

TANGANYIKA



No. 65 OF 1963

I ASSENT,

Julius K. Nyerere

24TH DECEMBER, 1963

An Act to amend the Pyrethrum Ordinance

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited *As the Pyrethrum Ordinance (Amendment) Act, 1963*, shall be read as one with the Pyrethrum Ordinance, and shall come into operation on such date as the Minister shall, by notice in *Gazette*, appoint.

Short title,
construction
and com-
mencement
Cap. 421

2. Section 2 of the Pyrethrum Ordinance is hereby amended as follows:-

Section 2 of
Cap. 421
amended

(a) by deleting the definition "Commissioner" licensed pyrethrum grower", "Northern area" and "Southern area" and by substituting therefor the following new definition:-

" 'Commissioner' means the Director of the Agricultural Extension Division of the Ministry of Agriculture;

"licensed pyrethrum grower' means a person who is the holder of a licence granted and , the, provisions of Part IV, and includes a licensed society;

'Northern area' means the Arusha, Kilimanjaro, Mara, Mwanza. Shinyanga, Tanga and West Lake Region;

'Southern area' means the Coast, Dodoma, Iringa, Kigoma, Mbeya, Morogoro, Mtwara, Ruvuma, Singida and Tabora Regions"; and

(b) by inserting, in their appropriate alphabetical positions, the following new definitions: -

" 'authorized pyrethrum grower' means a member of a licensed society authorized by that society, in accordance with the provisions of this Ordinance, to grow pyrethrum;

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" 'licenceded society' means a co-oparetive society which is the holder of a licence granted under Part IV;"

Section 19 of Cap. 421 repealed and replaced

3. Section 19 of the Pyrethrum Ordinance is hereby repealed and replaced by the following new section:-

"Restrictions on growing pyrethrum

19.-(1) No person shall grow pyrethrum unless he is a licensed pyrethrum grower or an authorized pyrethrum grower.

(2) Any person who-

(a) not being a licensed pyrethrum grower or an authorized pyrethrum grower, grows pyrethrum; or

(b) being a licensed pyrethrum grower or an authorized pyrethrum grower, grows pyrethrum in excess of the acreage specified in his licence or his authorization, as the case may be; or

(c) being a licensed pyrethrum grower, sells (whether as principal or agent) pyrethrum in excess of the quantity specified in his licence; or

(d) being an authorized pyrethrum grower, sells or otherwise disposes of pyrethrum otherwise than to the licensed society by which he is so authorized,

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment."

Section 20 of Cap. 421 amended

4. Section 20 of the Pyrethrum Ordinance is hereby amended by adding, immediately below subsection (5), the following new subsection:-

"(6) Notwithstanding the foregoing provisions of this section, the Commissioner shall refuse to grant a licence to a co-operative society unless he is satisfied that the members of such society are required, by the by-laws of such society or otherwise, to dispose of all the pyrethrum which they may be authorized to grow in accordance with this Ordinance to or through the society."

New section 20A added to Cap. 421

5. The Pyrethrum Ordinance is hereby amended by adding, immediately below section 20, the following new section:-

"Licensed society may authorize members to grow pyrethrum

20A.-(1) A licensed society may grant to any of its members (other than a member to whom such grant is prohibited under subsection (3) of section 23) an authorization to grow pyrethrum. Every such authorization shall specify the maximum acreage of pyrethrum which the member authorized may grow and shall be recorded in a book kept for the purpose, which the Commissioner or any person appointed by him may inspect.

(2) A licensed society which-

(a) grants authorizations under this section whereby the aggregate of the acreage on which its members may grow pyrethrum, together with the acreage on which the society itself grows pyrethrum (if any), exceeds the maximum acreage specified in the licence granted to such society;

- (b) grants an authorization to a person to whom such grant is prohibited, or fails to cancel an authorization when so required, by the Commissioner under subsection (3) of section 23;
- (c) fails to record the grant of every authorization, together with the acreages authorized, in a book kept for that purpose; or
- (d) willfully neglects or refuses to deliver such book to the Commissioner or any person appointed by him when so required,

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding five thousand shillings."

6. Section 21 of the Pyrethrum Ordinance is hereby amended by deleting the semi-colon at the end of paragraph (b), substituting therefor a full stop, and by deleting paragraph (c). Section 21 of
Cap. 421
amended

7. Section 23 of the Pyrethrum Ordinance is hereby amended as follows:- Section 23 of
Cap. 421
amended

(a) by deleting the colon at the end of the substantive provisions of the said section, substituting therefor a full stop, and by deleting the proviso thereto;

(b) by renumbering the said section as subsection (1) of section 23;

(c) by adding, immediately below subsection (1) as so renumbered, the following new subsections:-

"(2) The Commissioner shall cancel a licence held by a co-operative society if it fails to ensure that the members of such society are required, throughout the currency of such licence, to dispose of all the pyrethrum which they are authorized to, grow to or through the society.

(3) Where any authorized pyrethrum grower has been convicted of an offence against any of the provisions of this Ordinance, the Commissioner may require the society to cancel the authorization granted to such member and may prohibit the society from granting any further authorization to such member without the consent of the Commissioner."

8. Section 25 of the Pyrethrum Ordinance is hereby amended by adding, immediately below subsection (4), the following new subsection:- Section 25 of
Cap- 421
amended

"(5) For the purposes of this Part of this Ordinance, pyrethrum produced by a licensed pyrethrum grower includes pyrethrum produced by the members of licensed societies."

9. Section 28 of the Pyrethrum Ordinance is hereby amended by deleting the full stop at the end of subsection (4) and by adding, at the end of that subsection, the following:- Section 28 of
Cap. 421
amended

", or who, being a licensed society, buys pyrethrum produced by its members."

10. Section 29 of the Pyrethrum Ordinance is hereby amended by inserting, immediately below paragraph (a) of subsection (1), the following new paragraph: - Section 29 of
Cap. 421
amended

"(aa) regulating the grant of authorizations by licensed societies;"

Transitional

11. Every licence granted to a co-operative society under the Pyrethrum Ordinance which is in force immediately prior to the commencement of this Act, shall, subject to the provisions of section 23 of that Ordinance, continue in force until it expires in accordance with the provisions of section 21A of that Ordinance, and every member of such society whose name is specified on such licence shall be deemed, until such licence expires and subject to the provisions of section 23 of that Ordinance, to have been granted an authorization by such society to grow pyrethrum on the number of acres specified in respect of such member in such licence.

Passed in the National Assembly on the fourth day of December, 1963.

Piusmsekwa
Clerk of the National Assembly

