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SPECIAL BILL SUPPLEMENT

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THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) (NO.4) ACT, 2019

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NOTICE
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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,
28th May, 2019

JOHN W.H. KIJAZI
Secretary to the Cabinet

A Bill

for

An Act to amend certain written laws.

ENACTED by 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) (No.4) Act, 2019.

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 ADVOCATES ACT,
(CAP. 341)**

Construction Cap.341 **3.** This Part shall be read as one with the Advocates Act, hereinafter referred to as the “principal Act”.

Amendment of section 3 **4.** The principal Act is amended in section 3(2), by deleting paragraph (a) and substituting for it the following:

“(a) the Attorney-General, the Director of Public Prosecutions, the Solicitor General, Parliamentary Draftsmen and State Attorneys and any person duly qualified in the Office of the Attorney General, the National Prosecutions Service and the Office of the Solicitor General.”

Amendment
of section 39

5. The principal Act is amended in section 39, by:

(a) adding immediately after subsection (1) the following new subsection:

“(2) A Law Officer or State Attorney shall not, for the whole period of service as a Law Officer or State Attorney, be issued with a practicing certificate.”.

(b) renumbering subsections "(2), (3) and (4)" as "(3), (4) and (5) respectively.

**PART III
AMENDMENT OF THE BIRTHS AND DEATHS
REGISTRATION ACT,
(CAP. 108)**

Construction
Cap.108

6. This Part shall be read as one with the Births and Deaths Registration Act, hereinafter referred to as the “principal Act”.

Amendment
of section 3

7. The principal Act is amended in section 3, by-

(a) adding immediately after subsection (1) the following:

“(2) The Registrar General shall have powers to register any birth or death which occurs at any place within Mainland Tanzania.”; and

(b) renumbering subsections (2), (3) and (4) as subsections (3), (4) and (5) respectively.

Addition of
section 5A

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

“Delegation
of powers
and
functions of
Registrar
General

5A.-(1) Without prejudice to the powers and functions vested upon the Registrar General under this Act, the Registrar General may, in writing, delegate to Ward Executive Officers, Mtaa Executive Officer and Village Executive Officers powers to register births and deaths occurring in their respective wards, Mtaa Executive Officer villages.

(2) Upon delegation of powers and functions under subsection (1), the Ward Executive Officers, Mtaa Executive Officer or Village Executive Officers shall, subject to directives of the Registrar General, perform the functions and exercise the powers of the Registrar-General as delegated.

(3) Any delegation of powers and functions of the Registrar-General made to Ward Executive Officers Mtaa Executive Officer and Village Executive Officers prior to the coming into operation of this section shall be deemed to be a valid delegation made under this Act.

(4) The Minister may, in consultation with the Minister responsible for local government, make regulations prescribing the manner, forms and mechanism, including the use of technology, for effective efficient registration of births and deaths by Ward Executive Officers, Mtaa Executive Officers and Village Executive Officers.”

Amendment
of section 14

9. The principal Act is amended in section 14, by deleting the phrase “within two years of the registration on” and substituting for it, the phrase “at any time before the child attains the age of eighteen years and upon”.

Addition of
section 17A

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

“Registra-tion
of death
occurring
outside
country

17A.-(1) Where any citizen of the United Republic dies in any country outside the United Republic, the parents, spouse or relative of the deceased shall furnish to the relevant Tanzania Embassy, High Commission or Consular, official record from the relevant authority indicating the particulars of the deceased.

(2) Upon receipt of the records under subsection (1), the relevant Embassy, High Commission or Consular shall immediately transmit the records to the Registrar General who shall take judicial notice of such death and where applicable, enter such records in the register of deaths occurring outside the United Republic.

(3) Where the records received relate to a citizen of the United Republic who is a resident of Tanzania Zanzibar, the Registrar General shall transmit such records to the relevant authority in Tanzania Zanzibar.

(4) The Minister may make regulations prescribing the forms, manner and procedure for registration of deaths occurring outside the United Republic.”

Addition of
section 24A

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

“Deletion of
entry in
register

24A.-(1) Where the Registrar General is satisfied that:

- (a) there exists in the register of births, two or more entries in respect of one person; or

(b) the existence of an entry in the register of births was procured by fraud or misrepresentation,

the Registrar-General shall, subject to subsection (2), delete any of such entries in the register of births, and cancel any certificate of registration issued in respect of such birth.

(2) Without prejudice to the powers granted under sub-section (1), the Registrar General shall, in deleting any entry in the register pursuant to this section, be guided by the presumption that the earlier entry in the register is genuine.

(3) Where the Registrar General deletes an entry and consequently cancels any registration certificate under this section, such entry and the certificate granted in respect of such birth shall cease to have legal effect.”

Addition of sections 26A, 26B and 26C

12. The principal Act is amended by adding immediately after section 26 the following new sections:

“Registra-tion on presumption of death
Cap. 6

26A.-(1) Without prejudice to sections 116 and 117 of the Evidence Act, where a court has issued an order as to the presumption of death of any person, the Registrar-General shall, upon receipt of an order of the court from any relevant person, register such death.

(2) In this section, “relevant person” means the administrator of the estate duly appointed, or a Government official duly authorized by the court to register the death.

Confidentiality

26B.-(1) All particulars submitted to the Registrar-General by any person in relation to birth or death shall, unless directed otherwise by the court or any other written law, be treated as confidential.

(2) A person shall not disclose any confidential information under this section unless authorized by the Registrar-General.

(3) A person who contravenes the provisions of this section commits an offence and shall, on conviction, be liable to a fine of not less than three hundred thousand shillings but not exceeding five hundred thousand shillings or to imprisonment for a term of not less than three months but not exceeding six months or to both.

Issuance of registration certificate upon adoption
Cap.13

26C.-(1) Subject to the provisions of the Law of the Child Act, where the High Court has granted an adoption order of a child, the Registrar General may, upon application, register the birth of the child and issue a certificate to that effect.

(2) An application under subsection (1) shall be accompanied with the certified copy of the adoption order of the High Court, application fees and other particulars as may be prescribed in the regulations.”

Amendment of section 29

- 13.** Section 29 of the principal Act is amended-
- (a) in subsection (1), by deleting the words “five hundred” and substituting for them the words “one hundred thousand”;
 - (b) in subsection (2), by deleting the words “five

- hundred” and substituting for them the words “one hundred thousand”; and
- (c) in subsection (3), by deleting the words “one thousand” and substituting for them the words “two hundred thousand”.

