

THE UNITED REPUBLIC OF TANZANIA



No. 13 OF 1982

I ASSENT,

Julius K. Nyerere

President

28TH JUNE, 1982

An Act to amend the National Industries (Licensing and Registration) Act, 1967

[-----]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the National Industries (Licensing and Registration) (Amendment) Act, 1982, shall be read as one with the National Industries (Licensing and Registration) Act, 1967 (hereinafter referred to as the principal Act) and shall come into operation on such date as the Minister may, by Order in the *Gazette*, appoint.

short title,
construction
and
commencement
Acts, 1967
No.10

2. The principal Act is amended by adding immediately below section 1 the following new section-

New Section

" Application 1 A: This Act shall apply through the Tanzania Main-land as well as Zanzibar."

3. Section 2 of the principal Act is amended by-

Section 2
amendment

- (a) deleting the whole of sub-paragraph (ii) under the definition of the word "Industry"; and
- (b) deleting the phrases "operative date" "prescribed article" and "scheduled article" their definitions and the marginal caption,

3A. Section 3 of the principal Act is amended by-

- (a) inserting immediately after the term "Minister may," the following -" after consultation with the Minister for the time being responsible for industries in the Revolutionary Government of Zanzibar";
- (b) inserting immediately after the term "Registrar of Industries", the term "Deputy Registrar",
- (c) Renumbering Section 3 of the principal Act as section 3(1) and adding immediately below, the following new paragraph-

"(2) in the event of the Registrar so appointed being from Tanzania Main] and the Deputy Registrar shall be from Zanzibar and if the Registrar is from Zanzibar the Deputy Registrar shall be from Tanzania Mainland".

Section 5 amended

4. Section 5 of the principal Act is amended by deleting the phrase "Industries other than industries for the manufacture of prescribed articles" and substituting thereof the following- "small scale industries as may be determined by the Minister"

Section 9 amended

5. The principal Act is amended by renumbering section 9 as section 9A and adding immediately after the heading, the following new section-

"Application

9. This part shall apply to medium and large scale industries as may be determined by the Minister.,

section 10 amended

6. Section 10 of the principal Act is amended by-

- (a) repealing paragraph (1) and replacing for it following-

"(1) The Minister shall, after consultation with the Minister for the time being responsible for. industries in the Revolutionary Government of Zanzibar, by notice in the, *Gazette*, appoint members of the Board, including the Chairman and Vice-Chairman and the provisions of section 3 in relation to the appointment of Registrar and Deputy Registrar shall apply *mutatis mutandis* to the appointment of Chairman and Vice-Chairman of the Board under this section. The content of the notice so given shall include constitution and proceedings of the Board";

- (b) deleting the word "three" in subsection (3) and replacing for it the word "half of"; and
- (c) adding immediately below section 10 the following new section-

10A.-(I) There is hereby established a Regional Industrial Licensing Advisory Committee for each region in the United Republic.

"Regional
Advisory
Committee

(2) The Regional Industrial Licensing Advisory Committee shall be composed of-

- (a) a person for the time being holding the office of Regional Development Director, who shall be the Chairman;
- (b) a person for the time being holding the office of Regional Planning Officer;
- (c) an officer incharge of small scale Industries in the Region;
- (d) a person for the time being holding the office of Regional Trade Officer;
- (e) such other members, not exceeding 6 to be nominated by the Minister."

(3) Notwithstanding the provisions of paragraph (2), in relation to Revolutionary Government of Zanzibar, each Regional Industrial Advisory Committee shall be composed of persons holding equivalent designations to those specified in paragraph (2)".

7. The principal Act is amended by repealing section 11 and 12.

Section 11
and
12 repealed

8. Section 13 of the principal Act is amended by deleting the term "prescribed article" and replacing for it the following-"any article"

Section 14
amendment

9. Section 14 of the principal Act is amended by deleting the phrase "the prescribed article for the manufacture of which the industry is proposed to be established" which appears in paragraph (c)-

Section 14
Amendment

10. The principal Act is amended by adding immediately below section 14 the following new section-

New section
14A

14A. The Regional Advisory Committee shall advise the Central Industrial Licensing Authority on-

"Functions of
Regional
advisory
Committee

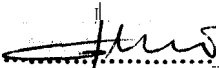
- (a) the capital, technical skill and managerial capacity and raw materials available to the applicant within the region or adjacent regions;
- (b) the availability of power, fuel, labour, transport, raw materials, land and water within the region; and
- (c) any other matter it may consider relevant in respect of any application for an industrial licence originating from the region."

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- Section 15 amended **11.** The principal Act is amended by deleting, paragraph (a) of section 15.
- Section 22 repealed and replaced **12.** Section 22 of the principal Act is repealed and replaced by the following-
- "**22.**-(1) Within ninety days of the operative date of this Act, any person operating a manufacturing industry or factory shall apply to the Board for an industrial licence in respect of the industry or factory.
- (2) Any person who contravenes the provisions of section (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings.
- Section 23 repealed **13.** The principal Act is amended by repealing the whole of section 23.
- Section 25 repealed and replaced **14.** Section 25 of the principal Act is repealed and replaced by the following-
- "Penalty 25: Any person guilty of an offence under this Act, for which no penalty is specifically provided, shall be liable on conviction to a fine not exceeding fifty thousand shillings."
- Section 28 amended **15.** Section 28 of the principal Act is amended by-
- "(a) inserting immediately after the expression "the Minister may" the following- "after consultation with the Minister for the time being responsible for industries in the Revolutionary Government of Zanzibar"-;
- (b) renumbering paragraph (f) as paragraph (g) and adding immediately after paragraph (e) the following new paragraph-
- "(f) prescribing conditions for licences, including conditions for provisional licences" ;
- (c) inserting, immediately after paragraph (g) the following new paragraph-
- "(h) prescribing for the composition and manner in which the Board members shall be appointed" -
- (d) deleting subsection (2) and replacing for it the following-
- " (2) In addition to making such provisions as in subsection (1), regulations made under this section may fix such penalty not exceeding a fine of ten thousand shillings for the breach of, or non-compliance with any regulation."

16. The principal Act is generally amended by deleting the word "Tanganyika" wherever it occurs in the Act and substituting ^{General} amendments thereof the word "Tanzania"

Passed in the National Assembly on the twenty-seventh day of April, 1982.


Clerk of the National Assembly

