

GOVERNMENT NOTICE NO. 438 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 Newala District Council and Newala 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 Newala 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 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 Newala 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 Newala 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 Newala Town Council and the Newala District Council shall be discharged from its obligations in respect of every such liability.

Instruments

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

Division of
liquid assets and
investments

6. Liquid assets and investments specified in the First Schedule to this Order vested in the Newala District Council shall, with effect from the effective date by virtue of this Order and without further assurance be divided and vested to the Newala 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. 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 the Authority or any other party any right or liability conferred or imposed under such instrument;
- (c) receiving the Authorities' obligation to which this Order relates and which has ceased to be legally enforceable prior to the effective date of this Order;
- (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 Newala 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	Newala District Council	Newala Town Council
Vehicle		
1.	SM 3954 Toyota L/Cruiser	DFP 6072 Toyota L/Cruiser
2.	DFPA 1135 Nissan D/Cabin	STK 7054 Toyota L/C pickup
3.	STK 7464 Toyota L/ C Hardtop	SM 9821 Nissan D/Cabin
4.	STK 8773 Land rover 110	SM 2642 Isuzu Tipper
5.	SM 6083 Toyota D/Cabin	SM 8800 Nissan D/Cabin
6.	STK 2216 Toyota D/Cabin	STJ 3998 Toyota L/Cruiser
7.	STK 2383 Toyota/L	SM 8602 Nissan Patrol
8.	SM 8644 Nissan Patrol	0
9.	DFP 8485 Toyota Hilux D/Cabin	0
10.	SM 5787 Toyota Hilux/Pickup	0
11.	SM 3316 Toyota L/Cruiser	0
Motor circles		
1.	YAMAHA YBR SM 11091	YAMAHA DT 125 SM 4619
2.	YAMAHA DT 125 SM 4618	YAMAHA SM 5985
3.	YAMAHA AG 200 SM 6613	YAMAHA AG 200 SM 6610
4.	YAMAHA AG 200 SM 6608	YAMAHA DT 125 SM 5663
5.	YAMAHA AG 200 SM 5321	YAMAHA DT 125 SM 5662
6.	YAMAHA AG 200 SM 5324	YAMAHA AG 200 SM 5326
7.	YAMAHA AG 200 SM 5325	HONDA XL T 884
8.	YAMAHA DT 125 SM 5890	SANLG SM 8407
9.	YAMAHA DT 125 SM 5664	SANLG SM 8432
10.	YAMAHA DT 125 SM 5661	SANLG SM 8435
11.	YAMAHA DT 125 SM 5660	HONDA XL T 884 AVR
12.	YAMAHA DT 125 SM 5659	HONDA TRAILER DFP 3679
13.	YAMAHA AG 200 STK 3621	HONDA CGL 125 STK 6567
14.	YAMAHA AG 200 SM6611	HONDA CGL 125 STK 6234
15.	YAMAHA AG 200 STK 3622	HONDA DT 125 STK 3234
16.	YAMAHA AG 200 SM 6614	DAYUN 125 STK 8500
17.	SANLG SM 8606	YAMAHA DT 125 SM 3920
18.	SANLG SM 8408	YAMAHA AG 200 SM 5760
19.	SANLG SM 8409	SANLG SM 8575
20.	SANLG SM 8433	SANLG SM 8576
21.	SANLG SM 8434	YAMAHA STL 413
22.	SANLG SM 8436	YAMAHA STL 433
23.	YAMAHA SM 5996	YAMAHA YBR SM 11086

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24.	DAYUN 125 STK 8501	YAMAHA YBR SM 11121
25.	DAYUN 125 STK 8502	RANGER LX 200 STK 9030
26.	DAYUN 125 STK 8503	YAMAHA YBR SM 11089
27.	DAYUN 125 STK 8504	YAMAHA AG SM 9770
28.	DAYUN 125 STK 8505	YAMAHA AG SM 9769
29.	DAYUN 125 STK 8506	YAMAHA YBR SM 11090
30.	HONDA XL STK 3136	HONDA XL DFP 8767
31.	YAMAHA DT 175 TZP 9398	HONDA XL DFP 8788
32.	HONDA XL STJ 8040	SUZUKI STK 3448
33.	SUZUKI TF 125 STK 7116	RANGER LX 200
34.	HONDA DT 125 SM 4548	YAMAHA STL 414
35.	0	HONDA XL DFP 8421
36.	YAMAHA SM 5986	0
37.	YAMAHA SM 5991	0
38.	YAMAHA SM 5992	0
39.	YAMAHA SM 5993	0
40.	YAMAHA DT 125 SM 8120	0
41.	YAMAHA AG SM 6612	0
42.	YAMAHA YBR SM 11095	0
43.	YAMAHA YBR SM 11097	0
44.	YAMAHA YBR SM 11098	0
45.	YAMAHA YBR SM 11092	0
46.	YAMAHA YBR SM 11096	0
47.	YAMAHA YBR SM 11093	0
48.	YAMAHA YBR SM 11087	0
49.	YAMAHA YBR SM 11091	0
50.	RANGER LX 200 STK 9125	0
51.	RANGER LX 200 STK 9120	0
52.	HONDA XL DFPA 343	0
53.	HONDA TRAILER STH 2012	0
54.	YAMAHA AG 200 SM 6609	0
Buildings	Newala District Council	Newala Town Council
1.	The District Headquarters situated at Newala town	0
2.	The building used by Livestock and Agricultural Department situated at Newala Town.	0
3.	The building used by engineering department and Community development and social welfare department situated at Newala Town.	0
4.	The Building used by Secondary education department situated at Newala Town.	0
5.	The building used by Primary education department situated at Newala Town.	0
6.	New conference Hall	0
7.	The building used by Natural	