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

Construction
Cap. 20

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

Amendment
of section 3

15. The principal Act is amended in section 3, by inserting in their appropriate alphabetical order the following new definitions:

““plea agreement” means an agreement entered into between the prosecution and the accused in a criminal trial in accordance with sections 194A, 194B and 194C;

“plea bargaining” means a negotiation in a criminal case between a prosecutor and the accused whereby the accused agrees to-

(a) plead guilty to a particular offence or a lesser offence or to a particular count or counts in a charge with multiple counts; or

(b) cooperate with the prosecutor in the provision of information that may lead to a discovery of other informatin relating to the offence or count charged,

in return for concession from the prosecutor which may lead to a lenient sentence or withdrawal of other counts.

Addition of
sections
194A,
194B,194C,
194D,
194E, 194F,
194G and
194H

16. The principal Act is amended by adding immediately after section 194 the following:

“Plea
bargaining

194A.-(1) A public prosecutor, after consultation with the victim or investigator where the circumstances so permit, may at any time before the

judgment, enter a plea bargaining arrangement with the accused and his advocate if represented.

(2) The accused or his advocate or a public prosecutor may initiate a plea bargaining and notify the court of their intention to negotiate a plea agreement.

(3) The court shall not participate in plea negotiations between a public prosecutor and the accused.

(4) Where prosecution is undertaken privately, no plea agreement shall be concluded without the written consent of the Director of Public Prosecutions.

Consequence
of plea
bargain-ning

194B. Where, consequent to a plea bargaining arrangement, a plea agreement is entered into between a public prosecutor and an accused person-

- (a) the public prosecutor may charge the accused with a lesser offence, withdraw other counts or take any other measure as appropriate depending on the circumstances of the case;
- (b) the accused may enter a plea of guilty to the offence charged or to a lesser offence or to a particular count or counts in a charge with multiple counts in exchange for withdrawal of other counts; or

- (c) the accused may be ordered to pay compensation or make restitution or be subjected to forfeiture of the proceeds and instrumentalities that were used to commit the crime in question.

Requirements
of plea
agreement

194C.-(1) A plea agreement shall be in writing, and shall-

- (a) state fully the terms of the agreement, the substantial facts of the matter and all other relevant facts of the case and any admissions made by the accused person;
- (b) be read and explained to the accused person in a language that he understands;
- (c) accepted by the accused person; and
- (d) be signed by the prosecutor, the accused person and his legal representative, if any.

(2) Where an accused person has negotiated with a prosecutor through an interpreter, the interpreter shall certify that he is proficient in that language and that he interpreted accurately during the negotiations and in respect of the contents of the agreement.

Registration
of plea
agreement

194D.-(1) Any plea agreement entered into in accordance with the

provisions of sections 194A and 194B shall be registered by the court.

(2) The court shall, before it registers any such agreement, satisfy itself that the agreement was voluntarily obtained and the accused was competent to enter into such agreement.

(3) The court may pronounce a decision based on plea agreement or make such other orders as it deems necessary including an order to reject the plea agreement for sufficient reasons, except that, such rejection shall not operate as a bar to any subsequent negotiations preferred by the parties.

(4) Where the court accepts a plea agreement-

(a) the agreement shall become binding upon the prosecution side and the accused; and

(b) the agreement shall become part of the record of the court.

(5) Where a plea agreement entered into in accordance with sections 194A and 194B is accepted by the court, the court shall proceed to convict an accused person accordingly.

Procedure for
registration of
plea agreement

194E. Before the court records a plea-

(a) the accused shall be placed under oath; and

(b) the court shall address the accused person in court in a language he understands and shall inform him of

his rights and that-

- (i) by accepting a plea agreement, he is waiving his right to a full trial;
- (ii) by entering into a plea agreement, he is waiving the right to appeal except as to the extent or legality of sentence; and
- (iii) the prosecution has the right, in the case of prosecution for perjury or false statement, to use any statement that he gives in the agreement against him.

Offences which plea bargaining shall not apply

194F. Plea agreements shall not be entered into in any of the following offences-

- (a) sexual offences whose punishment exceeds five years or involving victims under eighteen years;
- (b) treason and treasonable offences;
- (c) possession or trafficking in narcotic drugs whose market value is above ten million shillings;
- (d) terrorism;
- (e) possession of Government trophy whose value is above ten million shillings without the consent, in

writing, of the Director of Public Prosecutions; and

- (f) any other offence as the Minister may, upon consultation with other relevant authority and by order published in the *Gazette*, prescribe.

Applica-tion
Prosecutions
to set aside
conviction
and sentence
relating to
plea bargain

194G.-(1) The Director of Public Prosecutions may, in matters relating to plea bargaining and in the public interest and the orderly administration of justice, apply to the court which passed the sentence to have the conviction and sentence procured on the grounds of fraud or misrepresentation pursuant to a plea agreement be set aside.

(2) An accused person who is a party to a plea agreement may apply to the court which passed the sentence to have the conviction and sentence procured involuntarily or by misrepresentation pursuant to a plea agreement be set aside.

Power to
make rules

194H. Subject to the provisions of this part, the Chief Justice may make rules and give directives for better carrying out the provisions of this Part relating to plea bargaining.”

Amendment
of section
219

17. The principal Act is amended in section 219, by deleting the words "criminal lunatic" wherever they appear in that section and substituting for them the words "mentally disordered offender".

PART V
AMENDMENT OF THE EXTRADITION ACT,
(CAP. 368)

Construction
Cap.368 **18.** This Part shall be read as one with the
Extradition Act, hereinafter referred to as the “principal
Act”.

Addition of
section 8A **19.** The principal Act is amended by adding
immediately after section 8 the following new section:

“Surrender of
fugitive
criminal **8A.**-(1) Upon receipt of the
certificate of the committal and any other
report on the case from the magistrate, the
Minister may, by warrant under his hand,
order the fugitive criminal to be
surrendered to any person who is, in his
opinion, duly authorized to receive the
fugitive criminal by the country from
which the requisition for the surrender
proceeded, and the fugitive criminal shall
be surrendered accordingly.

(2) Any person to whom a
warrant under this section is directed and
the person so authorized under subsection
(1), may receive, hold in custody and
convey into the jurisdiction of that
country the fugitive criminal mentioned in
the warrant.”

