pamphlet, music-score, gramophone record, picture, print, engraving, etching, deed, photograph, map, chart, plan, film, filmstrip, microfilm, slide or manuscript, and any other article or thing of a like nature, provided for use in any library or documentation centre;”;

- (b) in the definition of the term “public library”, by adding the phrase “which is mainly funded and maintained by the Government and” immediately after the word “library”;
- (c) by adding in the appropriate alphabetical order, the following terms:
- ““community library” means a library which is established, owned and managed by a community, based on community needs;
 - “documentation centre” means a centre for documenting, indexing, analysing, abstracting, maintaining and preserving information for reference of a particular institution;
 - “editor” means a professional who prepares, superintends, revises and corrects manuscripts, books, periodicals, engravings, computer software and audio-visual production;
 - “librarian” means a person who is trained on library and information sciences and who is recognised by the Board;
 - “National Library” means a library specifically established by the Government to save a preeminent repository of information for intellectual and cultural heritage of the nation;
 - “publisher” means a person or firm whose business is to arrange the writing and professionally prepare and manage manuscripts, books, periodicals, engravings, computer software, audio-visual production or non-printed materials;
 - “specialised library” means a library that provides specialised information resources on a particular subject for targeted users; and
 - “translator” means a professional who translates manuscripts, books, periodicals engravings, computer software or audio-

visual materials from one language to another;”.

Amendment
of section 4

128. The principal Act is amended in section 4-

(a) in subsection (1), by-

- (i) adding the word “degrees,” immediately after the word “grant” appearing in paragraph (d);
- (ii) deleting the words “of books” appearing in paragraph (h) and substituting for them the words “, procurement and distribution of books, e-resources”;
- (iii) adding immediately after paragraph (n) the following:

“(o) to register and regulate professional conducts of librarians;

(p) to provide facilities and opportunities for professional learning, exposure, skills acquisition, and cause to be held professional development programs for library professionals, publishers and editors;

(q) to set, promote and maintain professional standards for libraries;

(r) to register and maintain list of publishers, editors and translators and cause publication of such lists which contain their names, addresses and qualifications;

(s) to nurture young publishers and editors on issues pertaining to publication and production;”;

(iv) renaming paragraphs (o) and (p) as paragraphs (t) and (u) respectively; and

(b) in subsection (2), by deleting the words “socialism and” and substituting for them the words “various values for socio-economic and political wellbeing;”.

Amendment
of section 5

129. The principal Act is amended in section 5, by-

(a) deleting proviso appearing in subsection (2), and substituting for it the following:

“Provided that, in case of a gramophone record, audio-visual material, digital material, film or other information not being a printed material, the Board may direct the person producing them to supply the Board with one copy.”;

- (b) deleting subsection (4) and substituting for it the following:

“(4) A person who contravenes provisions of this section, commits an offence and on conviction, shall be liable to a fine of not less than two million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than six months but not exceeding two years or to both.”

Provided that, where a person is convicted under this section, in addition to the penalty imposed, the court may make an order for the forfeiture, impoundment, destruction, incapacitation, sealing or disposal of any print and non-print materials or, where the subject material is proven valuable to the society, make an order to abide with the provisions of this Act.”.

Amendment
of section 13

130. The principal Act is amended in section 13, by-

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

“(c) monies generated from rent of property or spaces and fees collected from training, tuition, research and consultancy;”;

- (b) renaming paragraphs (c) and (d) as paragraphs (d) and (e) respectively.

Amendment
of section 14

131. The principal Act is amended in section 14(8)(b) by deleting the words “fifty thousand” and substituting for them the words “fifty million”.

Amendment
of Schedule

132. The principal Act is amended in the Schedule, by deleting paragraph 2(1) (b) and substituting for it the following:

“(b) eight other members appointed by the Minister as follows:

- (i) a representative from the Department of Policy and Planning of the Ministry responsible for Education;
- (ii) a representative from Education Department of the Ministry responsible for local government;
- (iii) a representative from Information Services Department of the Ministry responsible for information;
- (iv) a Law Officer representing the Attorney General;
- (v) a representative from e-Government Authority;
- (vi) a representative from Publishers Association of Tanzania;
- (vii) a representative from Tanzania Library Association; and
- (viii) a representative from either the Institute of Adult Education or Tanzania Institute of Education or experienced librarian from higher learning institutions.”

PART XIX

AMENDMENT OF THE TANZANIA TOURIST BOARD ACT, (CAP. 364)

Construction
Cap. 364

133. This Part shall be read as one with the Tanzania Tourist Board Act, hereinafter referred to as the “principal Act”.

General
amendment

134. The principal Act is amended by deleting the words “Managing Director” wherever they appear in the Act and substituting for them the words “Director General”.

Amendment
of section 2

135. The principal Act is amended in section 2 by adding in the appropriate alphabetical order the following definitions:

““Director General” means the Director General

- appointed under this Act;
- Cap. 65 “Director of Tourism” means the Director appointed under the Tourism Act;
- “tourism facility” has the meaning ascribed to it under the Tourism Act;”.
- Amendment of section 5
- 136.** The principal Act is amended in section 5, by-
- (a) adding immediately after paragraph (k) the following:
- (1) in relation to tourism facilities and activities, to-
- (i) register, classify and grade tourism facilities;
- (ii) establish and maintain registers of tourism facilities and activities;
- (iii) license providers of tourism facilities and services;
- (iv) regulate tourism activities and services;
- (v) monitor quality assurance of tourism facilities and services; and
- (vi) identify tourist attractions and diversify tourism activities.”;
- (b) adding immediately after subsection (1) the following:
- “(2) The Board shall furnish the Director of Tourism with information necessary for tourism development.”;
- (c) renumbering subsections (2) and (3) as subsections (3) and (4) respectively; and
- (d) deleting reference to subsection (2) appearing in subsection (4) as renumbered and substituting for it reference to subsection (3).
- Amendment of Schedule
- 137.** The principal Act is amended in paragraph 1 of the Schedule-
- (a) in subparagraph (1), by-
- (i) deleting items (c), (d) and (e) and substituting for them the following:
- “(c) a representative of the government institution responsible for investment promotion;

- (d) a Law Officer representing the Attorney General;
- (e) a person with knowledge and experience in tourism representing higher learning institutions offering courses relating to tourism;”;
- (ii) adding immediately after item (e) the following:
 - “(f) an experienced accountant who is registered by the relevant professional body; and
 - (g) two persons with knowledge and experience in tourism promotion, business, branding or marketing.”;
- (b) adding immediately after subparagraph (1), the following:
 - “(2) The Board may co-opt any person to participate in any meeting of the Board, but such person shall have no right to vote.”; and
- (c) renumbering subparagraphs (2) and (3) as subparagraphs (3) and (4) respectively.

PART XX
AMENDMENT OF THE TOURISM ACT,
(CAP. 65)

Construction
Cap. 65

138. This Part shall be read as one with the Tourism Act, hereinafter referred to as the “principal Act”.

General
amendment

139. The principal Act is amended by deleting the word “Director” wherever it appears in sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 31, 32, 33, 34, 35, 39, 40, 41, 44, 45, 46, 51, 52 and 56 and substituting for it the words “Director General”.

Amendment
of section 2

140. The principal Act is amended in section 2 by inserting in the appropriate alphabetical order the following definition:

Cap. 364

““Director General” means the Director General of the Tanzania Tourist Board appointed under the Tanzania Tourist Board Act;”.

Repeal and replacement of section 4

141. The principal Act is amended by repealing section 4 and replacing for it the following:

“Technical Advisory Committee

4.-(1) There is established a Technical Advisory Committee which shall advise the Minister on matters related to the management and regulation of tourism activities and on any other matter as the Minister may direct.

(2) The composition, tenure of office, meetings and procedural matters of the Committee shall be as provided for in the First Schedule.”

Amendment of section 6

142. The principal Act is amended in section 6(1), by-
(a) deleting paragraph (c) and substituting for it the following:

- “(c) coordinate the dissemination of information on tourism development;”;
(b) deleting paragraphs (d), (k), (n), (o) and (p); and
(c) renaming paragraphs (e), (f), (g), (h), (i), (j), (l), (m) and (q) as paragraphs (d), (e), (f), (g), (h), (i), (j), (k) and (l) respectively.

Amendment of section 13

143. The principal Act is amended in section 13 by deleting the words “shall publish in the *Gazette* once in a year or at other intervals as the Minister may direct,” and substituting for them the words “may, at such intervals as the Minister may direct, publish in a widely circulating newspaper or in any other manner as Director General may deem necessary,”.

Amendment of section 14

144. The principal Act is amended in section 14(1) by deleting the words “and the operator of such facility shall be required to pay relevant fees” appearing in the closing phrase.

Amendment of section 16

- 145.** The principal Act is amended in section 16, by-
(a) deleting the words “with the consent of the Minister” appearing in subsection (1);
(b) deleting the word “Minister” appearing in subsections (2) and (3) and substituting for it the

words “Director General”;

- (c) deleting the words “direct the Director to” appearing in subsection (3); and
- (d) deleting the words “after consultation with the Minister” appearing in subsection (5).

Amendment
of section 17

146. The principal Act is amended in section 17(1) by deleting the words “after consultation with the Director” and substituting for them the words “upon recommendation by the Director General”.

Amendment
of section 34

147. The principal Act is amended in section 34 by deleting subsection (3) and substituting for it the following:

“(3) The Director General shall periodically publish in a widely circulating newspaper or in any other manner as the Director General may deem necessary, a list of tourism operators licensed under this Act.”

Amendment
of section 36

148. The principal Act is amended in section 36 by deleting the words “twelve calendar months” and substituting for them the words “twelve months from the date of issuance”.

Repeal and
replacement
of section 42

149. The principal Act is amended by repealing section 42 and replacing for it the following:

“Registration of
tour guides **42.**-(1) A person shall not carry out activities as a tour guide unless such person is registered by the Director General.

(2) The manner of registration of tour guides shall be prescribed in the regulations.”

Repeal of
section 43

150. The principal Act is amended by repealing section 43.

Amendment
of section 50

151. The principal Act is amended in section 50 by adding the words “Director General” immediately after the word “Director”.

Amendment
of section 53

152. The principal Act is amended in section 53 by adding the words “Director General,” immediately after the

word “Director” wherever it appears.

Amendment
of First
Schedule

by-

153. The principal Act is amended in the First Schedule,

(a) deleting paragraph 1 and substituting for it the following:

“**1.** The Technical Advisory Committee shall consist of the following members who shall be appointed by the Minister:

- (a) a Chairman;
- (b) Director General;
- (c) a Law Officer representing the Attorney General;
- (d) a representative of the government institution responsible for investment promotion;
- (e) a senior officer representing the Tanzania Immigration Department;
- (f) a senior officer with knowledge in tax from the Ministry responsible for finance; and
- (g) one representative from the tourism industry with knowledge and experience in tourism.”;

(b) deleting paragraph 3 and substituting for it the following:

“**3.** The Director shall be the Secretary to the Committee.”; and

(c) deleting the word “four” appearing in paragraph 5(1) and substituting for it the word “two”.

PART XXI

AMENDMENT OF THE TRADE AND SERVICE MARKS ACT, (CAP. 326)

Construction
Cap. 326

154. This Part shall be read as one with the Trade and Service Marks Act, hereinafter referred to as the “principal Act”.

Amendment of
section 2

155. The principal Act is amended in section 2, by-

(a) deleting the definition of the term “trade or

service mark” and substituting for it the following:

““trade or service mark” means any sign or combination of signs capable of distinguishing goods or services of one undertaking from those of other undertakings;”;

(b) deleting the definition of the term “visible sign”; and

(c) adding in the appropriate alphabetical order the following new definitions:

““certification mark” means a sign or combination of signs capable of distinguishing, in the course of trade, goods or services certified by any person or entity in respect of kind, quality, quantity, intended purpose, value, geographical origin or other characteristics of the goods or services, or the mode or time of production of the goods or of rendering the services, as the case may be, from goods or services not so certified;

““collective mark” means a sign capable of distinguishing, in the course of trade, goods or services of persons who are members of an association from goods or services of persons who are not members thereof;

““date of entry into force” means the 1st day of September 1999, on which the Protocol entered into force in respect of the United Republic;

““Protocol” means the Banjul Protocol on Marks within the Framework of the African Regional Intellectual Property Organisation adopted at Banjul, Gambia;

““sign” includes, three dimensional marks, stylised, letters, words, colors or combinations of colors, numerals, get-ups, and holograms; and

““TRIPS Agreement” means the Trade-Related

Aspects of Intellectual Property Rights Agreement of Marrakesh, Morocco 1994 as amended;”.

Addition of sections 16A and 16B

156. The principal Act is amended by adding immediately after section 16 the following-

“Collective mark

16A. A mark capable of distinguishing, in the course of trade, the goods or services of persons who are members of an association, from goods or services of persons who are not members of such association, shall on application in the prescribed manner, be registrable as a collective trade mark or service mark in respect of the goods or services in the name of such association.

Certification mark

16B.-(1) A mark adopted in relation to any goods to distinguish in the course of trade goods certified by any person in respect of origin, material, mode of manufacture, quality, accuracy or other characteristic from goods not so certified shall be registrable as a certification mark under this Part in respect of those goods or services in the name of that person as proprietor thereof:

Provided that, a mark shall not be registrable in the name of a person who carries on a trade in goods or services of the kind certified.

(2) In determining whether a mark is adopted to distinguish, the court or the Registrar shall

have regard to the extent to which-

(a) the mark is inherently adopted to distinguish in relation to the goods in question; and

(b) by reason of the use of the mark or of any other circumstances, the mark is in fact adopted to distinguish in relation to the goods in question.

(3) Subject to subsections (5), (6) and (7), and sections 33 and 34, the registration of a person as proprietor of a certification trade mark in respect of any goods and services shall, if valid, give to that person the exclusive right to the use of the trade mark in relation to those goods.

