THE TANZANIA LIVESTOCK RESEARCH ORGANIZATION
ACT, 1980
ARRANGEMENT OF SECTIONS

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FIRST SCHEDULE
SECOND SCHEDULE
The United Republic of Tanzania

No. 2 OF 1980

Tanzania Livestock Research Organization 1980

An Act to establish the Tanzania Livestock Research Organization, to provide for its functions and for matters relating to the promotion of research on livestock.

Enacted by the Parliament of the United Republic of Tanzania,

Part I

Preliminary

1. This Act may be cited as the Tanzania Livestock Research Organization Act, 1980, and shall come into operation on such date as the Minister may by notice in the Gazette appoint.

2. In this Act unless the context requires otherwise:

"centre" means a centre of an institute established under section 5;
"The Council" means the Council of the Organization established under section 3;
"Director" means a Director of an institute appointed under section 9;
"Director-General" means the Director-General of the Organization appointed under section 8;
"Director of Research" means the Director of Research of the Organization appointed under section 9;
"disease" means any disease specified under section 2 of the Animal Diseases Ordinance;
"Institute" means an institute of the Organization established by or under section 5;
"Livestock" means cattle, sheep, goats, pigs, and includes poultry;
"Minister" means the Minister for the time being responsible for Agriculture;
"the Organization" means the Tanzania Livestock Organization established by section 3.

Part II

The Tanzania Livestock Research Organization

1.-(1) There is hereby established an Organization to be known as the Tanzania Livestock Research Organization.
(21) The Organization shall be a body corporate, and shall—
(a) have perpetual succession and a common seal;
(b) in its corporate name be capable of suing and being sued;
(c) subject to this Act, be capable of purchasing and otherwise
acquiring and alienating any movable or immovable property.

4.-(1) The functions of the Organization shall be—
(a) to promote the development improvement and protection of
livestock in the United Republic;
(b) to carry out, and promote the carrying out of investigations,
experiments and research for the purposes of promoting the
development of the livestock industry;
(c) to continue, develop and finalize all on-going research on livestock
in the United Republic;
(d) to carry out research and investigation into diseases affecting
livestock including their causes, methods of treating, preventing
or controlling them;
(e) to carry out research in and to undertake the preparation of vacci-
nes for livestock, and to recommend and certify vaccines suitable for
use in the livestock industry in the United Republic;
(f) to carry out research in livestock nutrition including research in
pastures and animal feed stuffs;
(g) to carry out research, experiments and investigations in livestock
for the production of animal feed stuffs or for any other useful
purpose.
(h) to carry out research, experiments and investigations in livestock
breeding including the production of improved and high Yield
breeds;
(i) to co-ordinate all research relating to the livestock industry carried
on in the United Republic;
(j) to establish and operate a system of documentation and dissemina-
tion of the findings of investigations, experiments and research
carried out by or on behalf of the Organization;
(k) to collect, publish and distribute statistics and other information
relating to the livestock industry and to establish or operate a
library for that purpose;
(l) in co-operation with the Government or any person within or
outside the United Republic, to promote and provide facilities for
the instruction and training of local personnel for carrying out
research on livestock;
(m) to advise the Government, public institutions, villages or persons
engaged in livestock breeding in the United Republic, on the
practical application of findings of investigations, experiments and
research carried out by of on behalf of the Organization;
(n) to establish demonstration centres for the purposes of educating
individuals and institutions in animal husbandry and modern
methods of livestock breeding;
(o) to assume the responsibility for the control and management of the business and affairs of any institute or centre established for or vested in the Organization;

(p) to do anything which in the opinion of the Council, is necessary for the purposes of the better performance of the functions of the Organization.

(2) For the purposes of the better performance of its functions the organization shall establish a system of consultation and co-operation with the Tanzania National Scientific Research Council, established by the Tanzania National Scientific Research council Act, 1968, and with any other person or body, having functions related to the functions of the organization.