PART VI
AMENDMENT OF THE GOVERNMENT PROCEEDINGS ACT,
(CAP. 5)

Construction
Cap.5 **20.** This Part shall be read as one with the
Government Proceedings Act, hereinafter referred to as
the “principal Act”.

Amendment
of section 6 **21.** The principal Act is amended in section 6,
by-
(a) in subsection (2), adding immediately after
the words “the Attorney General” the words
“and the Solicitor General”;

- (b) in subsection (3), adding the words “Solicitor General” immediately after words “upon the”;
- (c) adding immediately after subsection (5) the following:
 - “(6) The Attorney General may, where necessary, give instructions to the Solicitor General to proceed or terminate any proceedings instituted by the Government and which is pending in court of law, and shall state the reasons thereof.”; and
- (d) renumbering subsectin (6) and (7) as (7) and (8) respectively.

Addition of
sectin 6A

22. the principal Act is amended by adding immediately after section 6, a new 6A as follows:

"Power of
Attorney
General to
intervene suits

6A.-(1) The Attorney General shall, through the Solicitor General, have the right to intervene in any suit or matter instituted by or against the ministries, local government authorities, independent departments and other government institutions.

(2) Where the Attorney General intervenes in any matter in pursuance of subsection (1), the provisions of the Government Proceedigns Act, shall apply in relation to the proceedigns of that suit or matter as if it had been instituted by or against the ministries, local government authorities, independent departments and other govenment institutions:

Provided that, the requirement of ninety days notice of intention to sue the Government as stipulated under the Government Proceedings Act shall not apply where the Attorney General intervenes under

this section.

(3) Notwithstanding the provisions of any written law, a ministry, local government authority, independent department or other government institution shall have a duty to notify the Attorney General of any impending suit or intention to institute a suit or matter against the Authority.”

PART VII
AMENDMENT OF THE MAGISTRATES’ COURTS ACT,
(CAP. 11)

Construction
Cap.11

23. This Part shall be read as one with the Magistrates’ Courts Act, hereinafter referred to as the “principal Act”.

Amendment
of section 40

24. The principal Act is amended in section 40(3), by-

- (a) deleting the words “fifty million” appearing in paragraph (a) and substituting for them the words “one hundred million”; and
- (b) deleting the words “thirty million” appearing in paragraph (b) and substituting for them the words “seventy million”.

PART VIII
AMENDMENT OF THE NATIONAL PROSECUTIONS
SERVICE ACT,
(CAP. 430)

Construction
Cap.430

25. This Part shall be read as one with the National Prosecutions Service Act, hereinafter referred to as the “principal Act”.

Amendment of
section 9

26. The principal Act is amended in section 9, by adding immediately after subsection (5) the following new subsections:

"(6) The Director shall establish and

maintain a system whereby the process of seeking and obtaining his consent for prosecutions may be expedited.

(7) For the purpose of subsection (6), the Director may, by notice published in the *Gazette*, specify offences or set a threshold of value involved in a case, the prosecutions of which shall require the consent of the Director in person, and the power of consenting to the prosecution of which may be exercised by such officer or officers subordinate to him, as he may specify, acting in accordance with his general or special instructions.”

Addition of section 9A

27. The principal Act is amended by adding immediately after section 9, the following new section:

"Compounding of offences

9A.(1) Notwithstanding the provisions of any other written law relating to compounding of offences with the consent of the offender, the Director shall have powers to compound-

- (a) any offence which by law an authorized officer is allowed to compound; or
- (b) any offence the punishment of which is a fine.

(2) All agencies and authorities allowed to compound offences by any written law shall submit monthly reports to the Director.

(3) The Minister may, by regulations, prescribe the procedures for better carrying into effect of the provisions of this section."

PART IX
AMENDMENT OF THE PREVENTION AND COMBATING OF
CORRUPTION ACT,
(CAP. 329)

Construction
Cap.329 **28.** This Part shall be read as one with the
Prevention and Combating of Corruption Act, hereinafter
referred to as the “principal Act”.

Amendment of
section 57 **29.** The principal Act is amended in section 57,
by-
(a) adding immediately after subsection (1) the
following:

Cap.430 “(2) Consent under subsection (1)
shall be obtained in accordance with the
provisions of section 9 of the National
Prosecutions Service Act”.

(b) renumbering subsection (2) as subsection (3).

PART X
AMENDMENT OF THE PROCEEDS OF CRIMES ACT,
(CAP. 256)

Construction
Cap. 256 **30.** This Part shall be read as one with the
Proceeds of Crimes Act, hereinafter referred to as the
“principal Act”.

Amendment of
section 3 **31.** The principal Act is amended in section 3,
by-

(a) deleting the definition of the term “specified
offence” ;

(b) deleting the definition of the term “serious
offence” and substituting for it the following
definition:

“serious offence” means an offence
against provisions of any law in
United Republic or in a foreign
state for a conduct which, had it
occurred in United Republic
would constitute a serious offence
the punishment of which is either

death or imprisonment for a period of not less than twelve months and includes any offence in which property has been used or proceeds generated or benefit derived;"

Repeal of section 6

32. The principal Act is amended by repealing section 6.

Amendment of section 9

33. Section 9 of the principal Act is amended-

(a) in subsection (1), by-

(i) deleting the words "six months" appearing in the opening phrase and substituting for them the words "twelve months";

(ii) adding immediately after paragraph (a) the following new paragraph:
“(b) forfeiture order against any property of corresponding value; or.”

(iii) renaming paragraph (b) as paragraph (c);

(b) by deleting subsection (5) and substituting for it the following:

“(5) The period provided for making an application in subsection (1) may be extended by the court when there is good cause for such extension.”

Amendment of section 10

34. The principal Act is amended in section 10 by-

(a) deleting the words "fourteen days" appearing in subsection (1)(a) and substituting for them the words "thirty days"; and

(b) deleting the words "fourteen days" appearing in subsection (2)(a) and substituting for them the words "thirty days"

Addition of sections 14A and 14B

35. The principal Act is amended by adding immediately after section 14 the following new sections:

“Forfeiture of property of corresponding value

14A.-(1) Where a property that is subject to forfeiture-

- (a) cannot be located upon exercise of due diligence;
- (b) has been transferred or sold to a third party who at the time of acquisition was unaware that it was being disposed of to avoid prosecution or confiscation;
- (c) has been placed in foreign jurisdiction and cannot be recovered;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property such that it becomes difficult to distinguish it without difficulty,

the court may order forfeiture of any other property of corresponding value of a person convicted of an offence.