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	Resources section.	
8.	The Cabin situated at Nanenane grounds Ngongo Lindi.	0
9.	The offices used by Water and Health Departments	0
10.	0	The building used by Newala Township Authority
11.	0	District Hospital
12.	0	Terminal Bus Stand
13.	0	The offices used by Works Department.
14.	0	Plot no. 530 block "T" Ujenzi PCCB
15.	0	Market plot situated at PCCB and Amkeni.
16.	0	The building closed to solo garage.
17.	Three (3) Health Centers situated within the area of jurisdiction of the district council	0
18.	Twenty three (23) Dispensaries situated within the area of jurisdiction of the district council	13 Dispensaries situated within the area of jurisdiction of the Town council
19.	74 Primary school Buildings within the jurisdiction of the district	45 Primary school Buildings within the jurisdiction of the Town Council
20.	15 Secondary school Buildings within the jurisdiction of the district	11 Secondary school Buildings within the jurisdiction of the Town council
21.	11 buildings used as Ward offices	building used as wards offices
22.	4 buildings used as Village offices	building used as Village/street offices
23.	26 residential houses for district council employees at Headquarter	0
24.	284 residential houses for district council employees within the jurisdiction of the council	24 residential houses for town council employees within the jurisdiction of the council
25.	1 warehouse at Plot no. 10 Block O, Luchingu	2 warehouse (one at Plot No. 10, Block M, Sido area, and Agricultural Warehouse at Plot no 131 block T Ujenzi area)
26.	2 markets within the area of jurisdiction of the council	2 markets within the area of jurisdiction of the council
27.	11 water pumps	3 water pumps
28.	4 water scheme	2 water schemes
29.	21,511 Rain water harvest tank	17,313 rain water harvest tank
30.	5 shallow and deep wells	5 shallow and deep wells

Office Equipment	Newala District Council	Newala Town Council
1.	19 Computer	13 Computer
2.	11 Laptop	9 Laptop

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3.	3 Executive chairs	3 Executive chairs
4.	106 chairs	76 chairs
5.	15 plastic chairs	15 plastic chairs
6.	1 Bench	0
7.	67 tables	65 tables
8.	15 Printer	12 Printer
9.	5 Photocopy machines	1 photocopy machine
10.	5 Scanner	2 Scanner
11.	2 Generator	0
12.	1 Cash boxes	0
13.	1 Steel cabinet	3 steel cabinet
14.	17 Wood cabinet	11 wood cabinet
15.	2 Cupboard	1Cupboard
16.	2 Fridge	0
17.	1 Television	0
18.	1 EFD machine	0
19.	1 Projector	0
Liquid assets	Newala District Council	Newala Town Council
1.	Development Tshs 71,580.425.18	0
	PE Tshs 978,350,485.19/=	0
2.	Shares and Dividend (a) CRDB shares amounting to Tsh 2,900,000 (b) Newala Development Bank 242,735,483. 26/=	Shares and Dividend (a) CRDB shares amounting to Tsh 2,100,000 (b) Newala Development Bank Tshs. 175,773, 970.63/=
Projects	Newala District Council	Newala Town Council
Project	0	Mapili water supply

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SECOND SCHEDULE
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LIABILITIES (DEBTS)		
Debts	Newala District Council	Newala Town Council
1.	Debt payable to service providers and contractors Tshs 59,160,000/=	Debt payable to service providers and contractors Tshs 42,840,000/=
2.	Debt arises from Development Fund 10,577,307,477/=	0
3.	Employees debts Tshs 599,162,670/=	0

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