(4) A person shall be deemed to have infringed the right under subsection (3) where such person, not being the proprietor of the trade mark or a person authorised by him under its regulating instrument in that behalf to use it in accordance therewith, uses a mark identical to it or so nearly resembling it as to be likely to deceive or cause confusion, in the course of trade, in relation to any goods in respect of which it is registered, and in such manner as to render the use of the mark likely to be taken either-

(a) as being used as a trade mark; or

(b) in the case where the

use is on the goods or in physical relation thereto or in an advertising circular or other advertisement issued to the public, as importing a reference to some person having the right either as proprietor or by his authorisation under the relevant regulating instrument to use the trade mark or to goods certified by the proprietor.

(5) The right to the use of a certification trade mark given by registration shall be subject to any conditions or limitations entered on the register, and shall not be deemed to be infringed by the use of any such mark in any mode-

- (a) in relation to goods to be sold or otherwise traded in any place;
- (b) in relation to goods to be exported to any market; or
- (c) in any other circumstances, to which, having regard to any such limitations, the registration does not extend.

(6) The right to the use of a certification trade mark given by registration shall not be deemed to be infringed by the use of any such

mark by any person-

- (a) in relation to goods certified by the proprietor of the trade mark if, as to those goods or a bulk of which they form part, the proprietor or another in accordance with his authorisation under the relevant regulations has applied the trade mark and has not subsequently removed or obliterated it, or the proprietor has at any time expressly or impliedly consented to the use of the trade mark; or
- (b) in relation to goods adopted to form part of, or to be accessory to, other goods in relation to which the trade mark has been used without infringement of the right given or might for the time being be so used, if the use of the mark is reasonably necessary in order to indicate that the goods are so adopted and neither the purpose nor the effect of the use of the mark is to indicate otherwise than in accordance with the fact that the goods are



certified by the proprietor:

Provided that, paragraph (a) shall not have effect in the case of use which consist of the application of any such mark to goods, notwithstanding that they are goods mentioned in that paragraph, if that application is contrary to the relevant regulations.

(7) Where a certification trade mark is one of two or more registered trademarks that are identical or nearly resemble each other, the use of any of those trade marks in exercise of the right to the use of that trade mark given by registration shall not be deemed to be an infringement of the right given to the use of any other of those trademarks.

(8) A person shall deposit at the office of the Registrar, in respect of every trade mark registered under this section, a regulating instrument that governs the use of the certification mark.

(9) the regulating instrument to be deposited shall-

- (a) include provisions as to the cases in which the proprietor is to certify goods and to authorise the use of the mark; and
- (b) be open to inspection in the same manner as the register.
- (c) contain any other provisions that the

Registrar may require or permit to be inserted therein; and”.

Addition of section 19A

157. The principal Act is amended by adding immediately after section 19 the following:

“Protection of well-known marks

19A.-(1) A trade mark which is entitled to protection under the Convention or the TRIPS Agreement as a well-known mark, shall be a mark which is well known in Tanzania as being the mark of a person who is-

- (a) a national of a convention country; or
- (b) domiciled in, or has a real and effective industrial or commercial establishment in a convention country, whether or not that person carries on business or has any good-will in Tanzania.

(2) In determining whether a mark is a well-known mark, the Registrar shall take into account any circumstances from which it may be inferred that the mark is well known and shall include-

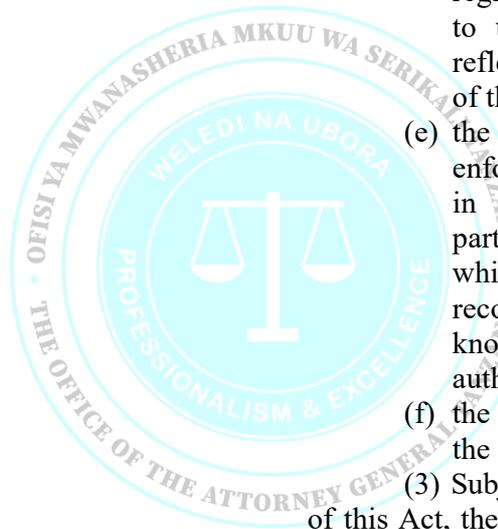
- (a) information concerning the degree of knowledge or recognition of the mark in the relevant sector of the public;
- (b) the duration, extent and geographical area of any use of the mark;



- (c) the duration, extent and geographical area of any promotion of the mark, including advertising or publicity and the presentation, at fairs or exhibitions, of the goods or services to which the mark applies;
- (d) the duration and geographical area of any registrations, or any applications for registration, of the mark, to the extent that they reflect use or recognition of the mark;
- (e) the record of successful enforcement of rights in the mark, in particular, the extent to which the mark was recognised as well known by competent authorities; and
- (f) the value associated with the mark.

(3) Subject to the provisions of this Act, the proprietor of a mark which is entitled to protection under the Convention or the TRIPS Agreement as a well-known mark, is entitled to restrain by injunction, the use in Tanzania of a mark which is identical or the essential part of which is identical or similar to his, in relation to identical or similar goods or services, where the use is likely to cause confusion among the users of the goods or services.

(4) Nothing in subsection (3) shall affect the continuation of any



bona fide use of a mark in use before the commencement of this section.

(5) A mark shall not be registered the mark, or an essential part thereof, is likely to impair, interfere with or take unfair advantage of the distinctive character of the well-known trade mark.”.

Amendment of section 26

158. The principal Act is amended in section 26 by deleting a full stop appearing at the end of subsection (2) and substituting for it a colon and the following proviso:

“Provided that, the Registrar may cause an application to be advertised before acceptance where he considers the existence of exceptional circumstances for so doing.”.

Addition of section 28A

159. The principal Act is amended by adding immediately after section 28 the following:

“Recognition of registration under Protocol

28A. A trade or service mark registered by the African Regional Intellectual Property Organisation on or after the date of entry into force, describing the United Republic as a designated state, shall be deemed registered under this Act unless the Registrar has communicated to the African Regional Intellectual Property Organisation in respect of the application thereof, a decision in accordance with the provisions of the Protocol that if the design is registered, that design shall have no effect in the United Republic.”.

PART XXII

AMENDMENT OF THE VALUE ADDED TAX ACT, (CAP. 148)

Construction Cap. 148

160. This Part shall be read as one with the Value Added Tax Act, hereinafter referred to as the “principal Act”.

Amendment of
section 88

161. The principal Act is amended in section 88(3)(b) by deleting the word “ninety” and substituting for it the word “thirty”.



OBJECTS AND REASONS

This Bill proposes amendment to Twenty One laws namely, the Anti-Money Laundering Act, Cap. 423, the Atomic Energy Act, Cap. 188, the Bank of Tanzania Act, Cap. 197, the Business Names Act, Cap. 213, the Civil Aviation Act, Cap. 80, the Companies Act, Cap. 212, the Criminal Procedure Act, Cap. 20, the Drug Control and Enforcement Act, Cap. 95, the Institute of Rural Development Planning Act, Cap. 174, the Institute of Accountancy Arusha Act, Cap. 240, Interpretation of Laws Act, Cap 1, the Judiciary Administration Act, Cap. 237, the National Youth Council Act, Cap. 441, the Patents (Registration) Act, Cap. 217, the Prisons Act, Cap. 58, the Private Health Laboratories (Regulation) Act, Cap. 136, the Tanzania Library Services Act, Cap. 102, the Tanzania Tourist Board Act, Cap. 364, the Tourism Act, Cap. 65 the Trade and Service Marks Act, Cap. 326 and the Value Added Tax Act, Cap. 148.

The Bill is divided into Twenty Two Parts whereby; Part I deals with Preliminary Provisions which include the title of the Bill and the manner in which the laws proposed to be amended are amended in their respective Parts.

Part II of the Bill proposes to amend the Anti-Money Laundering Act, Cap. 423 R.E. 2023. This Act was enacted in 2006 with the aim of making better provision for prevention and prohibition of money laundering, terrorist financing and proliferation financing. The Act has been severally amended in 2008, 2012, 2013, 2015, 2016, 2020, 2022 and 2025.

Section 3 is proposed to be amended by introducing definition of the terms “foreign politically exposed persons” and “domestic politically exposed persons”. The Act is also proposed to be amended generally by deleting the term “politically exposed person” in replacement of the term “domestic or foreign politically exposed person. The purpose of the proposed amendment is to broaden the scope of the term “politically exposed person” in order to capture circumstances of money laundering, financing of terrorism and proliferation financing involving domestic and foreign politically exposed persons. Further, the proposed amendment aims at enhancing clarity in the usage of the terms in various provisions of the Act.

Section 15 is proposed to be amended in order to extend the period required to update the risks assessment. The purpose of the proposed amendment is to comply with the international standard on risk assessment update as required by Financial Action Task Force (FATF) with the view to address challenges in combating money laundering, financing of terrorism and proliferation financing.

Section 16 is proposed to be amended with the view to distinguish the manner of conducting customer due diligence on foreign and domestic politically exposed persons. The purpose of the proposed amendment is to enable reporting persons to effectively perform customer due diligence according to the prescribed legal requirements. Section 18A is proposed to be added in order to provide circumstances under which designated non-financial business professionals are obliged to report suspicious transactions. The purpose of the proposed amendment is to enhance efficiency in reporting suspicious transactions with a view to address challenges in combating money laundering, financing of terrorism and proliferation financing.

Part III of the Bill proposes to amend the Atomic Energy Act, Cap. 188 R.E. 2023. This Act was enacted in 2003 with aim of establishing Tanzania Atomic Energy Commission, and to provide for its functions and matters related thereto. Since its enactment, the Act was amended twice in 2003.

Paragraph 1 of the Schedule is proposed to be amended by reducing the number of Board members and paragraph 2 is proposed to be amended in order to provide the manner of electing the Vice-Chairman of the Board. The purpose of the proposed amendment is to reduce the operational and running costs associated with the Board's activities, to enhance the effective administration of the Board and ensure equal representation of both parts of the Union in the Board's managerial position.

Part IV of the Bill proposes amendment to section 69 of the Bank of Tanzania Act, Cap. 197 by repealing and replacing it to outline the conditions under which the Bank may allow short-term loans to the Government in case of unforeseen or unavoidable events, and to specify what constitutes unforeseen or unavoidable events. Since its enactment the Act has been amended eleven times in the following years 2009, 2010, 2015, 2017, 2018, 2019, 2020, 2024 and 2025.

Part V of the Bill proposes to amend the Business Names Act, Cap 213 R.E. 2023. This Act was enacted in 1930 with the aim of providing for registration of firms, individuals and corporation carrying on business under a business name and to provide for related matters. The Act has been amended sixth times since its enactment including the amendments of 1955, 1975, 1991, 2012, 2021 and 2022 with the aim of making better provisions for carrying out the provisions of the Act.

Section 2 is proposed to be amended by introducing definition of the term “designated non-financial business professional”. The purpose of the proposed amendment is to enhance clarity of persons accountable under the Act. Further, section 6 is proposed to be amended by including the Designated Non-Financial Business Professionals among the persons who are obliged to submit information concerning beneficial ownership. The purpose of the proposed amendment is to broaden the scope of combating money laundering, financing of terrorism and proliferation financing.

Section 21 is proposed to be amended in order to include a reporting person as amongst persons eligible of having access to information concerning beneficial ownership. The purpose of this amendment is to enable reporting persons to obtain centralized data of beneficial ownership for the purpose of combating money laundering, financing of terrorism and proliferation financing.

Part VI of the Bill proposes to amend the Civil Aviation Act, Cap. 80 R.E. 2023. This Act was enacted in 1977 for the purpose of giving effect to the Chicago Convention; and providing for the control, regulation and orderly development of civil aviation and to establish a regulatory Authority in relation to air transport, aeronautical airport services, air navigation services and to provide for its operation in place of the former Authority. The Act has been amended severally in 1992, 2002, 2003, 2013, 2014, 2016 and 2021 with the aim of enhancing effective control and regulation of civil aviation.

Section 2 is proposed to be amended by introducing definition of new terminologies. The purpose of these amendments is to clarify the usage of various terminologies used in the Act, ensuring alignment with changes in the air transport sector and international standards. Sections 5 and 15 are proposed to be amended with a view to provide clarity and effective implementation of the provisions of the Act.

Section 15A is proposed to be added to outline the scope of application for civil aircraft accidents and serious incidents. The purpose of the proposed amendment is to define the scope of investigating civil aircraft accidents and serious incidents occurring within and outside the United Republic.

Section 15B is proposed to be added with a view to recognise the Aircraft Accident and Incident Investigation Unit (AAIU), that shall be a unit under the Ministry responsible for aviation. The purpose of the proposed amendment is to align with international standards governing civil aviation. Further, the provision aims to enable AAIU to carry out its duties of investigating accidents and serious incidents in air transport effectively.

Section 15C is proposed to be added to provide for the independence of investigations and accessibility. The purpose of the proposed amendment is to enhance efficiency in conducting investigation.

Section 15D is proposed to be added with a view to restrict the disclosure of information obtained during investigation. The purpose of the proposed amendment is to protect sensitive aviation safety information and to promote full and candid cooperation by all persons involved in investigations.

Section 15E is proposed to be added to address conflicts of interest for AAIU members and measures to be taken upon contravention. The purpose of the proposed amendment is to avoid bias, strengthen public trust and to ensure that decisions are not influenced by personal interests.

Section 33A is proposed to be added with a view to make provisions governing the interception of civil air craft in flight within the territory of the United Republic. The purpose of the propose amendment is to ensure the safety of civil air craft-in-flight and to comply with international recommendations governing that sector.

Section 37 is proposed to be amended with a view to enhance cooperation with other government entities on matters related to aviation safety and security for better implementation of the provisions of the Act. Further, section 38 is proposed to be amended by incorporating qualifications for appointment of non-executive members of the Board. The purpose of the proposed amendment is to enhance efficiency in the administration of the Authority by strengthening accountability.