Voiding actions

14B.-(1) The court may, before making a forfeiture order, in the case of property in respect of which a restraining order was made and notice of it was given in accordance with this Act, set aside any conveyance or transfer of the property or interest therein that occurred in the circumstances that give rise to a reasonable inference that the property was conveyed or transferred for the purposes of avoiding the forfeiture order.

(2) The provisions of subsection (1) shall not apply where the transfer or conveyance was made for sufficient value to a person acting in good faith and without notice.”

Repeal of section 20

36. The principal Act is amended by repealing section 20.

Amendment of section 22

37. The principal Act is amended in section 22, by -

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

“(4) Where an application is made for a pecuniary penalty order against a person's property in respect of a serious offence, all the property in the possession or under the control or direction of that person-

(a) at the time the application is made;

(b) at any time between the day the offence or the earliest offence was committed and the day on which the application is made; and

(c) within the period of five years immediately before the earliest offence was committed,

shall be presumed, unless the contrary is proved, to be property that represents a benefit received by the person by reason of the commission of the serious offence;” and

(b) adding immediately after subsection (4) the following new subsection:

“(5) The presumption under subsection (4) shall not be rebutted by merely stating that the property was

obtained from the offence that was not prosecuted.”

(c) renumbering subsections (5) to(7) as subsections (6) to (8).

Amendment of section 23

38. The principal Act is amended in section 23(2), by inserting the words "or any other registered entity" between the words "any trust" and "that has" appearing in paragraph (b).

Amendment of section 30

39. The principal Act is amended in section 30, by deleting subsection (2) and substituting for it the following:

“(2) The Director of Public Prosecutions shall name as respondents to an application under subsection (1) only those persons who own, possess or control the tainted property.

(3) Notice prescribed under section 10 shall apply *mutatis mutandis* in the application made under this section.

(4) The High Court may require notice to be given to any person who in the opinion of the Court appears to have an interest in the property.

(5) A person, who claims an interest in the property may appear and adduce evidence at the hearing of the application.

(6) Where the High Court is satisfied that a tainted property which is the subject of the application is the property referred to in subsection (1), the Court shall order that the property be forfeited to the United Republic.

(7) Where the Court refuses an application under subsection (1), the Court shall make an order that describes the property and declare that it is not the property referred to in that subsection.

(8) Where the Court is satisfied that the owner of the tainted property referred to in subsection (6)-

(a) has an interest in the property which is the subject of the application; and

(b) has exercised reasonable care to ensure that the property would not be a tainted property;

the Court shall make the order that the interest shall not be affected by forfeiture order.

(9) A person who claims an interest in property that has been forfeited and who has not been given notice under subsection (4), may make an application to the High Court to vary or set aside an order made under subsection (6) not later than sixty days after the day on which the forfeiture order was made.”

Amendment of section 38

40. The principal Act is amended in section 38, by deleting subsection (1) and substituting for it the following:

“(1) The Director of Public Prosecutions may make an *ex parte* application to the court for a restraining order against the property of a person who -

- (a) is under investigation or has been charged with or convicted of a serious offence including the property of a person other than the person who is under investigation or has been charged with or convicted of a serious offence; or
- (b) cannot be brought to court but his property is subject to forfeiture under this Act or any other law including the property of any other person in which he has interest or the property which is under his control or direction.”

Repeal and replacement of section 39

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

“Ground for issuing restraining order

39.-(1) Where an application for a restraining order is made against a property the court shall, subject to this section, issue a restraining order against the property.

(2) Where the application is made before a person is charged, the court shall

not issue a restraining order unless the court is satisfied, having regard to the matters contained in the affidavit, that reasonable steps have been taken to investigate the offence and the person is likely to be charged with the offence.

(3) Where the respondent has not been convicted, the court shall not issue a restraining order unless the court is satisfied that-

- (a) there are reasonable grounds to believe that the respondent committed the offence; and
- (b) the property is tainted or the respondent derived benefit from the commission of the offence.

(4) Where the respondent has been convicted, the court shall not issue the restraining order unless-

- (a) it is satisfied that the respondent has been convicted of a serious offence; and
- (b) the respondent derived a benefit, directly or indirectly from the commission of the offence.

(5) Where a restraining order is sought against property of a person other than the respondent, the court shall not issue the restraining order unless there are reasonable grounds to believe that-

- (a) the property is tainted; or
- (b) the respondent has an interest in the property or the property is under control or direction of the respondent who derived a benefit, directly or indirectly, from the commission of a

serious offence.

(6) Where a restraining order is sought against property of a person who cannot be brought to court, the court shall not issue the restraining order unless there are reasonable grounds to believe that the property shall be forfeited under this Act or any other law.

(7) A restraining order shall be granted in respect of property whether or not there is any risk of the property being disposed of or otherwise dealt with in a manner that would defeat the operation of any forfeiture or pecuniary penalty order made under this Act.

(8) A restraining order issued before charging under subsection (2) shall operate for twelve months provided that the court may extend the period of twelve months upon application by the Director of Public Prosecutions.

(9) Where a person is charged within the period of twelve months or time so extended, the restraining order shall remain in force until it ceases to have effect in terms of the provisions of section 52.

(10) An application for a restraining order shall be supported by an affidavit of the investigator setting out grounds of his belief under subsection (2) to (4).”

Repeal of
section 56

42. The principal Act is amended by repealing section 56.

PART XI
AMENDMENT OF THE OFFICE OF THE ATTORNEY GENERAL
(DISCHARGE OF DUTIES) ACT,
(CAP. 268)

- Constru-ction
Cap.268 **43.** This Part shall be read as one with the Office of the Attorney General (Discharge of Duties) Act, hereinafter referred to as the "principal Act".
- Addition of
section 17A **44.** The principal Act ia amended by adding immediately after section 17 the following new section:
- Cap.341 “Restriction to **17A.** A Law Officer or State
practise as Attorney shall not, for the whole
advocate period of service as a Law Officer or
State Attorney, practice as an
advocate.”