5.- (1) There shall be established the institutes specified in the first column of the Second Schedule to this Act, and the centres specified respectively opposite those institutes in the second column of that Schedule.

(2) The Control and management of the institutes and centres, established under this section shall vest in the Organization.

(3) The Minister after consultation with the Council, may by Order in the Gazette, amend, add to, vary or replace any of the provisions of the Second Schedule to this Act.

(4) The Organization shall be granted a right of occupancy over the land over which an institute or centre is established, upon such terms and conditions as the President may approve:

Provided that until a right of occupancy is granted, it shall be lawful for the Organization to exercise in relation to the land over which an institute or centre is established, all the rights necessary for the performance of its functions which the owner of a right of occupancy may lawfully exercise over land comprised in a right of occupancy granted to him, and the fact that no right of occupancy has been granted to the Organization shall not affect the validity of anything done or omitted bona fide by any person in the performance or purported performance of his duties under this Act:

Provided further that no fees shall be charged or paid in respect of the issue to the Organization of a certificate in respect of a right of occupancy granted in accordance with this section.

6.- (1) There shall be a Council of the Organization.

(2) The provisions of the First Schedule to this Act shall have effect as to the composition of the Council, the tenure of office of its members, termination of their appointment, the proceedings of the Council and other matters in relation to the Council and its members.

(3) Save for matters relating to the office and appointment of the Chairman of the Council, the Minister may, by order in the Gazette, amend, add to, vary or replace any of the provisions of the First Schedule to this Act.

7.- (1) Subject to the provisions of this Act, the Council shall be responsible for the control and management of the Organization.
(2) In particular and without prejudice to the generality of subsection (1) the Council shall have power-

(a) to administer the properties of the Organization;
(b) to administer the funds and assets of the Organization;
(c) to signify the acts of the Organization by use of the official seal;
(d) on behalf of the Organization, to receive fees, grants, gifts and other moneys and to make disbursements to other persons or bodies;
(e) to do all acts or things provided for in this Act or as may, in the opinion of the Council, be necessary for the proper carrying out of the functions of the Organization.

PART III

ADMINISTRATIVE AND FINANCIAL PROVISIONS

8.- (1) There shall be a Director-General of the Organization who shall be appointed by the President.

(2) The Director-General shall hold office upon such terms and conditions as may be specified in relation to his office.

(3) The Director-General shall be the chief executive officer of the Organization and shall exercise such of the functions of the Organization as the Council may consider necessary to delegate to him to enable him to transact all the day-to-day business of the Organization, and in particular, but without prejudice to the generality of the foregoing and subject to any directions given by the Council, the Director-General shall have power to exercise supervision and control over acts and proceedings of all the employees of the Organization, including the technical and administrative staff, and, subject to any restrictions which may be imposed by the Council, the power to decide upon and to dispose of all questions relating to the terms and conditions of the service of the employees of the Organization.

(4) In the exercise of the powers vested in him by this section or delegated to him by the Council, the Director-General shall exercise supervision and control over acts and Proceedings of all the employees of the Organization, including the technical and administrative staff, and, subject to any restrictions which may be imposed by the Council, the power to decide upon and to dispose of all questions relating to the terms and conditions of the service of the employees of the Organization.

9.- (1) The Minister, after consultation with the Council shall appoint on such terms and conditions as he may determine, the Director of Research of the Organization.

(2) The Director of Research shall be responsible to the Director-General for the co-ordination of all the research programmes of the Organization and shall be the chief advisor of the Organization on matters of a scientific nature.

10.- (1) The Council with the approval of the Minister, shall appoint a Director for each Institute of the Organization on such terms and conditions as the Council may determine.
(2) Every Director shall be responsible to the Director-General for the control and supervision of the institute for which he is Director, including the control and supervision of every employee of the Organization attached to that institute.

11. The Council may, from time to time appoint at such salaries, terms and conditions as it may consider fit, such other employees of the Organization as it may consider necessary for the proper carrying out the functions of the Organization.