Section 45 is proposed to be amended by designating the President as an appointing authority for the Director General and to set out the tenure of the Director General. The purpose of the proposed amendment is to enhance good governance and accountability. Further, section 73 is proposed to be amended by refining the penalty for contravention of the provisions of the Act. The purpose for the proposed amendment is to ensure compliance with the law and to discourage the commission of offences.

Part VII of the Bill proposes to amend the Companies Act, Cap. 212 R.E. 2023. This Act was enacted in 2002 to provide for more comprehensive provisions for regulations of companies, association and related matters. The Act was amended severally since its enactment including the amendments of 2008, 2012, 2016, 2019, 2020, 2021 and 2022.

The Act is proposed to be amended by adding new definitions in section 2 with a view to providing clarity of the terms as used in the Act. Further, the Act is proposed to be amended by establishing the register for nominee director and nominee shareholder. The purpose of the proposed amendment is to comply with the FATF requirements with a view to address challenges in combating money laundering, financing of terrorism and proliferation financing.

Section 8 is proposed to be amended by including a provision requiring the company to provide for specific objects of the company in the company's memorandum. The purpose of the proposed amendment is to enable the Registrar of companies to have detailed information concerning the specific objectives of registered companies in order to enhance effective regulation of companies.

Section 15 is proposed to be amended by introducing the requirements of disclosing nominee director or shareholder if any. The purpose of this amendment is to promote transparency by requiring companies to disclose the details of any nominee director or shareholder if any.

Section 33 is proposed to be amended in order to empower the Registrar of companies after elapse of notice to strike off from the register any company failing to change the name of the company which is similar to the name of the existing company. The purpose of this amendment is to remove the possibility of having in the register more than one company

with similar names which may mislead the general public and impact the general conduct of business.

Section 118 is proposed to be amended by introducing the requirements of the company to maintain the register of nominee shareholder. The purpose of this amendment is to comply with FATF recommendations 24 and promote transparency with a view to combating money laundering, financing of terrorism and proliferation financing.

Section 133 is proposed to be amended by making provisions which require the company to state in the annual return the number of paid up and unpaid up shares of each class held by each member of the company at the date to which the return is made up. The purpose of this amendment is to avoid misrepresentation on the status of shares so as to prevent the company on tax evasion and protect the shareholder's interest.

Section 213 is proposed to be amended by introducing the requirements of disclosing nominee director. The purpose of this amendment is to promote transparency by requiring companies to maintaining records of nominee director and to comply with to comply with FATF recommendations. Further, section 220A is proposed to be added in order to empower the Registrar to conduct inspections of a company's records, accounts, and other relevant documents at the registered office of the company, or any other place where the company's records are maintained. The purpose of this amendment is to ensure that companies comply with the provisions of this Act.

Section 438 is proposed to be amended by making a requirement of foreign companies to submit to the Registrar shareholders and beneficial ownership information as is the case for local companies. The purpose of this amendment is to combat money laundering, financing of terrorism and proliferation financing by those companies. Further, section 440 is proposed to be amended by requiring a foreign company making alteration of its shareholders to incorporate the alteration in its return to be delivered to Registrar. The purpose of this amendment is to enable the Registrar to update the register and maintain the register with accurate and up-to-date information.

Section 456A is proposed to be added by making it a requirement for the Registrar to maintain the register of nominee director and shareholder. The

purpose of this amendment is to promote transparency concerning information of nominee director and shareholder and to comply with FATF recommendations.

Section 457 is proposed to be amended to make provisions which allow reporting persons to have access to information concerning beneficial ownership upon application to the Registrar. The purpose of this amendment is to enable reporting persons to have access to credible data of beneficial ownership for the purpose of preventing money laundering practices, financing of terrorism and proliferation financing.

Section 468A is proposed to be added in order to empower the Registrar to issue directives and guidelines. The purpose of this amendment is to facilitate ease of compliance with the provisions of this Act by companies.

Part VIII of the Bill proposes to amend the Criminal Procedure Act, Cap. 20 R.E. 2023. This Act was enacted in 1985 with the aim of providing for the procedure to be followed in the investigation of crimes and conduct of criminal trials and other related matters. The Act was amended thirty-six times, the latest amendment being that of the year 2024.

Section 4 is proposed to be amended in order to remove provisions establishing mandatory requirement for a matter of a criminal, civil or administrative nature to exhaust remedies in civil or administrative domains before invoking criminal process specifically on matters arising under the Employment and Labour Relations Act and the Public Service Act. The purpose of the proposed amendment is to ensure that criminal offences arising from employment matters are timely dispensed, hence eliminating delays in the due process and denial of criminal justice to the victims.

Part IX of the proposes to amend the Drug Control and Enforcement Act, Cap. 95, R.E 2023. Since its enactment, the Act has been amended severally in 2017, 2018, 2021, 2022, and 2024.

Section 2 is proposed to be amended by broadening the scope of the definition of the term “cannabis” to include cannabis seeds, mature stock and fibre. The purpose of the proposed amendments is to enhance implementation during seizure, weighing and laboratory examinations of samples or exhibits.

Section 11 is proposed to be amended by providing for the offence of possession or supply of seeds of any prohibited plant regardless of the purpose of use. The purpose of the proposed amendments is to widen the scope of the offence of possession or supply of seeds.

Section 12 is proposed to be amended by distinguishing the powers of the Drugs Control and Enforcement Authority (DCEA) to make rules and powers of the Minister to make regulations. The purpose of the proposed amendments is to prevent overlap in implementation of the powers delegated by the Parliament to the Minister and the DCEA.

Sections 15 and 16 are proposed to be amended to include both solid and liquid forms of drugs. The purpose of the proposed amendments is to recognize the state of drugs in liquid form which were previously not recognized by the Act.

Section 18 is proposed to be amended to provide for the offence against contravention of permit issued under the Act. The purpose of the proposed amendment is to limit the scope of the offence as intended under the Act.

Section 25 is proposed to be amended to clarify acts intended to constitute an offence. Section 30 is proposed to be amended to include all forms of solid and liquid drugs. The purpose the proposed amendment is to recognise the state of drugs in liquid form which were previously not recognised under the Act.

Section 34 is proposed to be amended by expanding the scope of officers who may issue a search order to include an authorized officer. The purpose for the proposed amendment is to enhance implementation in cases where incidents occur in areas where it is impractical to reach the Commissioner General or the Police Officer In charge of a Police Station in time.

Section 38 is proposed to be amended by providing the requirement of specifying the country of origin of the drugs in the inventory where applicable. The purpose of the proposed amendment is to enhance implementation of the provisions of the Act.

The Third Schedule proposes to amend the title to Form DCEA 001. The purpose of the proposed amendment is to provide for the proper use of the form.

Part X of the Bill proposes to amend the Institute of Rural Development Planning Act, Cap. 174. The Act was enacted in 1980 with the view of establishing the Institute of Rural Development Planning. Since its enactment the Act has never been amended.

The Act is generally amended in order to provide for the appropriate title of the Head of the Institute in line with NACTVET requirements. Further, paragraph 1 of the Schedule is proposed to be amended in order to reduce the number of Council members. The purpose of the proposed amendment is to enhance effective administration of the Council.

Part XI of the Bill proposes to amend the Institute of Accountancy Arusha Act, Cap. 240. This Act was enacted in 1990 with the aim of establishing the Institute of Accountancy Arusha. Since its enactment the Act has never been amended.

The Act is generally amended in order to provide for the appropriate title of the Council and the Head of the Institute in line with NACTVET requirements. Section 4 is proposed to be amended to broaden the scope of the institute's functions. The purpose of this amendment is to lay a legal basis for all courses offered by the Institute and increase the efficiency of the Institute's performance. Section 10 is proposed to be amended in order to designate the Head of the Institute as the Secretary of the Governing Council. The purpose of this amendment is to enhance efficient discharge of the functions of Council. Further, the First Schedule is proposed to be amended by reducing the number setting limits of the tenure of appointment of members of the Governing Council. The purpose of the amendment is to enhance the effective administration of the Governing Council.

Part XII of the Bill proposes to amend the Interpretation of Laws Act, Cap. 1. This Act was enacted in 1996 in order to consolidate the law relating to the construction application, interpretation and operation of written laws as well as to provide for related matters. Since its enactment, the Act was amended seven times including the amendments of 1996, 2018, 2019, 2020 twice, 2021 and 2023.

Section 85(1) of the Act is proposed to be amended by adding a proviso so as to allow subsidiary legislation to be enacted in the language of the principal legislation under which it is made. The purpose of the proposed

amendment is to align the language of subsidiary legislation with the language used in the principal legislation so as to avoid conflict or doubt of words or expression.

Part XIII of the Bill proposes to amend the Judiciary Administration Act, Cap. 237. This Act was enacted in 2011 to make better administration of the Judiciary. After the enactment, the Act was amended four times including the amendments of 2015, 2016, 2020 and 2023.

Section 7 is proposed to be amended in order to widen powers of the Chief Court Administrator to be the Chief Executive Officer of the Judicial Service Commission. The purpose of the proposed amendment is to enhance efficiency of the day-to-day operations of the Commission. Section 13 is proposed to be amended in order to provide for allowances and other entitlements to the members of the Judicial Service Commission. The purpose of the amendment is to enhance performance of the Commission. Further, section 15 is proposed to be amended to widen the functions the Secretary of the Commission and provide for appointment of staff to assist him in the performance of his functions. The purpose of the proposed amendment is to enhance efficiency in the performance of functions of the Secretary.

Part XIV of the Bill proposes to amend the National Youth Council Act, Cap. 441 R.E. 2023 in order to strengthen the legal, institutional and operational framework governing the administration, supervision and electoral processes of Youth Councils at all levels.

Section 4 is proposed to be amended to remove the mandate of the Ward development Committee to elect members of the Council. The purpose of the proposed amendment is to maintain voluntariness in membership to the Council.

Section 5 is proposed to be amended by adding Vice Chairperson to have the same qualifications with that of the Chairman. The purpose of the proposed amendment is to enhance effectiveness on the performance of the functions of the Council.

Section 6 are proposed to be amended to enable the Council to review and advise the Minister in relation to National Youth Development Policy and other policies that affect youth. The purpose of the proposed amendment is

to enhance coordination and representation of youths in decision-making in matters of youth development.

Sections 9, 10 and 11 is proposed to be amended with the view is to align with the regional and local government authority administrative institutional structure.

Section 11A is proposed to be added to establish the Election Supervisory Committee and to provide for its composition, tenure of members and functions. Section 11B is proposed to be added to make provisions of the appointment of secretary of the Election Supervisory Committee. The purpose of the proposed amendment is to enhance effectiveness and promote transparency, accountability, inclusiveness and fairness in the conduct of elections of Councils.

Section 13 is proposed to be amended with the view to align it with the drafting style of penal provisions.

Section 16 is proposed to be amended to provide that the recruitment process shall be in accordance with laid down procedures governing recruitments in the public service. The purpose of the proposed amendment is to enhance transparency and ensure that recruitment processes comply with procedures applicable in the public service.

The Schedules are proposed to be amended in order to clarify the functions of committees at Regional, District and Ward levels and align them with resolutions of the respective Youth Councils. The purpose of the proposed amendment is to enhance clarity and accountability in the functioning of committees at all levels.

Part XV of the Bill intends to amend the Patents (Registration) Act, Cap. 217 R.E. 2023. This Act was enacted in 1987 to provide for better patent registration and make better provisions for the promotion of inventivity and innovations. Since its enactment, the Act was amended three times including the amendments of 1991, 1995 and 1999.

Section 2 is proposed to be amended in order to improve the definition of the term “ARIPO office”. The purpose of the proposed amendment is to enhance clarity.

Section 13 is proposed to be amended in order to empower the Minister to exclude some inventions concerning certain kinds of products or processes for manufacture of such products from patentability. The purpose of the amendment is to enhance power of the Minister in domesticating flexibilities stipulated under the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). Further, section 39 is proposed to be amended in order to provide for minimum standard on term of patent protection. The purpose of the proposed amendment is to align the provisions of the Act with the TRIPS Agreement.

Section 73 is proposed to be amended in order to reflect amendments proposed in the provisions falling under Part XVII.

Section 74 is proposed to be amended in order to increase the time of protection of utility models. The purpose of the proposed amendment is to promote innovation and creativity. Further, section 76 is proposed to be amended in order to recognise the protection of industrial designs registered under regional and international instruments to which Tanzania has ratified.

Part XVI of the Bill intends to amend the Prisons Act, Cap. 58 R.E. 2023 in order to strengthen the legal, institutional and operational framework governing the Tanzania Prisons Service.

The Bill proposes general amendment so as to replace the titles of “Principal Commissioner” and “Commissioner” with the title “Commissioner General”. The purpose of the proposed amendment is to align the Act with the existing legal framework governing ranks within the Prisons Service.

Sections 2 and 51 are proposed to be amended by deleting the use of the term “young prisoner”. The purpose of the proposed amendment is to ensure consistency with the Law of the Child Act, Cap 13 and to enhance the protection of children under custodial sentence.

Sections 3A is proposed to be added in order to provide for functions of, and guiding principles for implementation of functions by the Tanzania Prisons Service. The purpose of the proposed amendment is to enhance efficient performance of duties under the Act.

Section 5 is proposed to be amended so as to provide for ranks of prisons officers which the Commissioner General may appoint, promote, transfer and reduce. The purpose of proposed amendment is to clarify mandate of the Commissioner General and to align with mandate under other written law governing the Prisons Service.

Section 7A is proposed to be added to establish regional and district prison administration structures. The purpose of the proposed amendment is to enhance effective administration command, control and supervision in accordance with the approved organisational structure and existing administrative practice.

