

THE UNITED REPUBLIC OF TANZANIA



No. 14 OF 1967

I ASSENT,

Julius K. Nyerere
President

27TH APRIL, 1967

An Act to amend the State Trading Corporation (Establishment and Vesting of Interests) Act, 1967

[28TH APRIL, 1967]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the State Trading Corporation (Establishment and Vesting of Interests) (Amendment) Act, 1967 and shall be read as one with the State Trading Corporation (Establishment and Vesting of Interests) Act, 1967 (hereinafter referred to as "the principal Act").

2.—(1) Section 2 of the principal Act is hereby amended in subsection (2) by inserting immediately after the words "scheduled firm" in the second line the words "in Tanganyika".

(2) This section shall be deemed to have come into operation on the date on which the principal Act came into operation.

3. Section 20 of the principal Act is hereby amended in subsection (2) by deleting the words "where such power exists under such Articles".

4. Part V of the principal Act is hereby amended by adding the following new sections immediately above section 25:—

24A.—(1) The Minister may transfer any asset of the Corporation, other than the shares vested in the Corporation by virtue of the provisions of Part IV, to any of the scheduled firms specified in Part II of the Schedule to this Act.

(2) Every order made under subsection (1) shall specify the asset which is to be transferred and the scheduled firm to which it is to be transferred.

(3) Where an order is made under subsection (1) the asset to which such order relates shall, by virtue of such order and without further assurance, vest in the scheduled firm specified in the order.

Transfer of employees of the Corporation to scheduled firms

24B.—(1) The Board may transfer any person who is deemed to have become an employee of the Corporation under section 13 to the service of any of the scheduled firms specified in Part II of the Schedule to this Act.

(2) Where any employee is transferred under subsection (1)—

(a) he shall, as from the date of his transfer, be deemed to be the employee of the scheduled firm to which he is transferred;

(b) the terms and conditions of service applicable to him after such transfer shall not be less favourable than those which were applicable to him immediately before the transfer and for the purposes of determining any right to gratuity or other superannuation benefit, his service with the scheduled firm to which he is transferred shall be regarded as continuous with his service immediately preceding such transfer; and

(c) his employment immediately prior to his transfer and his employment by the scheduled firm to which he is transferred shall be deemed to be continuous employment by one employer within the meaning of section 8A of the Severance Allowance Act, 1962 and that Act shall apply to the parties in the same manner as it applies to the cases set out in subsection (1) of the said section 8A.

Transfer of employees of a scheduled firm to another scheduled firm

24c. Where in consequence of arrangements made between the parties concerned an employee of a scheduled firm specified in Part II of the Schedule to this Act is transferred to the service of any such other scheduled firm the employee's employment immediately prior to his transfer and his employment by the scheduled firm to which he is transferred shall be deemed to be continuous employment by one employer within the meaning of section 8A of the Severance Allowance Act, 1962 and that Act shall apply to the parties in the same manner as it applies to the cases set out in subsection (1) of the said section 8A."

Passed in the National Assembly on the seventeenth day of April, 1967.


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Clerk of the National Assembly