12. Subject to any written law for the time being in force relating to pensions, the Council may--
   (a) grant gratuities or other retirement allowances or benefits to the employees of the Organization;
   (b) establish and contribute to any superannuation fund for the employees of the Organization;
   (c) require any employee of the Organization to contribute to any superannuation fund so established and fix the amounts and the method of payment of the contribution.

13. The funds and resources of the Organization shall consist of-
   (a) such sums as may be provided by Parliament for the purposes of the Organization;
   (b) donations and grants from any source;
   (c) proceeds from sales of such properties and products of the Organization as the Council may approve;
   (d) such sums as the Organization may, from time to time, borrow in accordance with this Act;
   (e) such sums which may become payable to, or such property as may vest in, the Organization in any manner.

14.- (1) In this Part, "financial year" means any period not exceeding twelve consecutive months designated in that behalf by the Council.

   Provided that the first financial year shall commence on the date of the commencement of this Act and may be of a period longer or shorter than twelve months.

   (2) Not less than two months before the beginning of any financial year other than the first financial year, (the Council shall, at a meeting especially convened for that purpose, pass a detailed budget in this Act called the 'annual budget') of the amounts respectively-
      (a) expected to be received; and
      (b) expected to be disbursed,

   by the Organization during the financial year, and whenever circumstances so require, the Council may pass a supplementary budget in any financial year.

   (3) The annual budget and every supplementary budget shall be in such form and include such details as the Minister may approve.
(4) Immediately, upon passing any annual budget or supplementary budget, the Council shall submit to the Minister for his approval, the annual budget or, as the case may be, the supplementary budget.

(5) The Minister shall, upon receipt of any annual or supplementary budget, approve or disapprove it or may approve it subject to such amendments as he may consider fit.

(6) Where the Minister approves any annual or supplementary budget, with or without amendment, the budget, as approved by him, shall be binding on the Council and the Council shall, subject to subsection (7), confine the disbursements of the Organization within the details and amounts contained in the budget as approved by the Minister.

(7) The Council may-

(a) with the written sanction of the Minister make a disbursement which is not provided for in the budget;

(b) adjust expenditure limits to take account of circumstances not reasonably foreseeable at the time the budget was prepared;

Provided that the Council shall, within two months of the adjustment of expenditure limits, submit a supplementary budget to the Minister.

Accounts

15. (1) The Council shall cause to be provided and kept proper books of accounts with respect to-

(a) the receipt and expenditure of money by, and other financial transactions of, the Organization;

(b) the assets and liabilities of the Organization and shall cause to be made out for every financial year, a balance sheet and P statement showing the details of the income and expenditure of the Organization including assets and liabilities.

(2) The Council shall, not later than six months after the end of every financial year, cause the accounts including the balance sheet of the Organization to be audited by the Tanzania Audit Corporation, established by the Tanzania Audit Corporation Act, 1968.

(3) As soon as the accounts have been audited, and in any case not later than six months after the audit, the Council shall submit to the Minister a copy of the audited statement of accounts together with a copy of the report on that statement made by the auditors.

16. The Council shall, within six months after the end of each financial year, make a report to the Minister on the conduct of the business of the organization during that financial year.

17. The Minister shall, as soon as practicable, and in any case not later than twelve months after the end of every financial year, lay before the National Assembly, the report made under section 6, the audited statement of accounts and any report on that statement, made by the auditors.
18. With the prior approval of the Minister, the Council may, from time to time, invest any part of the moneys available in any fund in investments authorized by the Trustees Investments Act, 1967 for the investment of any trust fund.

19.-(1) With the prior approval of the Minister, the Council may from time to time borrow money for the purposes of the Organization by way of loan or overdraft, and upon such security and upon such terms and conditions relating to repayment of the principal and payment of interest, as the Council may consider fit.

(2) A person lending money to the Organization shall not be bound to enquire whether the borrowing of that money by the Council has been approved by the Minister.