Section 43, 82, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, and 94 are proposed to be amended in order to align fines and penalties with the provisions of the Act. The purpose of the proposed amendment is to deter commission of these offences and to reflect the current monetary value.

Section 62A is proposed to be added to empower the Tanzania Prison Services to establish rehabilitation programs, including educational, vocational, spiritual, cultural, physical and psychological support services. The purpose of the proposed amendment is to promote effective rehabilitation and successful reintegration of prisoners into society.

Section 81A is proposed to be added to provide for post-release support, including transportation and linkage to government and community support services. The purpose of the proposed amendment is to promote effective reintegration of released prisoners into society.

Section 105 is proposed to be amended to mandate the Minister to make regulations governing prisoners' rehabilitation and reintegration for effective implementation of the provisions of the Act

Part XVII of the Bill proposes to amend the Private Health Laboratories (Regulation) Act, Cap. 136 R.E. 2023 in order to address challenges that have been encountered during its implementation. This Act was enacted by the Parliament of the United Republic of Tanzania in 1997 to regulate the registration and management of private health laboratories managed by approved persons and in respect of private health laboratory services to be rendered by private health laboratories. This Act was not amended since its enactment.

The Act is proposed to be amended generally by deleting the term “technologist” and substituting for it the term “practitioner”. The purpose of the proposed amendment is to align it with the Health Practitioners Act, Cap. 48 which uses the generic term “practitioner” to include health laboratory scientist, health laboratory technologist and health laboratory assistant.

Section 3 is proposed to be amended by refining the definition of the term “private health laboratory” to include new types of laboratories and testing sites. The purpose of the proposed amendment is to widen the scope of private laboratories that can be registered by the Board, considering advancements in science and technology. Further, the section is proposed to be amended by refining the term “private health laboratory services” with the aim of excluding services which are currently regulated by Tanzania Medicine and Medical Devices Authority relating to laboratory investigation supplies. Additionally, the section is proposed to be amended to include the definitions of some new terms used in the Act. The purpose of the proposed amendment is to provide the interpretation of such terms as intended to be used in the Act.

Section 12 is proposed to be amended to provide for an appropriate reference to the relevant law regulating health laboratory practitioners. The purpose of the proposed amendment is to provide clarity with regard to the relevant law governing registration of health laboratory professionals. Additionally, the section is proposed to be amended by increasing penalties for individuals who violate the provisions of the Act. The purpose of the amendment is to ensure that penalties are proportionate to the severity of the offenses.

Section 12A is proposed to be added to introduce an approved person responsible for private laboratories to be accountable for the day-to-day affairs of the private health laboratory. The purpose of the proposed amendment is to ensure transparency and accountability of approved persons.

Section 13 is proposed to be amended by broadening the scope of recognised private laboratories. The purpose of the proposed amendment is to notify the public of the inclusion of such new private health laboratories. Section 14 is proposed to be amended by setting the threshold of penalties for individuals who manage private health laboratories without

being registered or operating on suspended registration. The purpose of the amendment is to ensure that penalties are proportionate to the severity of the offenses.

A new section 17A is proposed to be added to set a general penalty for offenses whose penalties are not specifically provided in the Act. The purpose of the proposed amendment is to deter the commission of certain offences prescribed under the Act. A new section 17B is proposed to be added to exempt the Board, Registrar or staff from liability resulting from discharging their responsibilities in good faith. The purpose of the proposed amendment is to protect employees and enable them to discharge their duties without fear of being prosecuted.

Section 18 is proposed to be amended by empowering the Minister to make regulations prescribing specific functions and procedures to be complied by approved persons. Section 21 is proposed to be amended by introducing room for appeal against decision of the Board. The purpose for the proposed amendment is to afford a constitutional right of appeal.

The Schedule is proposed to be amended in paragraph 1 by reviewing composition of the Board in order to accommodate professional representation of the industry and for effective implementation of the conduct of the Board. Further, paragraph 1A is proposed to be added in order to provide for grounds for termination of member of the Board. The purpose of proposed amendment is to enhance accountability and effective performance of Board members in the discharge of their duties. Paragraph 9 is proposed to be added in order to empower the Board to establish committees that will assist the Board in performing its duties. Paragraph 10 is proposed to be added to provide for provisions relating to conflict of interest of members. The purpose of the proposed amendment is to control orderly conduct of meetings and to enhance efficiency of the Board in carrying out its responsibilities.

Part XVIII of the Bill proposes to amend the Tanzania Library Services Act, Cap. 102 R.E. 2023. The Act was enacted in 1975 in order to provide for the continuance of the Tanganyika Library Services Board under the name of Tanzania Library Services Board, to enlarge the functions of the Board and to provide for the management and control of the Board. Since its enactment, the Act has been amended twice in 1977 and 1995 with the view to make better provisions for effective implementation. The Act is

proposed to be amended generally by deleting the word “Director” and substituting for it the word “Director General”. The purpose of the proposed amendment is to align with the Structure of the Tanzania Library Services.

Section 2 is proposed to be amended by refining the definition of the term “book” and introducing new definitions. The purpose of the proposed amendment is to provide appropriate interpretation of the such terms as used in the Act.

Section 4 is proposed to be amended by expounding the functions of the Board. The purpose of the proposed amendment is to widen the scope of functions of the Board with a view of enhancing administration and control of the library services. Section 5 is proposed to be amended by refining penalties for contravention of this section. The purpose of the proposed amendment is to align it with the current economic situation. Further, the amendment intends to prevent the contravention of the provisions of the Act.

Section 13 is proposed to be amended by including other source of income of the Board. The purpose of the proposed amendment is to widen the scope of sources of income of the Board with the view of enhancing efficiency of the Board in performing its functions.

Sections 14 is proposed to be amended by deleting increasing the amount of fund to transferred in the allocated budget from fifty thousand shillings to fifty million shillings. The purpose of the proposed amendment is to align with the changes in economic value of money so as to ensure better implementations of the Act.

The Schedule is proposed to be amended by refining the composition of the Board. The purpose of the proposed amendment is to enhance efficiency of the Board in performing its functions.

Part XIX of the Bill proposes to amend the Tanzania Tourist Board Act, Cap. 364 R.E. 2023. This Act was enacted in 1962 to provide for the establishment of the Tanzania Tourist Board. Since its enactment the Act was amended in 1968, 1992 and 2019.

The Act is proposed to be amended generally by reflecting the appropriate title of the head of management of the Board. The purpose of the proposed amendment is to align the title with the current approved organisational structure of the Tanzania Tourist Board. Section 2 is proposed to be amended by introducing definition of new terms with the view to providing interpretation of terms as intended to be used in the Act.

Section 5 of the Act is proposed to be amended by adding functions of the Board relating to tourism facilities and activities. The purpose of the proposed amendment is to enhance efficiency in regulating tourism activities. The Schedule is proposed to be amended by refining the composition of the Board. The purpose of the proposed amendment is to enhance efficiency of the Board in discharging its functions.

Part XX of the Bill proposes to amend the Tourism Act, Cap. 65 R.E. 2023. The Act was enacted in 2008 to provide for institutional framework, administration, regulation, registration and licensing of tourism facilities and activities. Since its enactment, the Act was amended once in 2021.

The Act is amended generally by deleting the reference to “Director” in various sections and substituting for it the reference to “Director General” with the view to shift the operational functions of regulating tourism activities from the Director of Tourism to the Tourist Board. The purpose of the proposed amendment is to enhance efficiency in regulating tourism activities as the operational functions will be discharged by the Tourist Board and the Ministry will remain with overall supervision and policy role.

Section 2 is proposed to be amended by adding the definition of the term “Director General” with a view to enhance clarity in the usage of the term in various provisions of the Act. Section 4 is proposed to be amended by streamlining the mandate of the Technical Advisory Committee. The purpose of the proposed amendment is to clarify the advisory role of the Committee on matters falling within the scope of the Act. Section 6 is proposed to be amended with the view to shift the operational functions of regulating tourism activities from the Director of Tourism to the Tourist Board. The purpose of the proposed amendment is to enhance efficiency in regulating tourism activities as the operational functions will be discharged by the Tourist Board and the Ministry will remain with overall supervision and policy role.

Sections 13 and 34 are proposed to be amended by removing the requirement to publish in the *Gazette* the list of registered or graded tourism facilities, activities and operators. The purpose of the proposed amendment is to simplify the procedure of publishing information relating to tourism facilities, activities and operators and enhance accessibility of tourism information to the public. Section 14 is proposed to be amended by removing the requirement of paying grading fees payable by operators of tourism facilities. The purpose of the proposed amendment is to encourage tourism operators to grade tourism facilities and improve tourism services. Section 16 is proposed to be amended by removing the role of the Minister in the cancellation of registration of tourism facility or activity. The purpose of the proposed amendment is to facilitate the effective implementation of operational functions of the Board.

Section 17 is proposed to be amended by imposing on the Director General the obligation to recommend a facility or activity to be designated as a tourism facility or activity by the Minister. The purpose of the proposed amendment is to recognise the operational powers vested to the Board. Section 36 is proposed to be amended by providing the validity period of a license to be twelve months from the date of its issuance. The purpose of the proposed amendment is to remove ambiguity and ensure legal certainty hence ease administration of tourism activities. Sections 42 is proposed to be amended and 43 is proposed to be repealed by removing provisions relating to the requirements and procedures of registration of tour guides. The purpose of the proposed amendment is to enhance administration and regulation of tour guides and promote tourism sector with the view to give effect to youth employment.

Sections 50 and 53 are proposed to be amended by including the words “Director General” in the said provisions. The purpose of the proposed amendment is to recognize rights and protection with regard to operational functions vested on the Director General.

The First Schedule is proposed to be amended by improving the composition of the Technical Advisory Committee and to reduce the number of mandatory meetings of the Committee from four to two per annum. The purpose of the proposed amendment is to enhance efficiency in the discharge of the Committee’s functions and to reduce operational costs.

Part XXI of the Bill proposes to amend the Trade and Service Marks Act, Cap. 326 R.E. 2023. This Act was enacted in 1986 to provide for registration and protection of trade and service marks. The Act has been amended three since its enactment including the amendments of 1991, 2004 and 2021.

Section 2 is proposed to be amended in order to improve the definitions of some terms used in the Act and to introduce new definitions of the terms which are used in the Act. The purpose of this amendment is to enhance clarity of the provisions of the Act.

Sections 16A and 16B are proposed to be added in order make provisions relating to protection of collective marks and registration of certification marks. The purpose of this amendment is to afford protection of collective marks by way of registration and to accommodate the registration of the certification marks of which after registration will be capable of being protected under the Act.

Section 19A is proposed to be added in order to make provision for protection of a well-known trademark in terms of the Regional or International Instruments ratified by the United Republic. The purpose of the proposed amendment is to protect well known trademarks under the Act.

Section 26 is proposed to be amended in order to empower the Registrar to advertise an application for registration of the marks before acceptance. The purpose of this amendment is to give the public an opportunity to provide their opinions in respect of the application lodged where the Registrar considers that there are some exceptional circumstances to do so before accepting such application.

Section 28A is proposed to be added with a view to recognize the trade and service marks registered by the African Regional Intellectual Property Organisation, declaring Tanzania as a designated State, prior and after coming into force of Banjul Protocol in the United Republic. The purpose of the proposed amendment is to ensure that the rights protected under the Banjul Protocol in which the United Republic is a signatory and has ratified the instrument becomes enforceable and protected in the United Republic.

Part XXII of the Bill proposes amendment to section 88 of the Value Added Tax Act, Cap. 148, so that value added tax refunds can be made within 30 days. The purpose of this amendment is to reduce the time taken to process VAT refund applications.

MADHUMUNI NA SABABU

Muswada huu unapendekeza kufanya marekebisho katika Sheria Ishirini na Moja ambazo ni, Sheria ya Kuzuia Utakatishaji wa Fedha Haramu, Sura ya 423, Sheria ya Nguvu za Atomu, Sura ya 188, Sheria ya Benki Kuu ya Tanzania, Sura ya 197, Sheria ya Majina ya Biashara, Sura ya 213, Sheria ya Usafiri wa Anga, Sura ya 80, Sheria ya Kampuni, Sura ya 212, Sheria ya Mwenendo wa Mashauri ya Jinai, Sura ya 20, Sheria ya Kudhibiti na Kupambana na Dawa za Kulevya, Sura ya 95, Sheria ya Chuo cha Mipango ya Maendeleo Vijijini, Sura ya 174, Sheria ya Chuo cha Uhasibu Arusha, Sura ya 240, Sheria ya Tafsiri ya Sheria, Sura ya 1, Sheria ya Usimamizi wa Mahakama, Sura ya 237, Sheria ya Baraza la Vijana, Sura ya 441, Sheria ya Usajili wa Hataza, Sura ya 217, Sheria ya Magereza, Sura ya 58, Sheria ya Usimamizi wa Maabara Binafsi za Afya, Sura ya 136, Sheria ya Huduma za Maktaba Tanzania, Sura ya 102, Sheria ya Bodi ya Utalii Tanzania, Sura ya 364, Sheria ya Utalii, Sura ya 65, Sheria ya Alama za Biashara na Huduma, Sura ya 326 na Sheria ya Kodi ya Ongezeko la Thamani, Sura ya 148.

Muswada huu umegawanyika katika Sehemu Ishirini na Mbili ambapo Sehemu ya Kwanza inahusu Masharti ya Utangulizi ambayo yanajumuisha jina la Muswada na namna ambavyo masharti mbalimbali ya Sheria yanapendekezwa kurekebishwa katika Sehemu zake.

Sehemu ya Pili ya Muswada inakusudia kurekebisha Sheria ya Kuzuia Utakatishaji wa Fedha Haramu, Sura ya 423 Toleo la 2023. Sheria hii ilitungwa mwaka 2006 kwa lengo la kuweka masharti bora ya kudhibiti na kuzuia utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi. Sheria hii imefanyiwa marekebisho mbalimbali mwaka 2008, 2012, 2013, 2015, 2016, 2020, 2022 na 2025.