PART XII
AMENDMENT OF THE TANGANYIKA
RED CROSS SOCIETY ACT,
(CAP. 66)

- Construction
Cap.66 **45.** This Part shall be read as one with the Tanganyika Red Cross Society Act, hereinafter referred to as the “principal Act”.
- Amendment
of long title **46.** The principal Act is amended by deleting the long title and substituting for it the following:
“An Act to provide for establishment of Tanzania Red Cross Society and to provide statutory protection for the emblems and for matters connected therewith.”
- General
amendment **47.** The principal Act is amended generally by deleting the word “Tanganyika” wherever it appears in the Act and substituting for it the word “Tanzania.”
- Addition of
section 1A **48.** The principal Act is amended by adding immediately after section 1 the following new section:

“Applicat
ion **1A.** This Act shall apply to
Mainland Tanzania as well as
Tanzania Zanzibar.”

Amendment
of section 2

49. The principal Act is amended in section 2, by inserting in their appropriate alphabetical order the following new definitions:

““Conventions” means the four Geneva Conventions and the additional Protocols made thereunder;

“emblem” means the red cross or the red crescent;

“International Red Cross and Red Crescent Movement” means the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies and the various national Red Cross or Red Crescent societies;

“Minister” means the Minister responsible for legal affairs;

“red cross” when used to signify a heraldic emblem, means an emblem depicting a red crescent moon, on white ground.”

Amendment
of section 3

50. The principal Act is amended by deleting section 3 and substituting for it the following:

“Re-
establishment
of society

3.-(1) There shall continue to be established and constituted the Tanzania Red Cross Society which shall be a member of the International Federation of the Red Cross and Red Crescent Societies, and is recognized as the sole national Red Cross Society for the United Republic.

(2) The society shall be a voluntary aid Society and auxiliary to the public authorities in accordance with the 1949 Geneva Conventions and their additional protocols.

(3) The Society shall be a

body corporate having perpetual succession and a common seal capable of suing and being sued and which shall have the power of holding, purchasing and otherwise acquiring, and disposing of property both movable and immovable.”

Amendment
of section 7

51. The principal Act is amended by deleting section 7 and substituting it the following:

“Offences

7.-(1) Any person who, falsely and with intent to deceive or defraud-

(a) holds himself out to be a member of or an agent for the Society for the purpose of soliciting, collecting or receiving money or other property; or

(b) wears or displays the emblem or any colourable imitation thereof for the purpose of inducing the belief that he is a member of or an agent for the Society or that he has been recognized by the Society as possessing any qualification for administering first-aid or other treatment for injury or sickness,

commits an offence and shall be liable on conviction to a fine of not less than one million but not exceeding two million shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both.

(2) Where an offence contemplated in this section has been committed for which any corporate body is or was liable to prosecution, any person who was, at the time of the

commission of the offence, a director or a member of the management the corporate body and who knew of or could have prevented the commission of the offence, is guilty of the said offence, either jointly with the corporate body or part there from, and on conviction shall be liable to the punishment provided for in this section.”

Addition of sections 7A and 7B

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

“Emblem and compliance of usage

7A.-(1) The emblem of the Red Cross and Red Crescent are protected in the manner provided for in this Act and in the Conventions.

(2) The emblem may only be used-

- (a) as a sign that persons and equipment fall under protection of the Conventions;
- (b) to show that persons or equipment are connected to the International Red Cross and Red Crescent movement;
- (c) with the authorization of the Minister responsible for defence affairs in respect of personnel and equipment of Tanzania Peoples Defence Forces; or
- (d) in the manner as otherwise authorized by regulations made by the Minister in that regard.

(3) Subject to subsection (2) the Minister shall ensure compliance and take appropriate measures to prevent

any misuse of the emblem.

(4) The Society shall, in the performance of its functions -

(a) cooperate with the Minister responsible for defence affairs;

(b) inform such Minister of any misuse of the emblem which has come to its knowledge, and

(c) cooperate with the Government and other authorities in proceedings relating to the use or misuse of the emblem.

Powers to
make
regulations

7B. The Minister may make regulations or rules for better carrying out the provisions of this Act."

OBJECTS AND REASONS

This Bill proposes to amend Eleven laws namely the Advocates Act, Cap. 341, the Births and Deaths Registration Act, Cap. 108, the Criminal Procedure Act, Cap. 20, the Extradition Act, Cap. 368, the Government Proceedings Act, Cap. 5, the Magistrates Courts Act, Cap. 11, the National Prosecution Service Act, Cap.408, the Prevention and Combating of Corruption Act, Cap.329, the Proceeds of Crime Act, Cap.256, the Office of the Attorney General (Discharge of Duties) Act, (Cap.268), the Tanganyika Red Cross Society Act, Cap 66.

The proposed amendments intend to keep updated and harmonise the respective laws with changes so far observed in their implementation.

This Bill is divided into Twelve Parts. Part I deals with preliminary provisions which includes the title of the Bill and the manner in which the laws proposed to be amended, are amended in their respective Parts.

Part II proposes amendment to the Advocates Act, Cap.341, whereby, section 3 is amended with a view to aligning the Act with subsequent changes that took place in the organisational structure of the Office of the Attorney General. The changes are outcome of the Government Notices Nos. 48, 49, and 50 of 2018 which require the Director of Public Prosecutions and the Solicitor General be recognised as advocates under this Act and the Notary Public and Commissioners for Oaths Act. Section 34 is amended by adding subsection (2) so as to restrict Law Officers and State Attorneys from being issued with practicing certificates. The proposed amendment aims at restricting Law Officers and State Attorneys and lawyers in public service to practise law as advocates.

Part III amends the Births and Deaths Registration Act, Cap 108. The amendments intend to enhance the system of registration of births and deaths for purposes of enabling the Government to plan and allocate its resources, accordingly. The amendments further aim at empowering Ward and Village Executive Officers as assistant registrars after being delegated with such powers by the Registrar General. The objective of

the amendment is to devolve services closer to the community. Further, the amendments propose a new provision to enable registration of deaths occurring outside Tanzania. Furthermore, the amendments set out procedures to be followed in the process of adoption and issuance of registration certificates, upon adoption.