PART IV
OPERATION AND CONTROL OF RESEARCH

20.-(1) The Council shall appoint a research programmes committee which shall, subject to any general or specific directions which the Council may give in that behalf, be responsible, for the preparation of research programmes of the Organization and for the scrutiny of proposals made to or by the Organization.

(2) The Council may appoint such number of other committees or sub-committees as it may deem necessary for the formulation, control and co-ordination of research programmes proposed to be carried out under this Act.

(3) Subject to the provisions of Section 27 the Council may upon such conditions as it may specify, delegate to any committee or sub-committee appointed under this section all or any of its functions under this Act.

21.-(1) In recommending or determining whether or not any research programme be carried out by the Organization the Council, shall take into account-

(a) the necessity or desirability and propriety of the proposed research programme;
(b) the anticipated cost of the proposed research programme;
(c) the ability of the Organization to carry out the proposed research having regard to any other research programmes being carried out by the Organization.

(2) The Council may, after considering the factors specified in subsection (3) in respect of any research programme referred to it, approve or disapprove the research programme as presented or with its approval and require further information or particulars in connection with that programme from the Director-General or Committee.

22.-(1) Every person engaged or intending to engage, in any research on livestock within the United Republic shall, at his own expense, furnish to the Organization information relating to that research and shall make
available to the Organization copies of every relevant record or finding in relation to that research, in such form and within such periods as may be prescribed.

(2) Any person who contravenes of fails to comply with subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten thousand shillings.

23.- (1) For the purposes of the proper performance of its functions, the Organization may, in writing, require any person firm or organization engaged in any agricultural or livestock production or in any research relating to livestock, within the United Republic, to furnish to the Organization such information relating to the livestock industry as the Organization may specify.

(2) Every person firm or organization required to furnish information in accordance with subsection (1) shall comply with the requirement and any person firm or organization which fails to comply with that requirement shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifteen thousand shillings.

24.- (1) All information furnished to the Organization pursuant to section 22 or 23 shall be kept by the Organization for the purposes of record, and may be dealt with or disposed of in such manner or for such purposes as the Minister may approve or direct.

(2) Save where the Minister directs otherwise, all information furnished to the Organization pursuant to section 22 or 23 shall be treated as confidential.

(3) Subject to subsection (4), any member of the Council or employee of the Organization who discloses to any person, except for the purposes of the performance of his duties or exercise of his powers under this Act, any information furnished to the Organization pursuant to section 22 or 23 or any confidential information which was in any other way acquired by the member of the Council or employee of the Organization in the performance of his duties under this Act, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three thousand shillings to imprisonment for a term not exceeding twelve months or to both that fine and imprisonment.

(4) Subsection (3) shall not apply to the disclosure of information made for the purposes of legal proceedings instituted under this Act or under any written law or for the purposes of a report relating to those proceedings.

(5) Where the Organization furnishes to any person or institution any information of a confidential nature, subsection (4) of this section shall apply to that person or institution as if references in that section to a member of the Council and employee of the Organization, were references to that person or institution.

25. (1) Where as the result of any research carried out by or on behalf of the Organization anything is discovered or invented, the discovery or invention shall become the property of the Organization.

(2) For the purposes of the commercial exploitation of any discovery or invention, the Council may arrange with any person to buy, sell, take or grant patent rights, subject to such terms as the Council may approve.
(3) Every discovery or invention made as a result of any research carried out under this Act shall be registered by the Organization in such form and upon such condition as the Minister may by regulations made under this Act, prescribe.

(4) The Council may, with the prior approval of the Minister, grant to any person who makes or materially contributes to the making of any discovery or invention which in the opinion of the Council is important to the development of the livestock industry, such reward as the Council may determine.

PART V
GENERAL PROVISIONS

26. The members of the Council shall be entitled to such remuneration, fees or allowances for expenses as the Minister may, upon the recommendation of the Council, prescribe from time to time:

Provided that no remuneration, fees or allowances except as may be expressly authorized by the Minister, shall be paid to a member of the Council who is a public officer.