Kifungu cha 3 kinapendekezwa kurekebishwa kwa kuongeza fasili za misamiati “foreign politically exposed persons” na “domestic politically exposed persons”. Aidha, Sheria inapendekezwa kurekebishwa kwa ujumla kwa kufuta maneno “politically exposed person” popote yanapoonekana na badala yake kuweka maneno “domestic and foreign politically exposed person”. Lengo la marekebisho ni kuongeza wigo wa fasili ya maneno “politically exposed person” ili kujumuisha mazingira ya utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi yanayohusisha mtu wa ndani ya nchi mwenye wadhifa maalumu (domestic politically exposed person) na raia wa kigeni mwenye wadhifa maalumu (foreign politically exposed person). Vile vile mapendekezo ya marekebisho yanalenga kutoa ufafanuzi sahihi wa misamiati hiyo kama ilivyotumika katika masharti mbalimbali ya Sheria.

Kifungu cha 15 kinapendekezwa kurekebishwa ili kuongeza muda unaohitajika kuhuisha tathmini ya vihatarishi. Lengo la marekebisho yanayopendekezwa ni kuzingatia kiwango cha kimataifa kuhusu uhuishaji wa tathmini ya vihatarishi kama inavyotakiwa na Kikosi Kazi cha Kimatifa Dhidi ya Utakatishaji Fedha Haramu (FATF) kwa lengo la kushughulikia changamoto katika kupambana na utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi.

Kifungu cha 16 kinapendekezwa kurekebishwa kwa lengo la kutofautisha namna ya kufanya uchunguzi wa kina kwa wateja ambao ni watu wa kigeni na wa ndani wenye wadhifa maalumu. Lengo la marekebisho yanayopendekezwa ni kuwawezesha watoa taarifa kufanya uchunguzi wa kina kwa wateja kwa ufanisi kulingana na matakwa ya kisheria yaliyoainishwa. Kifungu cha 18A kinapendekezwa kuongezwa ili kuainisha mazingira ambayo wataalamu walioteuliwa wa biashara isiyo ya kifedha wanapaswa kutoa taarifa ya miamala shuku. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi katika utoaji taarifa wa miamala shuku kwa lengo la kushughulikia changamoto katika kupambana na utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi.

Sehemu ya Tatu ya Muswada inakusudia kurekebisha Sheria ya Nguvu za Atomu, Sura ya 188 Toleo la 2023. Sheria hii ilitungwa mwaka 2003 kwa lengo la kuanzisha Tume ya Nguvu za Atomu, kuainisha majukumu yake

na masuala yanayohusiana na nayo. Tangu kutungwa kwake, Sheria hii imefanyiwa marekebisho mara mbili mwaka 2003.

Aya ya 1 ya Jedwali inapendekezwa kufanyiwa marekebisho kwa kupunguza idadi ya wajumbe wa Bodi na aya ya 2 inapendekezwa kufanyiwa marekebisho ili kuweka utaratibu wa kumchagua Makamu Mwenyekiti wa Bodi. Lengo la marekebisho yanayopendekezwa ni kupunguza gharama zinazohusiana na uendeshaji wa shughuli za Bodi. kuimarisha usimamizi wa Bodi na kuhakikisha usawa katika uwakilishi wa pande zote za Muungano katika ngazi za juu za uongozi wa Bodi.

Sehemu ya Nne ya Muswada inapendekeza kufanya marekebisho katika kifungu cha 69 cha Sheria ya Benki Kuu ya Tanzania, Sura ya 197 kwa kukifuta na kukiandika upya ili kubainisha vigezo ambavyo Benki inaweza kuruhusu mikopo ya muda mfupi kwa Serikali endapo kutatokea matukio yasiyotabirika au yasiyozuilika, na kubainisha masuala yatakayochukuliwa kuwa matukio yasiyotabirika au yasiyozuilika. Sheria hii imefanyiwa marekebisho mara kumi na moja katika miaka ifuatayo 2009, 2010, 2015, 2017, 2018, 2019, 2020, 2024 na 2025.

Sehemu ya Tano ya Muswada inapendekeza kurekebisha Sheria ya Majina ya Biashara, Sura ya 213 Toleo la 2023. Sheria hii ilitungwa mwaka 1930 kwa lengo la kuwezesha usajili wa kampuni ya ubia, watu binafsi na kampuni inayoendesha biashara chini ya jina la biashara na kuweka masharti mengine yanayohusiana na hayo. Sheria hii imefanyiwa marekebisho mara sita tangu kutungwa kwake ikijumuisha marekebisho ya mwaka 1955, 1975, 1991, 2012, 2021 na 2022 kwa lengo la kuweka masharti bora ya Sheria.

Kifungu cha 2 kinapendekezwa kurekebisha kwa kuweka fasili ya msamiati "designated non-financial business professional". Lengo la marekebisho yanayopendekezwa ni kuongeza uelewa wa maana iliyokusudiwa katika masharti mbalimbali ya Sheria. Aidha, kifungu cha 6 kinapendekezwa kurekebisha ili kuwajumuisha wataalamu wa biashara wasio wa kifedha kwenye watu wanaotakiwa kutoa taarifa za wamiliki manufaa. Lengo la marekebisho yanayopendekezwa ni kuongeza mawanda ya kupambana na utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi.

Kifungu cha 21 kinapendekezwa kurekebisha ili kutoa fursa kwa watoa taarifa kupata taarifa za umiliki manufaa baada ya kuwasilisha maombi kwa Msajili. Lengo la marekebisha haya ni kuwawezesha watoa taarifa kuwa na taarifa kamili za umiliki manufaa kwa madhumuni ya kuzuia vitendo vya utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi

Sehemu ya Sita ya Muswada inapendekeza kurekebisha Sheria ya Usafiri wa Anga, Sura ya 80 Toleo la 2023. Sheria hii ilitungwa mwaka 1977 kwa madhumuni ya kuwezesha utekelezaji wa Mkataba wa Chicago; na kwa kutoa misingi ya udhibiti, uratibu na uendelezaji wa usafiri wa anga na kuanzisha Mamlaka inayohusiana na udhibiti wa usafiri wa anga, huduma za viwanja vya ndege, huduma za uongozaji ndege na kutoa mwongozo wa uendeshaji wa Mamlaka badala ya Mamlaka ya awali. Sheria hii imefanyiwa marekebisha mara kwa mara ikiwemo mwaka 1992, 2002, 2003, 2013, 2014, 2016 na 2021 kwa lengo la kuimarisha udhibiti na uratibu bora wa usafiri wa anga.

Kifungu cha 2 kinapendekezwa kurekebisha kwa kuongeza tafsiri ya misamiati mipya. Lengo la marekebisha haya ni kutoa ufafanuzi wa matumizi ya misamiati mbalimbali ambayo imetumika katika Sheria ili kuendana na mabadiliko ya sekta ya usafiri wa anga na viwango vya kimataifa. Vifungu vya 5 na 15 vinapendekezwa kurekebisha ili kuboresha maudhui yake kwa dhumuni la kuimarisha utekelezaji wa masharti ya Sheria.

Kifungu cha 15A kinapendekezwa kuongezwa ili kuainisha masharti kuhusu uchunguzi wa ajali za ndege na matukio hatarishi. Lengo la marekebisha yanayopendekezwa ni kubainisha mawanda ya uchunguzi wa ajali za ndege na matukio hatarishi yanayotokea ndani na nje ya Jamhuri ya Muungano.

Kifungu cha 15B kinapendekezwa kuongezwa ili kutambua uwepo wa kitengo kinachojitegemea kinachojulikana kama “Kitengo cha Uchunguzi wa Ajali za Ndege” na kwa kifupi kinatambulika kama “AAIU” na ambacho kitakuwa chini ya Wizara yenye dhamana na masuala ya usafiri wa anga. Lengo la marekebisha yanayopendekezwa ni kuendana na viwango vya kimataifa vya usimamizi wa usafiri wa anga na kuiwezesha AAIU kutekeleza majukumu yake ya uchunguzi wa ajali na matukio makubwa katika usafiri wa anga kwa ufanisi.

Kifungu cha 15C kinapendekezwa kuongezwa ili kuweka masharti kuhusu uhuru wa uchunguzi na ufikiwaji wa taarifa muhimu zinazohusiana na ajali na matukio makubwa katika usafiri wa anga. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi katika kufanya uchunguzi.

Kifungu cha 15D kinapendekezwa kuongezwa kwa lengo la kuzuia utoaji wa taarifa zilizopatikana wakati wa uchunguzi. Lengo la marekebisho yanayopendekezwa ni kulinda taarifa nyeti kuhusu usalama wa usafiri wa anga na kuhamasisha ushirikiano thabiti kwa watu waliohusika katika uchunguzi.

Kifungu cha 15E kinapendekezwa kuongezwa ili kuweka masharti yanayohusiana na mgongano wa kimaslahi kwa wajumbe wa AAIU na hatua zitakazochukuliwa panapotokea ukiukwaji. Lengo la marekebisho yanayopendekezwa ni kutoruhusu upendeleo, kuimarisha imani ya umma na kuhakikisha kwamba uamuzi haufanyiki kutokana na ushawishi wa maslahi binafsi.

Kifungu cha 33A kinapendekezwa kuongezwa kwa kuweka masharti kuhusu utaratibu wa kuzuia ndege ya abiria ikiwa katika anga ya Jamhuri ya Muungano. Lengo la marekebisho yanayopendekezwa ni kulinda usalama wa ndege za abiria zinapokuwa angani na kukidhi mapendekezo ya kimataifa.

Kifungu cha 37 kinapendekezwa kurekebishwa kwa lengo la kuongeza mawanda ya ushirikiano na taasisi nyingine za Serikali kuhusu masuala ya usalama wa usafiri wa anga kwa ajili ya utekelezaji wa masharti ya Sheria. Aidha, kifungu cha 38 kinapendekezwa kurekebishwa kwa kuweka vigezo vya uteuzi wajumbe wa bodi wasio watendaji. Lengo la mapendekezo ya marekebisho ni kuimarisha usimamizi wa Mamlaka na kuongeza uwajibikaji.

Kifungu cha 45 kinapendekezwa kurekebishwa kwa kumpa mamlaka Rais kumteua Mkurugenzi Mkuu na kuainisha muda wa Mkurugenzi Mkuu kushika madaraka. Lengo la marekebisho yanayopendekezwa ni kuimarisha utawala bora na kuongeza uwajibikaji. Aidha, kifungu cha 73 kinapendekezwa kurekebishwa kwa kuboresha adhabu dhidi ya ukiukwaji wa masharti ya Sheria. Lengo la mapendekezo ya marekebisho ni

kuhakikisha kwamba masharti ya Sheria yanafuatwa na kudhibiti utendekaji wa makosa.

Sehemu ya Saba ya Muswada inapendekeza kurekebisha Sheria ya Kampuni, Sura ya 212 Toleo la 2023. Sheria hii ilitungwa mwaka 2002 kwa dhumuni la kuweka masharti ya kina kwa ajili ya usimamizi na udhibiti wa kampuni, asasi na masuala mengine yanayohusiana na hayo. Sheria hii ilifanyiwa marekebisho mbalimbali tangu kutungwa kwake ikijumuisha marekebisho ya mwaka 2008, 2012, 2016, 2019, 2020, 2021 na 2022.

Sheria inapendekezwa kurekebisha kwa kuongeza fasili za misamiati mipya katika kifungu cha 2 kwa lengo la kutoa ufafanuzi wa misamiati kama ilivyotumika katika Sheria. Vilevile, Sheria inapendekezwa kurekebisha kwa kuanzisha rejesta ya mkurugenzi mteule na mwanahisa mteule. Lengo la marekebisho yanayopendekezwa ni kuzingatia matakwa ya FATF kwa lengo la kushughulikia changamoto katika kupambana na utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi.

Kifungu cha 8 kinapendekezwa kurekebisha kwa kuanzisha sharti la kampuni kubainisha malengo mahsusi ya kampuni katika katiba ya kampuni. Lengo la marekebisho yanayopendekezwa ni kumwezesha Msajili wa kampuni kuwa na taarifa za kina kuhusu malengo mahsusi ya kampuni zilizosajiliwa ili kuimarisha udhibiti wa kampuni hizo.

Kifungu cha 15 kinapendekezwa kurekebisha kwa kuanzisha hitaji la kuzitaka kampuni kuweka wazi taarifa za mkurugenzi mteule au mwanahisa mteule, kama yupo kwenye kampuni. Lengo la marekebisho haya ni kukuza uwazi kwa kuhitaji kampuni kuweka wazi taarifa za mkurugenzi mteule au mwanahisa mteule kama yupo.

Kifungu cha 33 kinapendekezwa kurekebisha kwa kumpa Msajili wa Kampuni mamlaka, baada ya kuisha kwa muda wa notisi, kufuta kampuni yoyote kwenye rejesta ikiwa kampuni hiyo itashindwa kubadilisha jina ambalo ni sawa na jina la kampuni iliyotangulia kusajiliwa. Lengo la marekebisho haya ni kuondoa uwezekano wa kuwa na kampuni zaidi ya moja kwenye rejesta zikiwa na majina yanayofanana yanayoweza kusababisha mkanganyiko kwa umma.

Kifungu cha 118 kinapendekezwa kurekebisha ili kuweka masharti yanayoitaka kampuni kuandaa na kutunza daftari la wanahisa wateule. Lengo la marekebisho haya ni kuimarisha uwazi katika kampuni nakuhakikisha kuwa kampuni zinazingatia takwa lililopo kwenye pendekezo namba 24 la Kikosi Kazi cha Kimataifa Dhidi ya Utakatishaji Fedha (FATF).