Part IV provides for amendments of the Criminal Procedure Act, Cap. 20. The purposes of the amendment is to introduce plea bargaining system in the country. The system will allow negotiation in a criminal case between the prosecutor and the accused, whereby the accused will agree to plead guilty to a particular offence charged or a lesser offence or to a particular count or counts in a charge with multiple counts in return for some concession from the public prosecutor which may not be limited to lenient sentence or withdrawal of other counts. Further, the Part proposes addition of new sections 194 which provides procedures for plea bargaining agreement, consequences of a plea bargaining agreement, the format of the plea bargaining agreement and procedure for registration of a plea bargaining agreement. The amendment intends to empower the Chief Justice to make and give directives for better carrying out of the provisions relating to plea bargaining. The introduction of this system in the country will reduce case backlogs and ensure timely delivery of justice as well as reducing inmate congestions in prison facilities.

Furthermore, the amendment in section 219 intends to replace the term "criminal lunatic" with the term "mentally disordered offender". This is due to the fact that the proper words used for a defendant who is intending to raise a defence on such situation, is recognized as "mentally disorder defender.". The term was introduced through the enactment of the Mental Health Act, Cap.98, in 2008.

Part V proposes amendments to the Extradition Act, Cap 368 by adding a new section 8A immediately after section 8. This amendment aims to give mandate to the Minister responsible for legal affairs to surrender a fugitive criminal to any person duly authorized by the country from which the requisition for surrender proceeded.

Part VI of the Bill proposes amendment to the Government Proceedings Act, Cap. 5 by introducing the Solicitor General as an Advocate of the Attorney-General. The proposal requires all persons to

submit to the Solicitor General a copy of the notice to sue in all suits against the Attorney General in order to give him ample time to prepare for defence. Further, the Attorney General is empowered to give instructions to the Solicitor General to proceed or terminate any proceedings pending in court. A new section 6A is proposed to be added with a view to empower the Attorney General to intervene in any suit or matter instituted by against the Government. It is also proposed that where the Attorney General intervenes in such suit or matter there won't be a requirement to issue a ninety days notice as stipulated by the Government Proceedings Act, Cap. 5.

Part VII proposes amendments to the Magistrates' Courts Act, Cap 11. The proposed amendment of section 40(3) is intended to enhance the pecuniary jurisdiction of commercial cases in subordinate courts. The amendment aims at reducing backlog of cases triable in the High Court Commercial Division.

Part VIII of the Bill proposes to amend the National Prosecutions Service Act, Cap. 430 by amending section 9. The proposed amendments intend to decentralize the powers of the Director of Public Prosecutions on issues related to issuance of consents to offences which require his consent before they are commenced in courts of law. This will speed the process of obtaining his consent and this time around the same will be issued in respective regions without the necessity of sending the files to the headquarters of the National Prosecutions Services according to the threshold set by the Director of Public Prosecutions. Also this part proposes to add a new section 9A with intent to give the Director more control on compounding of offences and requiring authorized Officers to furnish or submit reports on compounding offences.

Part IX of the Bill proposes to make amendments in the Prevention and Combating of Corruption Act, Cap 329. The proposed amendments intend to align the powers of the Director of Public Prosecution and officers under him as provided under section 57, to issuing consent to commence criminal proceedings in corruption offences, with section 9 of the National Prosecutions Services Act, Cap 430 as amended.

Part X proposes to amend the Proceeds of crime Act, Cap.256. The proposed amendments intend to strengthen the legal measures that

will ensure criminals are deprived proceeds of crimes and thereby discourage them from committing property driven crimes, such as corruption, trafficking in narcotic drugs, money laundering and related serious offences. Section 3 is proposed to be amended to widen the scope of the definition of a serious offence in order apply the Proceeds of Crimes Act to all potential offences which generates proceeds which are committed within and outside the country. The current definition is narrow, it does not include all potential criminal offences which are committed in foreign jurisdictions. It is also proposed to repeal the definition of specified offence because there is no longer reference of these phrases in the Act. The part also proposed to repeal section 6. The proposed amendment in section 3 is intended to delete the phrase “specified offence” and substituting for it the phrase “foreign serious offence” which is proper after the former was deleted wherever it appeared in the Act. The reason to repeal section 6 is to avoid repetition since the definition of serious offence is already provided in section 3. In section 9 (1) it is proposed to add properties of corresponding value in the list of properties that can be confiscated.

Amendmenet to section 10(1) on the other hand, proposed to remove the mandatory period of 14 days for service of an application to the respondent in order to provide flexibility for service of the application where it is not practically possible to serve the application within 14 days. Moreover, the proposed amendments in section 14 aim at introducing new sections 14A and 14B are intended to void actions or arrangements that may prejudice the Government’s ability to recover property that is subject to forfeiture. This amendment will discourage fraudulent acts calculated to prevent the Government from confiscation of criminal assets such as disposition or transfer of properties that are restrained to secure them for confiscation. The proposed amendments in sections 20,22,30,38 and 39 are intended to strengthen efforts of depriving criminals to getting advantage of the proceeds or benefits of crime. Lastly, the proposed amendments in section 43(1) (d) are intended to repeal paragraph (d) which imposes unnecessary requirement for the Government to give undertaking to pay damages or costs arising from the granting of restraining order in order which is already taken care of by the Government Proceedings Act.

Part XI of the Bill proposes to amend the Office of the Attorney General (Discharge of Duties) Act, Cap. 268. A new section 17A is

proposed to be added so as to restrict Law Officers and State Attorneys from practising as advocates.

Part XII proposes amendment to the Tanganyika Red Cross Act by deleting the title "Tanganyika" and replacing it with the title "Tanzania". The aim is to give mandate to the society to extend its function to Tanzania Zanzibar. Further, the amendments intend to reestablish the Tanzania Red Cross Society and expand the definitions and its mandate in the country and at the international level for purposes of implementing the four Geneva Conventions and the Protocols additional to those Conventions. Section 7A is amended to provide for the meaning of the emblem and restrictions on its use.

MADHUMUNI NA SABABU

Muswada huu unapendekeza marekebisho katika Sheria Kumi na Moja zifuatazo; Sheria ya Mwakili, Sura ya 341, Sheria ya Usajili ya Vizazi na Vifo, Sura ya 108, Sheria ya Mwenendo wa Mashauri ya Jinai, Sura ya 20, Sheria ya Urejeshwaji wa Wahalifu, Sura ya 368, Sheria ya Mashauri dhidi ya Serikali, Sura ya 5, Sheria ya Mahakama za Mahakimu Wakazi, Sura ya 11, Sheria ya Taifa ya Mashitaka, Sura 430, Sheria ya Kuzuia na Kupambana na Rushwa, Sura ya 329, Sheria ya Mapato yatokanayo na Uharifu, Sura ya 256, Sheria ya Utekelezaji wa Majukumu ya Ofisi ya Mwanasheria Mkuu wa Serikali, Sura 268 na Sheria ya Chama cha Msalaba Mwekundu Tanzania, Sura ya 66.

