THE UNITED REPUBLIC OF TANZANIA

An Act to amend the Regulation of Prices Act, 1973

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Regulation of Prices (Amendment) Act, 1981, and shall be read as one with the Regulation of Prices Act, 1973 (in this Act referred to as "the principal Act").

2. (1) Section 2 (1) of the principal Act is amended in the definition of "Assistant Price Commissioner" by deleting the semi-colon appearing immediately after the figures "7 (3)" in the last line and adding following: "and (4)".

3. Section 3 of the principal Act is amended in paragraph (b) by deleting the words "five" and "seven" and substituting for them respectively the words: seven" and "ten"

4. Section 7 of the principal Act is amended —
   (a) by inserting, immediately after subsection (3), the following subsection:

      "City, Municipal and Town Directors to be Assistant Price Commissioners

   (4) Every city, Municipal or Town Director shall be the assistant price commissioner for the city, municipality or town, as the case may be, for which he is the Director."

   (b) by renumbering subsection "(4)" and "(5)" as "(5)" and "(6)"

5. Section 12 of the Principal Act is amended by adding immediately after subsection (3) the following new subsections:

     "80% Capacity utilization

   (4) Notwithstanding the provisions of subsections (1), (2) (3), the capacity utilization that shall be taken into account in the course of fixing maximum prices shall not be below eighty per cent save in a situation of force majeure.‘."

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I ASSENT.

Julius K. Nyerere
President

20TH FEBRUARY, 1981
(5) Without prejudice to provisions of subsection (2), the margin in relation to the turnover and the capital employed which may be taken into account for the purpose of determining price structures shall be such margin as will provide for the firms concerned a return on investment not exceeding thirty per cent, save where the Price Commissioner has granted exemption.

6. Section 13 of the Principal Act is amended—

(a) by adding immediately after subsection (2) the following new subsection:

(3) Any notice authorized to be served under subsection (2) of this section on any person believed to be carrying on business in Tanganyika, shall be deemed to have been duly served if it is received by the agent or employee of such person.

(b) by renumbering subsection (3) as (4).

7. The Principal Act is amended by adding immediately after section 20 the following new section:

20A. Any trader, manufacturer, producer or commission agent to whom an offer to buy price controlled goods has been made, and who, except with the permission of the Price Commissioner or, as the case may be, the Assistant Price Commissioner, imposes any condition of sale other than a condition requiring immediate payment on delivery thereof or prescribing the term within which payments must be made, shall be guilty of an offence.

8. Section 26 of the Principal Act is amended by adding immediately after the word "fine" appearing in the second line the words: "not less than two thousand shillings and"

9. The proviso of section 33 of the Principal Act is amended by deleting the words "fifty shillings" appearing in the last line and substituting for them the words "one hundred shillings"

10. Paragraph 1 (a), of section 34 is amended by deleting the word "two" appearing in the second line and substituting for it the word "five"

11. The Principal Act is amended by adding immediately after section 34 the following new section:

34A. The Price Commissioner or, as the case may be, an Assistant Price Commissioner, may, by writing under his hand, delegate his powers to compound offences under section 34 to such officers who is their ordinary course of employment deal with the enforcement of the provisions of this Act.

12. Paragraph 5 (1) of the Schedule to the principal Act (which specifies the quorum for meetings) is amended by deleting the word "three" where it appears and substituting for it the word "five"
Passed by the National Assembly on the twenty-first day of January, 1981.

\[\text{Clerk of the National Assembly}\]