

GOVERNMENT NOTICE NO. 437 published on 12/6/2020

THE LOCAL GOVERNMENT (DISTRICT AUTHORITIES) ACT,
(CAP. 287)

ORDER

(Made under section 11)

THE LOCAL GOVERNMENT AUTHORITIES (DIVISION OF ASSETS AND LIABILITIES)
ORDER, 2020

Citation 1. This Order may be cited as the Local Government Authorities (Division of Assets and Liabilities) Order, 2020.

Interpretation 2. In this Order unless the context otherwise requires-
“assets and liabilities” includes franchise, income, debts and expenses and all rights, interests, obligations and liabilities arising under contract;
“Authorities” means the Kondo District Council and Kondo Town Council;
“Minister” means the Minister for the time being responsible for Local Government.

Division of assets 3.-(1) All movable and immovable assets, franchise income, debts, expenses and all rights, interests, obligation and liabilities arising under contract whose description is as in the schedule which were vested in the then Kondo District Council shall from the effective date of this Order be vested in the Authorities in accordance with the allocation specified in the schedule.

(2) Any asset or liabilities stipulated in subsection (1) above which shall remain unallocated as

of the effective date shall be allocated and vested into the respective Authorities in such manner as the Minister may prescribe.

(3) For the avoidance of doubt, the details of some particular assets in respect of movable properties, plants, vehicles, motorcycle and boats, office equipments, immovable properties, liquid assets, projects are provided for in the First Schedule herein and details of liabilities in respect of debts are provided for in the Second Schedule.

(4) All public buildings and other properties which vested in the Kondoa District Council which have not been specifically mentioned in the schedules to this order shall vest in the Authorities in which they are situated.

Liability in
relation to
assets

4.-(1) All liabilities in relation to the assets transferred to and vested by this Order in respect of which the then Kondoa District Council was liable immediately preceding the effective date shall with effect from the effective date by virtue of this Order and without further assurance be transferred to and vested in the said Authority.

(2) The liability to which this paragraph applies shall, from the effective date, be deemed to be the liabilities of the Kondoa Town Council and the Kondoa District Council shall be discharged from its obligations in respect of every such liability.

Instruments

5. All instrument to which the Kondoa District Council is a part and which relate to any asset or liability transferred to Kondoa Town Council by this order, shall continue to be in force and all the rights and liabilities of the Kondoa District Council under such instrument shall be transferred to and vested into the Kondoa Town council.

Division of
liquid assets
and investments

6. Liquid assets and investments specified in the First Schedule to this Order vested in the Kondoa District Council shall, with effect from the effective date

by virtue of this Order and without further assurance be divided and vested to the Kondoia Town Council.

Powers of
authorities

7. For avoidance of doubt and without prejudice to any of the preceding provisions of this Order, it is hereby declared that the Authorities shall have and may exercise all such powers necessary or expedient to take appropriate measures to possess and recover any property to ascertain, perform and enforce any right and discharge any liability or obligation conferred or imposed on the Authority by virtue of this Order.

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8.-(1) Nothing in this Order shall be construed as-

- (a) validating or rectifying or deemed to be validating or rectifying any instrument or any term, covenant, condition or any provision of any instrument to which this Order applies;
- (b) creating in favour or against Authority or any other party any right or liability conferred or imposed under such instrument;
- (c) as receiving the authorities obligation to which this Order relate and which has ceased to be legally enforceable prior to the effective date of this Order; and
- (d) limiting the powers of the Minister to issue guidelines concerning the management, allocation or vesting of projects or anything not specifically provided for in this Order.

(2) Any action or other proceedings pending or instituted by or against the then Kondoia District Council in respect of any assets or liability transferred to the Authorities to which this Order relates may be instituted or continued and completed by or against the Authority.

FIRST SCHEDULE

(Made under paragraph 4(3) and 7)

ASSETS		
Plants and Vehicles	Kondoa District Council	Kondoa Town Council
1.	STK 3696 Toyota(Land Cruiser)	SM 10326 Toyota(D/Cabin)
2.	SM 6111 Toyota(V8)	SM 4367 Toyota (GX)
3.	STK (No number) Toyota (Hilux	SM 5081 Toyota(Land Cruiser)
4.	SM 3986 Toyota(Land Cruiser)	STK 3198 Toyota(Land Cruiser)
5.	SM 5864 Toyota(Land Cruiser)	SM 3943 Tata(Tipper Lorry)
6.	SM 4743 Toyota(Land Cruiser)	SM 4017 Tata(Tanker -water)
7.	SM 3065 Toyota(Land Cruiser)	STG 3121 Isuzu (Tipper)
8.	SM 5195 Toyota(Land Cruiser)	DFP 2643 Nissan (D/Cabin)
9.	STK (No number) Toyota (Hilux	CW5621 Tractor
10.	STL 945 Toyota(Land Cruiser)	CW5621 Trailer
11.	STK 8243 Suzuki-Samurai	CW5621 Hoe Tractor
12.	SM 2559 Isuzu (Long Base)	0
13.	STJ 303 Toyota(Tipper Lorry)	0
14.	DFP 6282 Toyota(Land Cruiser)	0
15.	STL 1608 Land Rover	0