Mapendekezo ya marekebisho yanalenga kuondoa mapungufu ambayo yamejitokeza katika Sheria hizo wakati wa utekelezaji wa baadhi ya masharti katika Sheria husika.

Muswada huu umegawanyika katika Sehemu Kumi na Mbili. Sehemu ya Kwanza inahusu masharti ya utangulizi ambayo yanajumuisha jina la Muswada na namna ambavyo masharti mbalimbali ya sheria yanavyopendekezwa kurekebishwa.

Sehemu ya Pili inapendekeza marekebisho kwenye Sheria ya Mwakili, Sura ya 341, ambapo kifungu cha 3 kinapendekezwa kufanyiwa marekebisho kwa lengo la kuwianisha Sheria na mabadiliko

yaliyofanyika kwenye Muundo wa Ofisi ya Mwanasheria Mkuu wa Serikali. Mabadiliko hayo ni matokeo ya Matangazo ya Serikali Namba 48, 49 na 50 ambayo yalimtaka Mkurugenzi wa Mashtaka na Wakili Mkuu wa Serikali watambulike kuwa mawakili kwa namna Sheria hii na Sheria ya Kamishna wa Viapo zinavyohusika. Aidha, kifungu ch 34 kinakusudiwa kurekebisha kwa kuongeza kifungu kidogo cha (2) kwa lengo la kuzuia Mawakili wa Serikali na wanasheria katika utumishi wa umma kufanya kazi za uwakili wa kujitegemea.

Sehemu ya Tatu inapendekeza marekebisho kwenye Sheria ya Usajili wa Vizazi na Vifo, Sura ya 108. Marekebisho haya yanalenga kupanua wigo wa mfumo wa usajili wa vizazi na vifo kwa madhumuni ya kuiwezesha Serikali kupanga na kusambaza rasilimali kwa wananchi kwa ufanisi. Marekebisho haya yanawatambua Watendaji wa Kata na Vijiji kuwa wasajili wasaidizi baada kukasimiwa mamlaka hayo na Msajili Mkuu. Utaratibu huu utasogeza huduma karibu zaidi na jamii. Marekebisho haya pia yanalenga kusajili hata vifo vitakavyotokea nje ya Tanzania. Marekebisho katika Sheria hii yanalenga pia kuweka utaratibu utakaofuatwa wakati wa kuasili mtoto (adoption) na utaratibu wa kutoa hati ya usajili baada ya uasili wa mtoto.

Sehemu ya Nne inapendekeza marekebisho kwenye Sheria ya Mwenendo wa Mashauri ya Jinai, Sura ya 20. Madhumuni ya marekebisho haya ni kuweka mfumo rasmi na unaotambulika wa makubaliano ya awali ya makosa ndani ya nchi. Makubaliano ya awali ya makosa kwa mujibu wa marekebisho haya yatakuwa ni makubaliano kwenye kesi za jinai kati ya mwendesha mashtaka na mtuhumiwa ambapo mtuhumiwa anakiri kosa dhidi ya makosa aliyoshtakiwa au anakiri kosa dogo miongoni mwa makosa mbalimbali aliyoshtakiwa baada ya kukubaliana na mwendesha mashtaka kuwa kukiri kwake kutampunguzia uzito wa adhabu. Mapendekezo ya marekebisho ya kifungu cha 194 yanalenga kuweka utaratibu wa makubaliano ya awali, matokeo ya kukiri makosa, mwongozo wa makubaliano ya awali pamoja na utaratibu wa usajili wa makubaliano ya awali. Kuanzishwa kwa mfumo huu kutampunguzia mlundikano wa kesi na kutahakikisha kuwepo kwa utoaji wa haki ndani ya muda na kupunguza msongamano wa wafungwa magerezani.

Marekebisho ya kifungu cha 219 yanalenga kufuta maneno "criminal lunatic" na badala yake kuweka maneno "mentally disordered offender". Sababu za marekebisho haya zinatokana na matumizi sahihi ya maneno yanayotumika kwa mtu anayetaka kujitetea kutokana na matatizo ya akili, kwa sasa maneno sahihi yaliyokubalika ni "mentally disordered offender". Maneno haya yalianza kutumika ndani ya Sheria hii kupitia kutungwa kwa Sheria ya Afya ya Akili, Sura ya 98 mnamo mwaka 2008.

Sehemu ya Tano inarekebisha Sheria ya Urejeshaji wa Wahalifu, Sura ya 368 kwa kuongeza kifungu kipyacha cha 8A kwa lengo la kumuwezesha Waziri anayehusika na masuala ya sheria kuwa na mamlaka ya kumkabidhi mhalifu wa nje kwa mtu yeyote aliyeidhinishwa na nchi inayoomba kukabidhiwa mhalifu huyo.

Sehemu ya Sita inapendekeza marekebisho kwenye Sheria ya Mashauri dhidi ya Serikali, Sura ya 5, ambapo Wakili Mkuu wa Serikali anatambuliwa ndani ya Sheria hii. Pale ambapo notisi ya kuishtaki Serikali itatolewa kwa Mwanasheria Mkuu wa Serikali, inapendekezwa kuwepo na ulazima wa kutoa nakala ya notisi hiyo kwa Wakili Mkuu wa Serikali. Marekebisho pia yanalenga kumuwezesha Mwanasheria Mkuu wa Serikali kutoa maelekezo kwa Wakili Mkuu wa Serikali ya aidha kuendela au kusitisha shauri lililofunguliwa na Serikali. Kifungu kipyacha cha 6A kinapendekezwa kuongezwa kwa lengo la kumuwezesha Mwanasheria Mkuu wa Serikali kuingilia mashauri na kesi zote zilizofunguliwa na Serikali au dhidi ya Serikali. Aidha, inapendekezwa pia, iwapo Mwanasheria Mkuu wa Serikali ataingilia shauri lolote, hakutakuwa na ulazima wa kupewa notisi ya siku 90 kama inavyoelekezwa katika Sheria ya Mashauri dhidi ya Serikali, Sura ya 5.

