THE UNITED REPUBLIC OF TANZANIA

ACT SUPPLEMENT

No. 8  7th July, 2017

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THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) (NO. 2) ACT, 2017

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THE UNITED REPUBLIC OF TANZANIA

NO. 8 OF 2017

I ASSENT

JOHN POMBE JOSEPH MAGUFULI, President

[5th July, 2017]

An Act to amend certain written laws.

ENACTED by Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) (No. 2) Act, 2017.

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 BUDGET ACT (CAP.439)

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

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4. The principal Act is amended in section 41, by deleting subsection (7) and substitution for it the following:

“(7) Any reallocations of funds shall be made in consultation with affected Government Ministries and Government entities.

(8) The Minister shall lay before the National Assembly a mid-year report in respect of reallocation made under this section”.

5. The principal Act is amended in subsection (2) of section 53, by deleting the words “every quarter” appearing in the second line and substituting for them the words “mid-year”.

6. The principal Act is amended in section 56, by-(a) deleting subsection (1) and substituting for it the following:

“(1) The Minister shall, six months after approval of the annual national budget by the National Assembly and at the end of each financial year, lay before the National Assembly a compliance report.”; and

(b) deleting subsection (7).

7. The principal Act is amended in section 57, by-(a) deleting the words “Quarterly statements” appearing in the marginal note and substituting for them the words “Mid-year Statement”; and

(b) deleting subsection (1) and substituting for it the following:

“(1) The Accountant-General shall prepare the aggregate actual revenue and expenditure of the Government and public entities and forward to Minister who shall, six months after approval of annual national budget, submit the same to the National Assembly.”.
8. The principal Act is amended by repealing section 61 and substituting for it the following:

   “Powers of the Minister to waive tax, fees or charge imposed by the Government in accordance with criteria provided for under any written law, provided that he maintains a record of each waiver together with the reasons for the waiver and submit a mid-year report to the National Assembly.”.

9. The principal Act is amended in section 62, by deleting the words “portfolio” appearing in paragraph (a) of subsection (2) and substituting for them the word “portfolio”.

10. The principal Act is amended in section 63, by deleting the word “quarterly” appearing in paragraph (b) of subsection (2) and substituting for it the words “mid-year”.

11. The principal Act is amended in section 65 by deleting subsection (2) and substituting for it the following:

   “(2) Where it is evident that a public officer intentionally or through negligence led to the failure of the Government or public entities to meet any requirement under this Act, that public officer commits an offence and shall be held personally liable for criminal prosecution or disciplinary action as the case may be, depending on the nature of the failure.”.

PART III

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

12. 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”.

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13. The principal Act is amended in subsection (2) of section 8 by:
(a) deleting the term “Ordinance” wherever it appears in that subsection and substituting for it the term “Act”; and
(b) in paragraph (b), deleting the term “Adoption” and substituting for it the term “Law of the Child”.

14. The principal Act is amended by deleting the “heading of Part VII” and substituting for it the following:
“RECRUITMENT AND CODE OF ETHICS FOR LAW OFFICERS, STATE ATTORNEYS AND LEGAL OFFICERS”

15. The principal Act is amended in subsection (1) of section 17 by deleting the phrase “suit inquiry on administrative body” and substituting for it the phrase “application, suit, appeal or petition in court, or inquiry on administrative body”.

Passed by the National Assembly on the 5th July, 2017.

THOMAS DIDIMU KASHILILAH
Clerk of the National Assembly