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16.	DFP 6116 Toyota(Land Cruiser)	0
17.	DFP 8506 Toyota(D/Cabin)	0
18.	DFP 7180 Toyota(Land Cruiser)	0
19.	Caterpillar Bulldozer D.4E	0
Office Equipments	Kondoa District Council	Kondoa District Council
Human Resources' office		
Computers	3	1
Tables	9	3
Chairs	13	12
Printers	1	1
Scanner	1	0
Photocopy Machine	1	0
Laptops	1	0
Television	1	0
File Cabinet	1	0
Cooperative,Agricultural and Irrigation office		
Tables	7	4
Chairs	9	7
Computers	4	1
Laptops	2	1
Printers	4	1
Fridge	1	0
File Cabinet	3	0
Photocopy Machine	1	0

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Television	2	1
Computer Tables	2	1
Council Treasury & Trade Office		
Tables	2	1
Chairs	3	3
Cupboards	1	1
Computers	10	0
Printers	1	0
Television	1	0
Laptops	2	0
Procurement Unit' office		
Tables	1	1
Chairs	5	1
Cupboards	1	0
Photocopy Machines	1	0
Engineering Office		
Tables	5	2
chairs	6	2
Cupboards	1	1
Computers	1	2
Laptops	1	0
Photocopy Machines	1	0
Printers	2	1
Shelves	1	0
Scanner	1	0
Camera	1	2

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GPS	1	0
Dump Level	1	0
Internal Audit office		
Executive Chairs	1	1
Executive Table	1	1
Chairs(guests)	2	0
Computers	1	0
Printers	1	0
Laptops	1	0
Council Economist office		
Tables	3	1
Chairs	6	2
Shelves	4	0
Fridge	1	0
Laptop	1	1
Printers	1	0
Scanners	1	1
Legal Section Office		
Tables	3	1
Chairs	4	2
Computers	1	0
Printers	1	0
Executive Chair	1	0
Social welfare office		
Computers	1	1
Chairs	6	6

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Tables	6	5
Cupboards	2	1
Natural Resources office		
Tables	4	2
Chairs	3	2
Computers	1	1
Shelves	3	3
Cupboards	2	1
Land Office		
Tables	5	2
Chairs	4	3
Shelves	4	4
Cupboards	2	1
Primary School department office		
Chairs	25	10
Tables	10	4
Cupboards	6	3
Shelves	8	2
stool chair	1	0
Television	1	0
Photocopy Machine	1	1
Bench	1	0
Sofa (coach)	3	2
Computers	2	2
Printers	2	1
UPS	1	0

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File Cabinets	2	2
Dustbin	5	3
Secondary School department office		
Tables	1	1
Chairs	3	2
Table (Ps)	1	0
Cupboard (Iron)	1	0
Computers	1	0
Photocopy Machine	1	0
Printers	1	0
Scanners	1	0
File Cabinet	1	0
Water Engineering office		
Tables	9	4
Chairs	12	6
Computers	1	1
Printers	1	0
Photocopy Machine	1	0
Fax	1	0
Drawing Table	1	0
Bench	1	0
Shelves	1	0
Laptop	1	0
Buildings/Houses	Kondoa District Council	Kondoa Town Council
KIRDEP House (DED)	1	0
KIRDEP House (DT)	0	1

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DAICO House	0	1
House for DPLO	1	0
House for DEO (P)	1	0
Chemchem Servant Quarter	1	0
House for Legal Officer	1	0
New Houses	1	1
House for DMO	0	1
Houses located at Kondoa District Hospital	0	5
Houses located at Ubembeni area-NHC	0	16
House for Accountant	0	1
House for Doctor	0	1
House for Health Officer	1	0
House for Nurse	1	0
Houses located at Kwapakacha-NHC Line Police	0	3
NBC Club	0	1
Offices Buildings and Halls		
Kondoa DC headquarter Office Buildings	1	0
Kondoa TC headquarter Office Buildings	0	1
Agriculture and Livestock Department Office Building	1	0
Livestock Health Building at Kwapakacha	0	1
Water and Civil Engineering Office	1	0

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Buildings		
Offices for Manager of Kondo Urban Water	0	1
Kondoa District Hospital Buildings	0	1
Kondoa Irangi Conference Centre (KICC)	1	0
Centre for Youth conference Hall.	0	1
One Stop Centre Building	0	1
Chemchem Abattoir Building	0	1
Former Market Building.	0	1

SECOND SCHEDULE

LIABILITIES (DEBTS)		
Debts	Kondoa District Council	Kondoa Town Council
Service providers debts	147,791,937	73,895,967.6
Contractors debts	2,387,939,363	70,516,130
Council Staffs(Non Teachers)debts	210,293,974	105,146,987
Council Staffs(Teachers) debts	274,330,072	112,907,934
Councillors debts	72,378,362	28,533,552
LAPF debt	929,361,941	184,816,391.93
Land compensations debts	89,923,994	89,923,994

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Financial Institutions debts	74,881,214	0
ALAT debt	27,836,250	7,851,250
Miscellaneous deposit Account debt	59,911,020	27,992,980

Given under my hand and the Public Seal this 16th Day of April, 2020

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SELEMANI S. JAFO

Minister of State

President's Office, Regional Administration and Local Governments