An Act to amend the National Provident Fund Act, 1964 and to make consequential amendment to the Board of Trustees of National Provident Fund (Establishment) Act, 1975

Enacted by the Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

1. This Act may be cited as the National Provident Fund Laws (Miscellaneous Amendments) Act, 1989.

PART II
AMENDMENT OF THE NATIONAL PROVIDENT FUND ACT, 1964

2. This Part shall be read as one with the National Provident Fund Act, 1964 in this Part referred to as “the Act”

3. Section 2 of the Act is amended by deleting the title “Director” and substituting for it the title “Director General”.

4. The Act is amended by adding immediately after section 9 the following new sections:
9A.—(1) Notwithstanding section 8 of this Act, a self employed person may make voluntary contributions to the Fund.

(2) Where a self employed person becomes a member of the Fund in accordance with this section the provisions of the Second Schedule to this Act shall cease to apply to this employee.

9B.—(1) Employers and Employees who are members of the Fund may in addition to the statutory contribution as required by law make supplementary contributions to the Fund.

(2) Any member of the Fund intending to make a supplementary contribution shall make an application to that effect to the Director General and if approved shall have his name registered.

5. Section 13 of the Act is repealed.

6. Section 17 of the Act is amended—
   (i) in subsection (4) by deleting the word “five” which appears in the first line and substituting the word “ten”.
   (ii) in subsection (5) (b) by deleting the word “five” which appears in the third line and substituting the word “ten”.

7. The Act is amended by adding immediately after section 18 the following section—

18A.—(1) An employed member of the Fund may, in addition to the statutory supplementary contribution make extra voluntary contribution to the Fund.

(2) Where an extra voluntary contribution is made to the Fund by an employer who is a member to the Fund, such employer shall make deductions from the salaries and wages of his employees for such extra voluntary contribution.

8. Section 32 of the Act is repealed and replaced by the following section—

32. The Board shall invest up to twenty five per centum of the investible funds in the Fund Account in other viable ventures as it may consider appropriate, and the remaining seventy five percentum of the investible funds shall be invested in the purchase of government stocks.”
9. The Act is amended by adding immediately after section 38 the following new section:—

**38A.** Where any person is convicted of an offence under section 38, it shall be condition that he does not commit the same again, and if he does he shall be deemed not to have complied with the condition as required under this section, and if found guilty he shall be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding four years or to both such fine and imprisonment”.

10. Section 39 of the Act is amended in subsection (1) by—

(a) deleting the “colon” which appear after the word due in the seventh line and substituting for it a comma;

(b) deleting the proviso.

11. Section 40 of the Act is amended by deleting the title “Director” which appears in the second and fourth lines and substituting for it the title “Director General”.

12. Section 44 of the Act is amended by deleting the titles “Director”, “Senior Deputy Director” and “Deputy Director (Finance)” which appear in the second and third lines and substituting for them the title “Director General”.

13. The Third Schedule to this Act is repealed and replaced by the following Schedule—

**SCHEDULE**

*(Sections 2 and 15)*

**CONTRIBUTIONS**

For employees other than temporary employees:—

<table>
<thead>
<tr>
<th>Contribution Period</th>
<th>Employee’s share deductible from Wage by Employer</th>
<th>Statutory Contribution for each employee</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) One month</td>
<td>Ten cents for every complete shilling of wages</td>
<td>twenty cents for every complete shilling of wages.</td>
</tr>
<tr>
<td>(b) One fortnight</td>
<td>Ten cents for every complete shilling of wages</td>
<td>twenty cents for every complete shilling of wages.</td>
</tr>
<tr>
<td>(c) One week</td>
<td>Ten cents for every complete shilling of wages</td>
<td>twenty cents for every complete shilling of wages.</td>
</tr>
<tr>
<td>(d) One day</td>
<td>Ten cents for every complete shilling of wages</td>
<td>twenty cents for every complete shilling of wages.</td>
</tr>
</tbody>
</table>
PART III

AMENDMENT OF THE BOARD OF TRUSTEES OF THE NATIONAL PROVIDENT FUND (ESTABLISHMENT) ACT, 1975

14. This Part shall be read as one with the Board of Trustees of the National Provident Fund Act, 1975 in this Part referred to as “the Act”.

15. The Act is amended in section 7—
(a) by deleting subsection (1);
(b) in subsection (2) by deleting the title “Director” and substituting the title “Director General”;
(c) by repealing subsections (3) and (4).

16. Section 8 of the Act is repealed.

Passed in the National Assembly on the sixth day of February, 1989.

[Signature]
Clerk of the National Assembly