27.- (1) Subject to subsection (6), the Council may from time to time, in writing and under the seal of the Organization, appoint committees of the Council and subject to such terms and conditions as it may specify, delegate to any of its committees or to any employee of the Organization, all or any of the powers and duties conferred or imposed on the Council by or under this Act.

(2) A delegation under subsection (1) may be made to the holder of an office under the Organization specifying the office but without naming the holder, and in every case where a delegation is so made, each successive holder of that office, and any person who occupies or performs the duties of that office may, without further authority, perform or exercise the delegated duty or power in accordance with the delegation made by the Council.

(3) A delegation made under this section may be published in the Gazette and upon being published, shall be judicially noticed and shall be presumed to be in force unless the contrary is proved.

(4) A delegation made under this section shall not prevent the Council from performing or exercising the duty or power delegated.

(5) The Council may revoke any delegation made by it under this section.

(6) The Council shall not have power under this section to delegate-

(a) the power to delegate; or

(b) the power to approve the annual budget or any supplementary budget, the balance sheet or any statement of accounts.

28. The Minister may give to the Council directions of a general or specific character and consistent with the purposes and provisions of this Act, as to the performance by the Council of any of its functions under the this Act, and the Council shall give effect to every direction so given.
29. Without prejudice to section 284A of the Penal Code or of the provisions of the Specified Officers (Recovery of Debts) Act, 1970 or of the Parastatal Employees (Recovery of Debts) Act, 1974, no act or thing done or omitted bonafide by any member of the Council or employee of the Organization in the execution or purported execution of his duties as a member of the Council or employee of the Organization, shall subject that person to any action, liability or demand of any kind.

30.- (1) With the approval of the Minister, the Council may make regulations for the better carrying out of the purposes of this Act, and without prejudice to the generality of this subsection, may make regulations-

(a) prescribing the conditions and terms upon which any facilities or services within the scope of the functions of the Organization shall be provided to the members of the publication other persons;

(b) fixing the fees, rates and other charges for or in connection with services or facilities provided by the Organization;

(c) providing for the proper management, control and administration of the Organization;

(d) providing for and regulating discipline amongst employees of the Organization;

(e) prescribing anything which may be prescribed under this Act;

(f) providing for any matter which, in the opinion of the Council, is necessary to provide for the efficient performance of the functions of the Organization.

(2) Regulations made under this section shall be published in the Gazette:

Providing that where the regulations made are not of a general application, the Council may, in addition to or in lieu of publication in the Gazette, publish the regulations in such manner as will, in the opinion of the Council, ensure the contents of the regulations coming to the notice of the persons in respect of whom they apply or members of the public who might be affected by the regulations.

FIRST SCHEDULE

(Section 6)

1-41) The Council shall be composed of-

(a) a Chairman, who shall be appointed by the President;

(b) the Director-General;

(c) the Director-General of the Tanzania Agricultural Research Organization;
(d) one member nominated by each of the following:-
   (i) The Prime Minister’s Office;
   (ii) The Ministry of Agriculture, Livestock Division;
   (iii) The Ministry of Agriculture, Crop Division;
   (iv) The Ministry of Natural Resources and Tourism;
   (v) The Ministry of Finance and Planning;
   (vi) The Ministry of Health;
   (vii) The Livestock Development Authority;
   (viii) The University of Dar es Salaam, Faculty of Agriculture, Forests and Veterinary Sciences;
   (ix) The Tanzania Scientific Research Council;
   (e) Three other members appointed by the Minister from amongst persons who can materially contribute to the deliberations of the Council.

(2) The Minister shall, in appointing members of the Council, appoint persons who have had experience of, and have shown capacity in, livestock research veterinary, agriculture or animal husbandry or who, in his opinion, have such experience in the affairs of the United Republic as would enable them to make useful contribution to the deliberations of the Council in the performance of its functions.

(3) The Council may appoint any employee of the Organization to be Secretary of the Council.

