

THE UNITED REPUBLIC OF TANZANIA



No. 5 OF 1991

I ASSENT,

President

30<sup>th</sup> April 1991

**An Act to amend certain various written Laws**

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) (No. 2) Act, 1991.

Short title

2.-(1) The various laws set forth in the first and second columns of the Schedule to this Act are hereby amended in the manner specified in the third column.

Amendment of certain written laws

(2) The amendments relating to the Exchange Control Ordinance shall be deemed to have come into operation on the first day of July, 1989.

SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3
Acts 1973 No. 21	The National Examination Council of Tanzania Act, 1973.	<p>The Act is amended by adding the following section immediately below section 22-</p> <p>"Penalty 23. (1) Any person who--</p> <ul style="list-style-type: none"> <li>(a) gains access to examination materials and intentionally reveals the contents thereof, whether orally or in writing to any unauthorized person;</li> <li>(b) wilfully or maliciously damages or destroys examination materials;</li> <li>(c) being a registered candidate sits for a particular Council's examination with intent to impersonate, offers or attempts to present himself to take the part of another registered candidate;</li> <li>(d) not being a registered candidate sits for a particular council's examination with intent to impersonate, offers or attempts to present himself to take the part of a registered candidate;</li> <li>(e) presents forged certificates or diploma to a prospective employer or to an institution of learning with intent to gain employment or admission;</li> <li>(f) prints or sells certificates or diploma without the authority of the Council;</li> <li>(g) being an authorized officer negligently or carelessly discharges the functions set out under this Act; and</li> <li>(h) aids or abets commission of any offence under this Act;</li> </ul> <p>shall be guilty of an offence and liable to a fine not exceeding one hundred thousand shillings or imprisonment for a term not exceeding twenty four months or to both such fine and imprisonment.</p>



(2) In this Section-

- (i) "an authorized Officer" when used in relation to this Act includes an examination super-visor, Invigilator and printer;
- (ii) "examination materials" includes examination papers, stencils, recorded tapes, chemicals, discs or any other material relevant to the preparation and conduct of examination;

Acts 1970  
No. 6

The Fisheries Act, 1970

Section 13 is amended by adding the following new section:

"General offences

13A. A person who contravenes any provision of this Act for which no penalty is provided shall be guilty of an offence and shall be liable to a fine of not less than US \$100,000 or to imprisonment for a term not exceeding two years or to both such fine and imprisonment. "

Acts 1973  
No. 2

The Sisal Industry Act, 1973

Secti  
Man

Section 11 is amended in subsection (2) by deleting the title "Director General" and substituting for it the title "Managing Director".

Acts 1973  
No. 15

The Board of Internal Trade Act, 1973

Section 4 is amended in subsection (1) —

- (i) by repealing paragraph (b);
- (ii) by renumbering paragraph (c) as paragraph (b);
- (iii) by deleting the word "twelve" in the new paragraph (b) and substituting for it the word "ten"

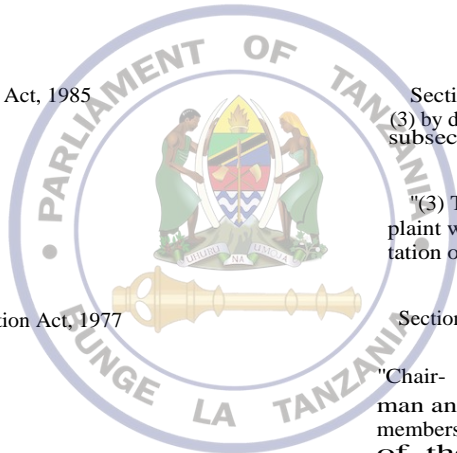
Section 9 is amended by adding the following new section-

"Appoint-  
ment

- 9A. (i) The Board shall have a Director General who shall be appointed by the President of the United Republic of Tanzania upon such terms and conditions as he may think fit.
- (ii) The Director General shall be the Chief Executive of the Board and shall be responsible to the Board of Directors."

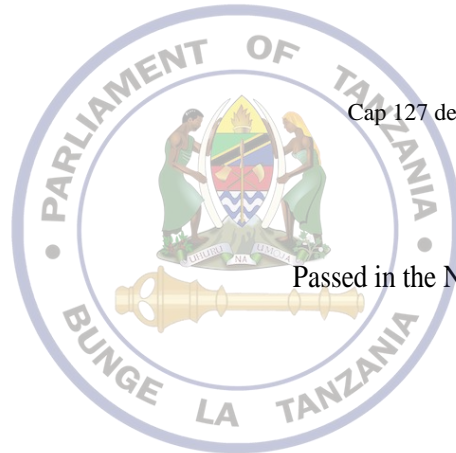


COLUMN 1	COLUMN 2	COLUMN 3
Acts 1970 No. 12	The University of Dar es Salaam Act, 1970	Section 21 is amended in subsection (1) by-  (i) deleting paragraph (b); (ii) re-numbering paragraphs (c), (d), (e) and (f) as paragraphs (b), (c), (d) and (e) respectively.
Acts 1985 No. 1	The Elections Act, 1985	Section 115 of the principal Act is further amended in subsection (3) by deleting that subsection and substituting for it the following new subsection-  "(3) The Commission shall hear and determine each election complaint within not more than twelve months from the date of presentation of the election complaint before it.
Acts 1977 No.13	The Civil Aviation Act, 1977	Section 6 is repealed and replaced with the following new section —  "Chairman and members of the Board  6. The Board shall consist of a Chairman who shall be appointed by the President and ten other members who shall be appointed by the Minister."  Section 7 is amended by striking off the words "other than the Director General" which appear in the first line.
Cap. 294	'Me Exchange Control Ordinance, Cap. 294	Section 2 of the Ordinance is amended in subsection (7) by adding immediately below it the following:  "(8) In any proceeding against any person for the offence of failure to offer or procure for sale any gold or foreign currency to an authorized dealer, it shall be a defense for that Person to prove that-



- (a) he intended, but for a reasonable cause which he can then show, to have offered or procured for sale the gold or foreign currency to an authorized dealer earlier than it was found in his Possession; or
- (b) he was in the process Of Offering or proceeding to offer or Procure for sale the gold Or foreign Currency to an authorized dealer; or
- (c) he was in Possession of the gold or foreign currency for the Purposes Only Of offering or procuring it for sale to an authorized dealer.

(9) In this section "gold" includes raw gold or refined gold as Cap 127 defined in the Gold Trading Ordinance."



Passed in the National Assembly on the nineteenth day of April, 1991.

*MMwindad*  
M. MWINDADI,  
*Clerk of The National Assembly*