Sehemu ya Saba inapendekeza marekebisho katika Sheria ya Mahakama za Mahakimu, Sura ya 11. Kifungu cha 40(3) kinakusudiwa kurekebishwa ili kuongeza kiwango cha thamani ya kifedha katika mashauri ya kibiashara ambayo mahakama za chini zinaweza kuyasikiliza. Lengo la marekebisho haya ni kupunguza mlundikano wa mashauri katika Mahakama Kuu Divisheni ya Biashara.

Sehemu ya Nane ya Muswada inapendekeza kufanya marekebisho katika Sheria ya Taifa ya Mashitaka, Sura ya 430, Kifungu cha 9 kinarekebishwa kwa lengo la kuwapa uwezo maofisa walio chini ya Mkurugenzi wa Mashtaka walio mikoani kuweza kutoa vibali na ridhaa

za kuendesha mashtaka kuendana na uzito wa kesi ambao utawekwa na Mkurugenzi wa Mashitaka. Marekebisho haya yanalenga kupunguza idadi ya majalada yanayopelekwa Makao Makuu ya Ofisi ya Taifa ya Mashitaka kwa ajili ya kuombewa vibali au kupata ridhaa ya Mwendesha Mashtaka Mkuu wa Serikali.

Marekebisho pia yanapendekezwa kwa kuongeza kifungu kipya cha 9A ambacho kinaweka masharti kwa taasisi zote na mashirika yaliyopewa mamlaka ya kufifilisha makosa kuwasilisha kwa Mkurugenzi wa Mashtaka taarifa ya kila mwezi ya makosa yaliyofifilishwa. Marekebisho pia yanalenga kumpa Mkurugenzi wa Mashtaka mamlaka ya kufifilisha makaso mbalimbali.

Sehemu ya Tisa ya Muswada inapendekeza kuifanyia marekebisho Sheria ya kuzuia na Kupambana na Rushwa, Sura ya 329 katika kifungu cha 57. Lengo la marekebisho haya ni kumpa mamlaka Mkurugenzi wa Mashtaka kuweka utaratibu utakaotumiwa wa kupata idhini yake ya kumruhusu afisa asiyekuwa mwendesha mashtaka wa Serikali kuendesha makosa ya rushwa.

Sehemu ya Kumi ya Muswada inalenga kufanya marekebisho katika vifungu mbalimbali vya Sheria ya Mapato yatokanayo na Uhalifu, Sura ya 256. Lengo la marekebisho haya ni kuhakikisha kuwa wahalifu hawanufaiki na mali zozote zinazotokana na makosa ya rushwa, usafirishaji wa madawa ya kulevya, kutakatisha fedha na makosa yanayohusiana na hayo. Katika marekebisho hayo, tafsiri ya maneno "makosa makubwa" (*serious offence*) inapanuliwa ili kujumuisha makosa yanayofanyika nje ya nchi. Inapendekezwa pia kufuta tafsiri ya maneno "*specified offence*" kutokana na sababu kuwa kosa hilo halitambuliki tena ndani ya Sheria hii. Kifungu cha 9 kinapendekezwa kurekebishwa kwa lengo la kuongeza uzito wa thamani kwenye orodha ya mali zinazoweza kutaifishwa. Marekebisho haya yanalenga pia pale ambapo mali ambayo inapaswa kutaifishwa tayari imeishauzwa, imepotea, thamani yake imeshuka, imechanganywa na mali halali au mali hiyo ipo nje ya nchi, basi mahakama inapewa na uwezo wa kuamrisha mali ya thamani ile ile iweze kuchuliwa kutoka kwa mtu au taasisi husika. Jambo lingine linalolengwa katika mabadiliko haya ni kupambana na vitendo vyote vya kujipatia mali ambazo ni zao la uhalifu lakini pia kuzuia serikali isilipe

gharama kutokana na zoezi la kuzuia mali wakati mchakato wa kutaifisha mali husika ukiwa unaendelea.

Sehemu hii pia inakusudia kufanya marekebisho katika kifungu cha 10 cha Sheria tajwa ili kumwongezea Mwanasheria Mkuu wa Serikali uwezo wa kutoa notisi ya siku kumi na nne kwa mtu thumiwa au mtu aliye na maslahi katika mali inayotarajiwa kutaifishwa. Marekebisho haya yatapunguza vitendo vya udanganyifu vinavyoweza kuzuia Serikali kutaifisha mali zilizokamatwa zikisubiri kutaifishwa. Marekebisho ya vifungu vya 20, 22, 30, 38 na 39 yanalenga kuviboresha ili kuwazuia watuhumiwa wa jinai kujinufaisha na vitendo vya uhalifu.

Mwisho, marekebisho ya kifungu cha 43 yanalenga kuondoa mahitaji yasiyo ya lazima dhidi ya Serikali ya kulipa gharama za madhara yanayotokana na amri ya zuio iliyowekwa. Utaratibu huu umeainishwa ipasavyo ndani ya Sheria ya Mashauri dhidi ya Serikali, Sura ya 5.

Sehemu ya Kumi na Moja ya Muswada inapendekeza kuifanyia marekebisho Sheria ya Sheria ya Utekelezaji wa Majukumu ya Ofisi ya Mwanasheria Mkuu wa Serikali, Sura ya 268. Kifungu kipya cha 17A kinapendekezwa kuongezwa ili kuwazuia Mawakili wa Serikali na Wanasheria katika utumishi wa umma kufanya kazi za uwakili wa kujitengea.

Sehemu ya Kumi na Mbili inapendekeza kurekebisha Sheria ya Chama cha Msalaba Mwekundu Tanzania, Sura ya 66. Marekebisho yanalenga kuifanya Sheria hii kutumika katika pande zote za Jamhuri ya Muungano wa Tanzania. Marekebisho pia yanalenga kupanua wigo wa majukumu ya Chama hicho na mamlaka kwa mujibu wa kiwango cha - kimataifa. Marekebisho ya kifungu cha 7A yanalenga kutoa maana ya nembo ya msalaba mwekundu na masharti au zuio la matumizi ya nembo hiyo.

Dodoma,
25 Mei, 2019

ADELARDUS L. KILANGI,
Mwanasheria Mkuu wa Serikali