Kifungu cha 133 kinapendekezwa kurekebisha kwa kuweka masharti yayozitaka kampuni kuainisha katika ritani ya kila mwaka idadi ya hisa zilizolipiwa na zisizolipiwa za kila daraja zinazoshikiliwa na kila mwanahisa wa kampuni kwa tarehe ambayo ritani imeandaliwa. Lengo la marekebisho haya ni kuepuka udanganyifu kuhusu hadhi ya hisa, udanganyifu katika ulipaji wa kodi na kulinda maslahi ya wanahisa.

Kifungu cha 213 kinapendekezwa kurekebisha ili kuweka masharti yanayozitaka kampuni kuweka na kutunza rejesta ya mkurugenzi mteule katika ofisi zao za usajili. Lengo la marekebisho haya ni kuimarisha uwazi kwa kuzitaka kampuni kuweka kumbukumbu za wakurugenzi wateule na kuhakikisha kuwa zinafuata takwa lililopo kwenye pendekezo namba 24 la Kikosi Kazi cha Kimataifa Dhidi ya Utakatishaji Fedha (FATF). Aidha, kifungu kipya cha 220A kinapendekezwa kuongezwa ili kumpa Msajili mamlaka ya kufanya ukaguzi wa kumbukumbu za kampuni, hesabu, na nyaraka nyingine muhimu katika ofisi ya usajili ya kampuni, au mahali pengine ambapo kumbukumbu za kampuni zinahifadhiwa. Lengo la marekebisho haya ni kuhakikisha kampuni zinatekeleza masharti ya Sheria hii.

Kifungu cha 438 kinapendekezwa kurekebisha kwa kuweka hitaji kwa kampuni za kigeni kuwasilisha kwa Msajili orodha ya wanahisa na taarifa za umiliki manufaa kama ilivyo kwa kampuni za ndani. Lengo la marekebisho haya ni kuzuia kampuni kujihusisha na vitendo vya utakatishaji fedha, ufadhili wa ugaidi na shughuli haramu za dawa za kulevya. Aidha, kifungu cha 440 kinapendekezwa kurekebisha kwa kuweka masharti yanayozitaka kampuni za kigeni yanapotokea mabadiliko ya wanahisa kuyajumuisha mabadiliko hayo katika ritani ya mwaka wakati wa kuwasilisha ritani hiyo kwa Msajili. Lengo la marekebisho haya ni kumwezesha Msajili kuhuisha na kutunza rejesta yenye taarifa sahihi.

Kifungu kipya cha 456A kinapendekezwa kuongezwa ili kuweka masharti yanayomtaka Msajili kutunza daftari la wakurugenzi na wanahisa wateule.

Lengo la marekebisho haya ni kuimarisha uwazi kwa kuzitaka kampuni kufichua taarifa za wakurugenzi na wanahisa wateule na kuhakikisha kuwa zinafuata takwa lililopo kwenye pendekezo namba 24 la Kikosi Kazi cha Kimataifa Dhidi ya Utakatishaji Fedha (FATF).

Kifungu cha 457 kinapendekezwa kurekebisha ili kuwawezesha watoa taarifa kupata taarifa za umiliki manufaa baada ya kuwasilisha maombi kwa Msajili. Lengo la marekebisho haya ni kuwawezesha watoa taarifa kuwa na taarifa kamili za umiliki manufaa kwa madhumuni ya kudhibiti vitendo vya utakatishaji wa fedha haramu, ufadhili wa ugaidi na ufadhili wa usambazaji wa silaha za maangamizi.

Kifungu kipyua cha 468A kinapendekezwa kuongezwa ili kumpa Msajili mamlaka ya kutoa maelekezo na miongozo kwa ajili ya utekelezaji bora wa Sheria. Lengo la marekebisho haya ni kuhakikisha kwamba kampuni zinazingatia masharti ya Sheria ipasavyo.

Sehemu ya Nane ya Muswada inapendekeza marekebisho katika Sheria ya Mwenendo wa Mashauri ya Jinai, Sura ya 20 Toleo la 2023. Sheria hii ilitungwa mwaka 1985 kwa lengo la kutoa utaratibu katika upelelezi wa makosa ya jinai na usikilizaji wa mashauri ya jinai na masuala mengine yanayofanana na hayo. Sheria hii ilifanyiwa marekebisho mara thelathini na sita ambapo marekebisho ya mwisho yalifanyika mwaka 2024.

Kifungu cha 4 kinarekebisha kwa kuondoa masharti yanayoweka ulazima wa shauri lenye sura ya jinai, madai au utawala chini ya Sheria ya Ajira na Mahusiano Kazini, Sura ya 366 na Sheria ya Utumishi wa Umma, Sura ya 298 kushughulikiwa kwanza katika utaratibu wa madai au kiutawala kabla ya kuanza taratibu za jinai. Lengo la marekebisho yanayopendekezwa ni kuhakikisha kuwa makosa ya jinai yanayotokana na masuala ya ajira yanashughulikiwa kwa wakati hivyo kuwezesha upatikanaji wa haki jinai kwa wakati na kuondoa ucheleweshaji na ukoseshaji wa haki jinai kwa waathirika wa uhalifu.

Sehemu ya Tisa ya Muswada inakusudia kurekebisha Sheria ya Kudhibiti na Kupambana na Dawa za Kulevya, Sura ya 95, Toleo la 2023. Sheria imerekebisha mara kadhaa mwaka 2017, 2018, 2021, 2022, na 2024 ambapo, kifungu cha pili kinapendekezwa kurekebisha kwa kuongeza wigo wa fasili msamiati ya “cannabis” bangi ili kujumuisha majani na mbegu. Lengo la marekebisho yanayopendekezwa ni kutambua majani na

mbegu kuwa bangi ili kuwezesha utekelezaji wa sheria hususani wakati wa ukamataji, upimaji na uchunguzi wa sampuli au vidhibiti.

Kifungu cha 11 kinapendekezwa kurekebisha kwa kubainisha kosa la kukutwa na mbegu za mmea wowote uliokatazwa pasipo kujali dhumuni la matumizi ya mbegu husika ikijumuisha uzalishaji wa madawa ya kulevya. Lengo la marekebisho yanayopendekezwa ni kutanua wigo wa kosa la kumiliki na kusambaza mbegu.

Kifungu cha 12 kinapendekezwa kurekebisha kwa kubainisha uwezo wa Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya kutengeneza kanuni na kutofautisha mamlaka hayo kama yalivyokasimiwa kwa Waziri. Lengo la marekebisho yanayopendekezwa ni kuondoa muingiliano wa utekelezaji wa mamlaka ya kutengeneza kanuni yaliyokasimiwa na Bunge kwa Waziri na Mamlaka ya Kudhibiti na Kupambana na Dawa za Kulevya.

Vifungu vya 15 na 16 vinapendekezwa kurekebisha kwa kujumuisha hali zote za yabisi na kimiminika kwa dawa za kulevya. Lengo la marekebisho yanayopendekezwa ni kutambua ujazo wa dawa za kulevya katika hali ya kimiminika ambazo awali zilikuwa hazitambuliki katika sheria.

Kifungu cha 18 kinapendekezwa kurekebisha kwa kuweka kosa la ukiukwaji wa masharti ya kibali kilichotolewa chini ya Sheria hii. Lengo la marekebisho yanayopendekezwa ni kuweka bayana kosa lililokusudiwa kwa mujibu wa Sheria.

Kifungu cha 25 kinapendekezwa kurekebisha kwa kukiboresha kimantiki kwa kujumuisha vitendo vilivyokusudiwa kuwa kosa. Lengo la marekebisho yanayopendekezwa ni kuweka bayana vitendo ambavyo vinawezesha kutendeka kwa kosa la kula njama ya kutenda kosa.

Kifungu cha 30 kinapendekezwa kurekebisha kwa kujumuisha hali zote za yabisi na kimiminika kwa dawa za kulevya. Lengo la marekebisho yanayopendekezwa ni kutambua ujazo wa dawa za kulevya katika hali ya kimiminika ambazo awali zilikuwa hazitambuliki katika Sheria.

Kifungu cha 34 kinapendekezwa kurekebisha kwa kutanua wigo wa maofisa wanaoweza kutoa amri ya upekuzi kwa kujumuisha afisa mwidhiniwa wa Mamlaka. Lengo la marekebisho yanayopendekezwa ni

kurahisisha utekelezaji nyakati ambazo matukio yanatokea katika maeneo ambayo haiwezekani kumpata Kamishna Jenerali au Mkuu wa Kituo cha Polisi.

Kifungu cha 38 kinapendekezwa kurekebishwa kwa kuweka sharti la kuainisha nchi ya asili ya dawa za kulevywa katika hati ya orodha ya mali iwapo inafahamika. Lengo la marekebisho haya ni kuwezesha utekelezaji bora wa masharti ya sheria.

Jedwali la Tatu linapendekezwa kurekebishwa kwa kurekebisha vichwa vya habari vya Fomu Na. DCEA 001. Lengo la marekebisho yanayopendekezwa ni kubainisha matumizi sahihi ya Fomu husika.

Sehemu ya Kumi ya Muswada inapendekeza kurekebisha Sheria ya Chuo cha Mipango ya Maendeleo Vijijini, Sura ya 174 Toleo la 2023. Sheria hii ilitungwa mwaka 1980 kwa lengo la kuanzishwa Chuo cha Mipango ya Maendeleo Vijijini. Tangu kutungwa kwake Sheria hii haijawahi kurekebishwa.

Sheria inapendekezwa kurekebishwa kwa ujumla ili kuweka cheo stahiki cha Mkuu wa Chuo kulingana na matakwa ya NACTVET. Aidha, aya ya 1 ya Jedwali inapendekezwa kurekebishwa ili kupunguza idadi ya wajumbe wa Baraza. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi wa utendaji wa Baraza.

Sehemu ya Kumi na Moja ya Muswada inapendekeza kurekebisha Sheria ya Chuo cha Uhasibu Arusha, Sura ya 240 Toleo la 2023. Sheria hii ilitungwa mwaka 1990 kwa lengo la kuanzisha Chuo cha Uhasibu Arusha. Tangu kutungwa kwake Sheria hii haijawahi kurekebishwa.

Sheria inafanyiwa marekebisho ya jumla kwa kuweka jina stahiki la Baraza la Uongozi na Mkuu wa Taasisi ili kuendana na matakwa ya NACTVET. Kifungu cha 4 kinapendekezwa kurekebishwa ili kuongeza wigo wa kazi za Taasisi. Lengo la marekebisho yanayopendekezwa ni kuweka misingi ya kisheria kwa kozi zote zinazotolewa na Taasisi na kuongeza ufanisi wa utendaji wa Taasisi. Kifungu cha 10 kinapendekezwa kufanyiwa marekebisho ili kumfanya Mkuu wa Taasisi kuwa Katibu wa Baraza la Uongozi. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi wa utekelezaji wa majukumu ya Baraza la Uongozi. Aidha, Jedwali la Kwanza linapendekezwa kurekebishwa kwa kupunguza idadi na

kuweka ukomo wa muda wa uteuzi wa wajumbe wa Baraza la Uongozi. Madhumuni ya marekebisho hayo ni kuimarisha usimamizi bora wa Baraza la Uongozi.

Sehemu ya Kumi na Mbili ya Muswada inapendekeza kurekebisha Sheria ya Tafsiri ya Sheria, Sura ya 1 Toleo la 2023. Sheria hii ilitungwa mwaka 1996 kwa lengo la kujumuisha muundo, matumizi, tafsiri na matumizi ya sharia na kuainisha masuala yanayohusiana na hayo.

Kifungu cha 85(1) kinapendekezwa kurekebisha kwa kuongeza masharti ya kuruhusu sheria ndogo kutengenezwa kwa lugha iliyotumika katika sheria kuu husika. Lengo la marekebisho yanayopendekezwa ni kuainisha lugha ya sheria ndogo na lugha iliyotumika katika sheria kuu ili kuepuka mkinzano wa maneno au misamiati.

Sehemu ya Kumi na Tatu ya Muswada inapendekeza kurekebisha Sheria ya Usimamizi wa Mahakama, Sura ya 237 Toleo la 2023. Sheria hii ilitungwa mwaka 2011 ili kuweka masharti bora ya uendeshaji bora wa Mahakama. Baada ya kutungwa, Sheria hii imefanyiwa marekebisho mara nne ikijumuisha marekebisho yam waka 2015, 2016, 2020 na 2023.

Kifungu cha 7 kinapendekezwa kurekebisha ili kuongeza wigo wa mamlaka ya Mtendaji Mkuu wa Mahakama kuwa Afisa Mtendaji Mkuu wa Tume ya Utumishi wa Mahakama. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi wa shughuli za kila siku za Tume. Kifungu cha 13 kinapendekezwa kufanyiwa marekebisho ili kuweka masharti kuhusu posho na stahili nyinginezo kwa wajumbe wa Tume ya Utumishi wa Mahakama. Lengo la marekebisho ni kuboresha utendaji wa Tume. Vile, kifungu cha 15 kinapendekezwa kurekebisha kwa kuongeza wigo wa majukumu ya Katibu wa Tume na kuweka masharti kuhusu uteuzi wa watumishi kwa ajili ya kumsaidia katika utekelezaji wa majukumu yake. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi katika utekelezaji wa majukumu ya Katibu.

Sehemu ya Kumi na Nne ya Muswada inapendekeza kurekebisha Sheria ya Baraza la Vijana, Sura ya 441, Toleo la Urekebu la Mwaka 2023 kwa lengo la kuimarisha mfumo wa kisheria, kitaasisi na kiutendaji unaohusu usimamizi, uratibu na taratibu za uchaguzi wa Mabaraza ya Vijana katika ngazi zote.

Kifungu cha 4 kinapendekezwa kurekebisha kwa kuondoa mamlaka ya Kamati ya Maendeleo ya Kata ya kuwachagua wajumbe wa Baraza. Lengo la marekebisha yanayopendekezwa ni kudumisha uhiari katika uanachama wa Baraza.