2. The members shall elect one of their number to be the Vice-Chairman of the Council, and the member so elected shall, subject to his continuing to be a member, hold office for a term of one year, and shall be eligible for re-election.

3.- (1) Subject to sub-paragraph (2), a member of the Council shall, unless his appointment is sooner revoked by the appointing authority, or he otherwise ceases to be a member, hold office for such period as may be specified in his appointment, or if no period is so specified, shall hold office for a term of three years, and shall be eligible for re-appointment.

   (2) In the case of a member who is a member of the Council by virtue of his holding some other office, he shall cease to be a member upon ceasing to hold that office.

4. If a member of the Council who is a member by virtue of his holding some other office is unable for any reason to attend any meeting, he may nominate in writing another person from his organization if he is nominated for appointment to the Council by an organization, to attend that meeting in his place.

5. Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

6.- (1) The Council shall ordinarily meet for the transaction of its business at such times and places as the Council may determine but shall meet at least once every three months.

   (2) The Chairman, or in his absence the Vice-Chairman, may at any time call a special meeting of the Council, and shall call a special meeting upon a written request by a majority of the members in office.

   (3) The Chairman, or in his absence the Vice-Chairman, shall preside at every meeting of the Council. In the absence of both the Chairman and the Vice-Chairman the members present shall appoint one of their number to preside over the meeting.

   (4) The Chairman, or in his absence the Vice-Chairman, may invite any person who is not a member to participate in the deliberations at any meeting of the Council, but any person so invited shall not be entitled to vote.

7.- The quorum at any meeting of the Council shall be half of the members in office.

8.- (1) Questions proposed at a meeting of the Council shall be decided by a majority of the votes of the members present and voting and in the event of an equality of votes the person presiding shall have a second or casting vote in addition to his deliberative vote.
(2) Notwithstanding sub-paragraph (1), a decision may be made by the Council without a meeting by circulation of the relevant papers among the members, and the expression in writing of the views of the majority of the members.

9. (1) The Council shall cause to be recorded and kept minutes of all business conducted or transacted at its meeting, and the minutes of each meeting of the Council shall be read and confirmed, or amended and confirmed, at the next meeting of the Council and signed by the person presiding at the meeting.

(2) Any minutes purporting to be signed by the person presiding at a meeting of the Council shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.

10. The validity of any act or proceeding of the Council shall not be affected by any vacancy among its members or by any defect in the appointment of any of them.

11. All orders, directions, notice or documents made or issued on behalf of the Council shall be signed by-

(a) the Chairman of the Council; or

(b) the Director-General or any or other officer of the institute authorized in writing in that behalf by the Director-General.

12. The seal of the Institute shall not be affixed to any instrument except in the presence of the Chairman or the Vice-Chairman or the Director-General or some other officer of the Organization and at least one member of the Council.

13. Subject to the provisions of this Schedule, the Council may regulate its own proceedings.

SECOND SCHEDULE

(Section 5)

INSTITUTES AND CENTRES OF THE ORGANIZATION

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| 1. Animal Diseases Research Institute, Dar es Salaam | (i) Arusha Veterinary Investigation Centre.
(ii) Iringa Veterinary Investigation Centre.
(iii) Mwapwa Veterinary Investigation Centre.
(iv) Mwanza Veterinary Investigation Centre.
(v) Tabora Veterinary Investigation Centre.
(vi) Tanga Tsetse Research Centre. |
| 2. Livestock Production Research Institute, Mwapwa | (i) Tanga Livestock Research Centre.
(ii) West Kilimanjaro Livestock Research Centre.
(iii) Malya Livestock Research Centre.
(iv) Kibaha Poultry Research Centre.
(v) Kongwa Pasture Research Centre.
(ii) Mabuki Pasture Research Centre.
(iii) Tanga Pasture Research Centre. |
| 3. Pasture Research Institute, Mafinga | |

Passed in the National Assembly on the third day of January, 1980.