Kifungu cha 5 kinapendekezwa kurekebisha kwa kubainisha kuwa Makamu Mwenyekiti atakuwa na sifa zinazolingana na sifa za Mwenyekiti. Lengo la marekebisha yanayopendekezwa ni kuongeza ufanisi katika utekelezaji wa majukumu ya Baraza.

Kifungu cha 6 kinapendekezwa kurekebisha ili kuliwezesha Baraza kufanya mapitio na kutoa ushauri kwa Waziri kuhusu Sera ya Taifa ya Maendeleo ya Vijana na sera nyingine zinazohusu vijana. Lengo la marekebisha yanayopendekezwa ni kuimarisha uratibu na uwakilishi wa vijana katika maamuzi yanayohusu maendeleo ya vijana.

Vifungu vya 9, 10 na 11 vinapendekezwa kurekebisha kwa lengo la kuoanisha masharti ya Sheria hii na miundo ya kiutawala na kitaasisi ya Tawala za Mikoa na Serikali za Mitaa.

Kifungu cha 11A kinapendekezwa kuongezwa ili kuanzisha Kamati ya Usimamizi wa Uchaguzi na kuweka masharti kuhusu muundo na muda wa kuhudumu majukumu ya Kamati hiyo. Kifungu cha 11B kinapendekezwa kuongezwa kwa kuweka masharti kuhusu uteuzi wa katibu wa kamati ya usimamizi wa uchaguzi. Lengo la marekebisha yanayopendekezwa ni kuongeza ufanisi na kukuza uwazi, uwajibikaji, ujumuishi na haki katika uendeshaji wa chaguzi za Mabaraza ya Vijana.

Kifungu cha 13 kinapendekezwa kurekebisha kwa lengo la kuoanisha kifungu hicho na mtindo wa uandishi wa masharti ya makosa na adhabu unaotumika katika sheria.

Kifungu cha 16 kinapendekezwa kurekebisha ili kubainisha kuwa mchakato wa ajira utaendeshwa kwa kuzingatia taratibu zilizowekwa zinazosimamia ajira katika utumishi wa umma. Lengo la marekebisha yanayopendekezwa ni kuongeza uwazi na kuhakikisha uzingatiaji wa taratibu zinazotumika katika ajira za utumishi wa umma.

Sehemu ya Kumi na Tano ya Muswada inapendekeza kurekebisha Sheria ya Usajili wa Hataza, Sura ya 217 Toleo la 2023. Sheria hii ilitungwa

mwaka 1987 kwa lengo la kuboresha usajili wa hataza na kuweka masharti bora ya kukuza uvumbuzi na ubunifu. Tangu kutungwa kwake Sheria hii imerekebisha mara tatu ikijumuisha marekebisha ya mwaka 1991, 1995 na 1999.

Kifungu cha 2 kinapendekezwa kurekebisha kwa kuboresha fasili ya neno “Ofisi ya ARIPO”. Lengo la marekebisha haya ni kutoa ufafanuzi wa fasili hiyo kama ilivyotumika katika Sheria.

Kifungu cha 13 kinapendekezwa kurekebisha ili kumpa Waziri mamlaka ya kuziondoa kwa muda baadhi ya vumbuzi zinazoweza kusajiliwa kama hataza ambazo zinazohusu bidhaa au mchakato wa uzalishaji wa bidhaa kutoka kwenye ulinzi wa Sheria hii. Lengo la marekebisha haya ni kuongeza uwezo wa Waziri katika kutumia fursa mbalimbali kama ilivyoainishwa chini ya Makubaliano ya Shirika la Biashara Ulimwenguni kuhusu masuala yanayohusiana na biashara ya haki za Miliki Ubunifu (TRIPS Agreement).

Kifungu cha 39 kinapendekezwa kurekebisha ili kuweka muda wa ukomo wa ulinzi wa hataza. Lengo la marekebisha haya ni kuendana na Makubaliano ya TRIPS ambayo hutoa kiwango cha chini zaidi cha muda wa ulinzi wa hataza.

Kifungu cha 73 kinapendekezwa kurekebisha ili kuwianisha na mapendekezo ya marekebisha katika masharti yaliyopo chini ya Sehemu ya Kumi na Saba.

Kifungu cha 74 kinapendekeza kurekebisha ili kuongeza muda wa ulinzi wa hataza ndogo. Lengo la marekebisha haya ni kuchochea uvumbuzi na ubunifu. Aidha, Kifungu cha 76 kinapendekezwa kurekebisha ili kutoa ulinzi kwa maumbo bunifu yaliyosajiliwa kupitia sheria za kikanda na kimataifa ambapo Tanzania ni mwanachama.

Sehemu ya Kumi na Sita ya Muswada inapendekeza kurekebisha Sheria ya Magereza, Sura ya 58 Toleo la 2023 kwa lengo la kuimarisha mfumo wa kisheria, kitaasisi na kiutendaji unaosimamia Jeshi la Magereza Tanzania.

Muswada unapendekeza kufanya marekebisha ya jumla kwa kubadilisha majina ya vyeo vya “Principal Commissioner” na “Commissioner” na kutumia jina la cheo la “Commissioner General”. Lengo la marekebisha

yanayopendekezwa ni kuoanisha Sheria na mfumo wa kisheria unaosimamia vyeo ndani ya Jeshi la Magereza Tanzania.

Vifungu vya 2 na 51 vinapendekezwa kurekebisha kwa kuondoa matumizi ya msamiati “young prisoner”. Lengo la mapendekezo ya marekebisho ni kuendana na masharti ya Sheria ya Mtoto, Sura ya 13 na kuimarisha ulinzi wa watoto wanaotumikia adhabu ya kifungo.

Kifungu cha 3A kinapendekezwa kuongezwa kwa madhumuni ya kubainisha majukumu na misingi ya utekelezaji wa majukumu ya Utumishi wa Magereza. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi katika utekelezaji wa majukumu ya Jeshi la Magereza Tanzania chini ya Sheria.

Kifungu cha 5 kinapendekezwa kurekebisha kwa kubainisha mamlaka ya Kamishna Jenerali ya uteuzi, upandishaji vyeo, uhamisho au ushushaji vyeo kwa maafisa wa magereza. Lengo la marekebisho yanayopendekezwa ni kubainisha mamlaka hayo ya Mkuu wa Magereza na kuwianisha na mamlaka yaliyopo chini ya Sheria nyingine kuhusu Utumishi wa Magereza.

Kifungu cha 7A kinapendekezwa kuongezwa ili kuweka mfumo wa usimamizi wa magereza katika ngazi za mikoa na wilaya. Lengo la marekebisho yanayopendekezwa ni kuimarisha uongozi, udhibiti na usimamizi wa magereza kwa kuzingatia muundo wa kiutawala uliothibitishwa na taratibu zilizopo.

Vifungu vya 43, 82, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93 na 94 vinapendekezwa kurekebisha kwa lengo la kuhuisha faini na adhabu ili ziendane na masharti ya sheria. Lengo la mapendekezo ya marekebisho ni kuendana na thamani ya fedha ya sasa na kuzuia kutendeka kwa makosa hayo.

Kifungu cha 62A kinapendekezwa kuongezwa ili kulipa Jeshi la Magereza Tanzania mamlaka ya kuanzisha programu za urekebishaji wa wafungwa, ikiwemo elimu, mafunzo ya ufundi, huduma za kiroho, kitamaduni, shughuli za kimwili na huduma za msaada wa kisaikolojia. Lengo la marekebisho yanayopendekezwa ni kuimarisha urekebishaji bora wa wafungwa na kuwawezesha kurejea katika jamii yao.

Kifungu cha 81A kinapendekezwa kuongezwa ili kuweka masharti ya msaada kwa wafungwa baada ya kuachiwa huru ikiwemo usafiri kwenda sehemu zao makazi pamoja na uunganishaji na taasisi za Serikali na huduma za kijamii. Lengo la mapendekezo ya marekebisho ni kuwezesha urejaji salama wa wafungwa waliomaliza vifungo vyao katika jamii.

Kifungu cha 105 kinarekebishwa kwa kumuwezesha Waziri kutengeneza kanuni kuhusiana na urekebishaji bora wa wafungwa na kuwawezesha kurejea katika jamii yao kwa lengo la kuweka utekelezaji bora wa masharti ya sheria.

Sehemu ya Kumi na Saba ya Muswada inapendekeza marekebisho katika Sheria ya Usimamizi wa Maabara Binafsi za Afya, Sura ya 136 Toleo la 2023 ili kutatua changamoto ambazo zimejitokeza wakati wa utekelezaji wake. Sheria hii ilitungwa na Bunge la Jamhuri ya Muungano wa Tanzania mwaka 1997 kwa lengo la kusimamia usajili na usimamizi wa maabara binafsi za afya zinazoendeshwa na wataalamu walioidhinishwa na kuhusiana na huduma za maabara binafsi za afya zinazotolewa na maabara binafsi za afya. Sheria hii haijawahi kurekebishwa tangu kutungwa kwake.

Sheria inapendekezwa kurekebishwa kwa ujumla kwa kufuta neno “mteknolojia” na badala yake, kuweka neno “mtoa huduma ya afya”. Lengo la marekebisho yanayopendekezwa ni kuiwianisha Sheria hii na Sheria ya Watoa Huduma ya Afya, Sura ya 48 ambayo inatumia neno la jumla “mtoa huduma ya afya” kujumuisha mwanasayansi wa maabara ya afya, mteknolojia wa maabara ya afya na msaidizi wa maabara ya afya.

Kifungu cha 3 kinapendekezwa kurekebishwa kwa kuboresha tafsiri ya neno “maabara binafsi ya afya” kwa kujumuisha aina mpya za maabara na maeneo ya upimaji. Lengo la marekebisho yanayopendekezwa ni kuongeza wigo wa maabara binafsi ambazo zinaweza kusajiliwa na Bodi, kwa kuzingatia maendeleo ya sayansi na teknolojia. Aidha, kifungu hicho kinapendekezwa kurekebishwa kwa kuboresha msamiati “huduma za maabara binafsi za afya” kwa lengo la kuondoa huduma ambazo kwa sasa zinasimamiwa na Mamlaka ya Dawa na Vifaa Tiba Tanzania zinazohusiana na vifaa vya uchunguzi wa maabara. Vilevile, kifungu hicho kinapendekezwa kurekebishwa ili kujumuisha tafsiri ya misamiati mipya iliyotumika katika Sheria. Lengo la marekebisho yanayopendekezwa ni kutoa tafsiri iliyokusudiwa ya misamiati hiyo kama ilivyotumika katika Sheria.

Kifungu cha 12 kinapendekezwa kurekebisha kwa kuweka rejea sahihi ya Sheria inayosimamia wataalam wa maabara ya afya. Lengo la marekebisho yanayopendekezwa kutoa ufafanuzi kuhusiana na Sheria husika inayosimamia usajili wa wataalamu wa maabara ya afya. Aidha, kifungu hicho kinapendekezwa kurekebisha kwa kuongeza adhabu kwa watu wanaokiuka masharti ya Sheria. Lengo la marekebisho yanayopendekezwa ni kuhakikisha adhabu inaendana na ukubwa wa kosa.

Kifungu cha 12A kinapendekezwa kuongezwa kwa kumfanya mtu aliyeidhinishwa kuendesha maabara binafsi kuwa na wajibu wa kusimamia shughuli za kila siku za maabara binafsi ya afya. Lengo la marekebisho yanayopendekezwa ni kuhakikisha uwazi na uwajibikaji wa watu walioidhinishwa.

Kifungu cha 13 kinapendekezwa kurekebisha kwa kuongeza wigo wa utambuzi wa maabara binafsi. Lengo la marekebisho yanayopendekezwa ni kuwezesha umma kutambua aina mpya za maabara binafsi za afya zilizoongezwa. Kifungu cha 14 kinapendekezwa kurekebisha kwa kuweka ukomo wa juu na wa chini wa adhabu kwa watu wanaoendesha maabara binafsi bila kusajiliwa au ambao usajili wao umesitishwa. Lengo la marekebisho haya ni kuhakikisha adhabu zinazowekwa na sheria zinaendana na uzito wa makosa.

Aidha, kifungu kipya cha 17A kinapendekezwa kuongezwa ili kuweka adhabu ya jumla kwa makosa ambayo adhabu yake haijatajwa katika Sheria. Lengo la marekebisho haya ni kutoa mwongozo wa adhabu ambayo inaweza kutolewa kwa makosa yaliyotendwa chini ya Sheria hiyo pale ambapo sheria haijataja. Kifungu kipya cha 17B kinapendekezwa kuongezwa ili kuweka sharti la kinga kwa wajumbe wa Bodi, Msajili au wafanyakazi kutowajibishwa binafsi kisheria kwa makosa wanayoyafanya kwa nia njema wakati wa utekelezaji wa majukumu yao. Lengo la marekebisho yanayopendekezwa ni kuwalinda wajumbe wa Bodi watumishi na kuwawezesha kutekeleza majukumu yao bila hofu ya kushitakiwa.

Kifungu cha 18 kinapendekezwa kurekebisha kwa kutoa mamlaka kwa Waziri ya kuainisha katika Kanuni majukumu mahsusi na taratibu zinazopaswa kuzingatiwa na watu walioidhinishwa kuendesha maabara binafsi. Kifungu cha 21 kinapendekezwa kurekebisha kwa kutoa fursa ya

kukata rufaa dhidi ya uamuzi wa Bodi. Lengo la marekebisho yanayopendekezwa ni kutoa haki ya kikatiba ya kukata rufaa.

Jedwali linapendekezwa kurekebisha katika aya ya 1 kwa kupitia upya muundo wa Bodi ili kujumuisha uwakilishi wa kitaaluma wa sekta hiyo na kuwezesha utekelezaji bora wa shughuli za Bodi. Vilevile, aya ya 1A inapendekezwa kuongezwa ili kuainisha ukomo wa wajumbe wa Bodi. Lengo la marekebisho yanayopendekezwa ni kuimarisha uwajibikaji na utendaji bora wa wajumbe wa Bodi katika utekelezaji wa majukumu yao.

Aya ya 9 inapendekezwa kuongezwa ili kuipa Bodi mamlaka ya kuanzisha kamati zitakazoisaidia katika utekelezaji wa majukumu yake. Aya ya 10 inapendekezwa kuongezwa ili kujumuisha masharti kuhusu mgongano wa kimaslahi kwa wajumbe. Lengo la marekebisho yanayopendekezwa ni kuwezesha uendeshaji bora wa mikutano na kuimarisha ufanisi wa Bodi katika utekelezaji wa majukumu yake.

Sehemu ya Kumi na Nane ya Muswada inapendekeza kurekebisha Sheria ya Huduma za Maktaba Tanzania, Sura ya 102 Toleo la 2023. Sheria hii ilitungwa mwaka 1975 ili kuweka utaratibu wa kuendelea kwa Bodi ya Huduma za Maktaba Tanganyika kwa jina la Bodi ya Huduma za Maktaba Tanzania, kupanua wigo wa kazi za Bodi na kuweka masharti kuhusu usimamizi na udhibiti wa Bodi. Tangu ilipotungwa, Sheria hii imefanyiwa marekebisho mara mbili mwaka 1977 na 1995 kwa lengo la kuweka masharti kwa ajili ya utekelezaji bora wa Sheria.

Sheria inapendekezwa kufanyiwa marekebisho ya ujumla kwa kufuta neno “Mkurugenzi” na badala yake kuweka neno “Mkurugenzi Mkuu”. Lengo la marekebisho yanayopendekezwa ni kuwianisha Sheria na Muundo wa Huduma za Maktaba Tanzania.

Kifungu cha 2 kinapendekezwa kurekebisha kwa kuboresha fasili ya msamiati “book” na kuongeza misamiati mipya. Lengo la marekebisho yanayopendekezwa ni kutoa fasili mahsusi ya maneno kama yalivyotumika katika Sheria.

Kifungu cha 4 kinapendekezwa kurekebisha kwa kuongeza wigo wa kazi za Bodi. Lengo la marekebisho yanayopendekezwa ni kuongeza wigo wa kazi za Bodi kwa nia ya kuimarisha usimamizi na udhibiti wa huduma za maktaba. Kifungu cha 5 kinapendekezwa kurekebisha kwa kuboresha

adhabu kwa ukiukwaji wa kifungu hiki. Lengo la marekebisho yanayopendekezwa ni kuwianisha adhabu na hali ya sasa ya kiuchumi. Aidha, marekebisho yanakusudia kuzuia ukiukwaji wa masharti ya Sheria.

Kifungu cha 13 kinapendekezwa kurekebishwa kwa kujumuisha vyanzo vingine vya mapato ya Bodi. Lengo la marekebisho yanayopendekezwa ni kuongeza wigo wa vyanzo vya mapato ya Bodi kwa lengo la kuongeza ufanisi katika kutekeleza majukumu yake.

Kifungu cha 14 kinapendekezwa kurekebishwa kwa kuongeza kiwango cha fedha kinachoweza kuhamishwa kutoka kwenye bajeti iliyotengwa kutoka shilingi elfu hamsini hadi shilingi milioni hamsini. Lengo la marekebisho yanayopendekezwa ni kuendana na mabadiliko ya thamani ya fedha ili kuhakikisha utekelezaji wa Sheria.

Jedwali linapendekezwa kurekebishwa kwa kubainisha wajumbe wa Bodi. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi wa Bodi katika kutekeleza majukumu yake.

Sehemu ya Kumi na Tisa ya Muswada inapendekeza kurekebisha Sheria ya Bodi ya Utalii Tanzania, Sura ya 364 Toleo la 2023. Sheria hii ilitungwa mwaka 1962 kwa ajili ya kuanzisha Bodi ya Utalii Tanzania. Tangu kutungwa kwake Sheria hii imefanyiwa marekebisho mwaka 1968, 1992 na 2019.

Sheria inapendekezwa kurekebishwa kwa ujumla kwa kuweka cheo stahiki cha Mtendaji Mkuu wa Bodi. Lengo la marekebisho yanayopendekezwa ni kuwianisha cheo hicho na muundo wa sasa wa Bodi ya Utalii Tanzania. Kifungu cha 2 kinapendekezwa kurekebishwa kwa kuongeza fasili ya misamiati mipya kwa lengo la kutoa fasili ya misamiati hiyo kama ilivyokusudiwa kutumika katika Sheria.

Kifungu cha 5 cha Sheria kinapendekezwa kurekebishwa kwa kuongeza majukumu ya Bodi yanayohusiana na vifaa na shughuli za utalii. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi katika kusimamia shughuli za utalii. Jedwali linapendekezwa kurekebishwa kwa kuboresha muundo wa Bodi. Lengo la marekebisho yanayopendekezwa ni kuongeza ufanisi wa Bodi katika kutekeleza majukumu yake.

Sehemu ya Ishirini ya Muswada inapendekeza kurekebisha Sheria ya Utalii, Sura ya 65 Toleo la 2023. Sheria hii ilitungwa mwaka 2008 ili kuweka mfumo wa kitaasisi, utawala, udhibiti, usajili na utoaji leseni za suhula na shughuli za utalii. Tangu kutungwa kwake, Sheria hii imerekebishwa mara moja mwaka 2021.

Sheria inapendekezwa kurekebishwa kwa kufuta rejea ya “Mkurugenzi” katika vifungu mbalimbali na badala yake kuweka rejea ya “Mkurugenzi Mkuu” ili kuhamisha majukumu ya kiutendaji ya kusimamia shughuli za utalii kutoka kwa Mkurugenzi wa Utalii kwenda kwa Bodi ya Utalii. Lengo la marekebisho yanayopendekezwa ni kuimarisha ufanisi katika kusimamia shughuli za utalii kwa kuwa majukumu hayo ya kiutendaji yatatekelezwa na Bodi ya Utalii na Wizara itabaki na jukumu la usimamizi wa jumla na majukumu ya kisera.

Kifungu cha 2 kinapendekezwa kufanyiwa marekebisho kwa kuongeza fasili ya msamiati “Mkurugenzi Mkuu” ili kuweka ufafanuzi wa msamiati huo kama ulivyotumika katika masharti mbalimbali ya Sheria. Kifungu cha 4 kinapendekezwa kurekebishwa ili kufafanua mamlaka ya Kamati ya kitaalamu ya ushauri. Lengo la marekebisho yanayopendekezwa ni kubainisha jukumu la ushauri la kamati katika masuala mbalimbali yaliyo chini ya Sheria. Kifungu cha 6 kinapendekezwa kurekebishwa kwa madhumuni ya kuhamisha majukumu yote ya kiutendaji yanayohusiana na usimamizi wa shughuli za utalii kutoka kwa Mkurugenzi wa Utalii. Lengo la marekebisho yanayopendekezwa ni kuimarisha ufanisi katika kusimamia shughuli za utalii kwa kuwa majukumu hayo ya kiutendaji yatatekelezwa na Bodi ya Utalii na Wizara itabaki na jukumu la usimamizi wa jumla na majukumu ya kisera.

Vifungu vya 13 na 34 vinapendekezwa kurekebishwa kwa kuondoa sharti la kuchapisha katika Gazeti la Serikali orodha ya vituo vilivyosajiliwa au vilivyopangiwa madaraja, shughuli za utalii na waendeshaji wa utalii. Lengo la marekebisho yanayopendekezwa ni kurahisisha utaratibu wa kuchapisha taarifa zinazohusiana na vituo vya utalii, shughuli na waendeshaji wa utalii na kurahisisha upatikanaji wa taarifa za utalii kwa umma. Kifungu cha 14 kinapendekezwa kurekebishwa kwa kuondoa sharti la kulipa ada za upangaji wa madaraja zinazolipwa na waendeshaji wa vituo vya utalii. Lengo la marekebisho yanayopendekezwa ni kuwahimiza waendeshaji wa utalii kupandisha madaraja vituo vyao vya utalii na kuboresha huduma za utalii. Kifungu cha 16 kinapendekezwa

kurekebisha kwa kuondoa jukumu la Waziri katika kufuta usajili wa vituo vya utalii au shughuli za utalii. Lengo la marekebisha yanayopendekezwa ni kuwezesha utekelezaji bora wa majukumu ya kiutendaji ya Bodi.

Kifungu cha 17 kinapendekezwa kurekebisha kwa kumpa Mkurugenzi Mkuu wajibu wa kupendekeza vituo au shughuli kwa ajili ya kutangazwa na Waziri kama vituo au shughuli za Utalii. Lengo la marekebisha yanayopendekezwa ni kutambua mamlaka ya kiutendaji yaliyowekwa kwa Bodi. Kifungu cha 36 kinapendekezwa kurekebisha kwa kubainisha muda halali wa leseni kuwa miezi kumi na miwili kuanzia tarehe ya kutolewa kwake. Lengo la marekebisha yanayopendekezwa ni kuondoa utata na kuweka bayana usahihi wa kisheria hivyo kurahisisha usimamizi wa shughuli za kitalii. Kifungu cha 42 kinapendekezwa kurekebisha na 43 kinapendekezwa kufutwa kwa kuondoa masharti ya vigezo na taratibu za usajili wa waongoza watalii. Lengo la marekebisha yanayopendekezwa ni kuboresha usimamizi wa waongoza watalii ili kukuza sekta ya utalii na ajira kwa vijana.

Vifungu vya 50 na 53 vinapendekezwa kurekebisha kwa kumjumuiisha “Mkurugenzi Mkuu” katika masharti ya vifungu hivyo. Lengo la marekebisha haya ni kuwianisha masharti hayo na mapendekezo ya kumpa Mkurugenzi Mkuu wa Bodi ya Utalii majukumu ya kiutendaji.

Jedwali la Kwanza la Sheria linapendekezwa kurekebisha kwa kuboresha muundo wa Kamati ya Wataalam ya Ushauri na kupunguza idadi ya mikutano ya lazima ya Kamati kutoka minne hadi miwili kwa mwaka. Lengo la marekebisha yanayopendekezwa ni kuongeza ufanisi katika utekelezaji wa kazi za Kamati na kupunguza gharama za uendeshaji wa Kamati.

Sehemu ya Ishirini na Moja ya Muswada inapendekeza kurekebisha Sheria ya Alama za Biashara na Huduma, Sura ya 326 Toleo la 2023. Sheria hii ilitungwa mwaka 1986 ili kuweka masharti ya usajili na ulinzi wa alama za biashara na huduma. Tangu kutungwa kwake, Sheria hii imerekebisha mara tatu ikijumuisha marekebisha ya mwaka 1991, 2004 na 2021.

Kifungu cha 2 kinapendekezwa kurekebisha kwa kuboresha fasili ya misamiati iliyotumika katika Sheria na kuweka fasili mpya ya miasmiati

iliyotumika kwenye Sheria. Lengo la marekebisho yanayopendekezwa ni kutoa ufafanuzi wa masharti katika Sheria.

Vifungu vipya vya 16A na 16B vinapendekezwa kuongezwa kwa ajili ya kutoa ulinzi wa alama za pamoja na usajili wa alama za uthibitisho. Lengo la marekebisho haya ni kuweka ulinzi wa alama za pamoja kwa njia ya usajili na kushughulikia usajili wa alama za uthibitisho ambazo baada ya usajili zitaweza kulindwa chini ya Sheria.

Kifungu cha 19A kinapendekezwa kuongezwa ili kuweka masharti kuhusu ulinzi wa alama ya biashara inayojulikana kwa mujibu wa Mikataba ya Kikanda au Kimataifa iliyoridhiwa na Jamhuri ya Muungano wa Tanzania. Lengo la marekebisho haya ni kuweka ulinzi wa alama hizo za biashara chini ya Sheria.

Kifungu cha 26 kinapendekezwa kurekebisha ili kumpa Msajili mamlaka ya kutangaza maombi ya usajili wa alama kabla ya kuyakubali. Lengo la marekebisho haya ni kutoa fursa kwa umma ya kutoa maoni yao kuhusiana na maombi yaliyowasilishwa pale ambapo Msajili anaona kuwa kuna mazingira ya kipekee ya kufanya hivyo kabla ya kukubali maombi hayo.

Kifungu cha 28A kinapendekezwa kuongezwa ili kutambua alama za biashara na huduma zilizosajiliwa na Shirika la Miliki Bunifu Kanda ya Afrika, likibainisha Tanzania kama nchi teule, kabla ya kuanza kutumika kwa Itifaki ya Banjul katika Jamhuri ya Muungano. Lengo la marekebisho yanayopendekezwa ni kuhakikisha kwamba haki zinazolindwa chini ya Itifaki ya Banjul ambapo Jamhuri ya Muungano imetia saini, na kuiridhia zinatekelezwa ndani ya Jamhuri ya Muungano ili kuimarisha ulinzi wa alama za biashara na huduma.

Sehemu ya Ishirini na Mbili ya Muswada inapendekeza kufanya marekebisho katika kifungu cha 88 cha Sheria ya Kodi ya Ongezeko la Thamani, Sura ya 148 ili marejesho ya Kodi ya Ongezeko la Thamani yaweze kufanyika ndani ya siku 30 badala ya siku 90. Lengo la marekebisho haya ni kupunguza muda wa kuchakata maombi ya marejesho ya kodi ya ongezeko la thamani. Sheria hii imerekebisha mara kadhaa mwaka 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 na 2025.

Dodoma,
12th January, 2026

HAMZA SAID JOHARI,
Attorney General