

TANGANYIKA



No. 6 OF 1964

I ASSENT,

Julius K. Nyerere

President

5TH MARCH, 1964

An Act to make provision for the Licensing and Control of Broadcast receiving apparatus and of dealers in such apparatus

ENACTED by the Parliament of Tanganyika.

1.-(1) This Act may be cited as the Broadcast Receiving Apparatus (Licensing) Act, 1964, and shall come into operation on such day as the Minister may by notice in the *Gazette* appoint.

(2) This Act shall have effect notwithstanding the provisions of the East African Common Services Posts and Telecommunications Act.

2. In this Act, unless the context otherwise requires-

"broadcast receiver" means a broadcast receiving apparatus primarily designed for the reception of sound broadcast other than by television;

"dealer" means a person who, by way of trade or business, buys, sells, lets on hire or otherwise deals in broadcast receivers;

licence" means any licence issued under this Act;

"licensing officer" means a licensing officer appointed under this Act;

"Minister" means the Minister responsible for broadcasting;

"repair" in relation to a broadcast receiver includes providing maintenance service of any kind and fitting spare parts;

"repairer" means a person who, by way of trade or business, carries out repairs to or provides maintenance service for broadcast receivers;

"sell" in relation to a broadcast receiver includes letting on hire.

3. For the purposes of this Act, the Minister may, by notice in the *Gazette*, after consultation with the Tanganyika Broadcasting Corporation-

(a) appoint a Chief Licensing Officer and such other licensing officers as he considers appropriate;

(b) appoint agents for the purpose of the issuing of licences.

Short title and commencement

E.A.C.S.O
Cap. 4

Interpretation

Appointment of Licensing Officers and Agents

Possession of
unlicensed
broadcast
receivers
prohibited

4.-(1) Subject to the provisions of, subsection (2), no person shall be in possession of any broadcast receiver unless he has a valid licence issued in respect of such receiver.

(2) Nothing in subsection (1) shall apply to any dealer in relation to stocks of broadcast receivers in his place of business or in his warehouse or to any repairer in relation to broadcast receivers held by him for purposes of repair.

(3) For the avoidance of doubt it is hereby declared that where any person is in possession of more than one broadcast receiver he shall obtain a valid licence in respect of each receiver.

(4) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Unlicensed
dealing in
broadcast
receivers
prohibited

5.-(1) No dealer shall carry on business unless he holds a licence to do so issued under this Act.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten thousand shillings or to imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Sale and
repair of
unlicensed
broadcast
receivers
prohibited

6.-(1) No dealer shall, in the course of trade, sell or otherwise transfer possession of a broadcast receiver to any person unless such person produces to the dealer a valid licence.

(2) No repairer shall accept a broadcast receiver for repair or deliver a broadcast receiver after repairing it unless the person who deposited the same produces a valid licence in respect of such receiver for the repairer's inspection.

(3) Any person who contravenes any provision of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten thousand shillings or to imprisonment for a period not exceeding six months or both such fine and imprisonment.

Registers

7.-(1) Every dealer shall keep a register in the prescribed form which shall contain a list of—

- (a) the broadcast receivers he has in stock;
- (b) the broadcast receivers he has sold after the commencement of this Act together with the serial numbers of the licences issued in respect of such receivers.

(2) Every repairer shall keep a register in the prescribed form of the broadcast receivers which he has undertaken to repair.

Issue of
broadcast
receiver
licences

8. A broadcast receiver licence may be obtained on payment of the prescribed fee from any agent appointed under section 3 (b) of this Act or from any licensing officer.

Issue of
duplicate
licences

9. Where a licensing officer is satisfied that any licence is lost or destroyed, a duplicate of such licence shall be issued on payment of the prescribed fee.

- 10.** Every licence issued under this Act-
- (a) shall be in the prescribed form;
 - (b) shall come into effect on the date of commencement specified therein; and
 - (c) shall be valid for twelve months from the date of issue.
- 11.**-(1) Where a licensing officer finds any person in possession of a broadcast receiver without a valid licence, the licensing officer may impound such receiver.
- (2) If a broadcast receiver is impounded under subsection (1), the licensing officer shall forthwith give a receipt for the same.
- (3) Every broadcast receiver impounded by a licensing officer shall be released to the person claiming the same upon production by him of a valid licence in respect of such receiver.
- (4) Where any broadcast receiver which has been impounded under the provisions of this section remains unclaimed for three months, it shall without further notice be sold by public auction and the proceeds of such sale shall be paid to the Tanganyika Broadcasting Corporation.
- 12.**-(1) A licensing officer, or any police officer, may at all reasonable times-
- (a) enter the premises of any dealer or repairer for the purpose of examining his register kept in accordance with the provisions of section 7 of this Act; or
 - (b) call upon any person whom he believes to be a person required by this Act to have a licence to produce such licence for inspection.
- (2) Nothing in this section shall entitle a licensing officer to enter any private dwelling house without the permission of the occupier thereof for the purposes of inspection under this section.
- 13.** The Minister may by order in the *Gazette* exempt such person or class of persons or organization from all or any of the provisions of this Act as he deems fit.
- 14.**-(1) The fees specified in the Schedule to this Act shall be payable as provided therein.
- (2) The Minister may enter into an arrangement with any agent for a portion of the fee paid for each licence issued by such agent under this Act to, be paid to him, and the remaining portion of such fee and all fees paid to a licensing officer shall be paid to the Tanganyika Broadcasting Corporation.
- 15.** The Minister may make rules prescribing anything to be prescribed under this Act.
- 16.** Any valid licence lawfully issued under the provisions of the East African Common Services Posts and Telecommunications Act shall be deemed to be issued under the provisions of this Act and shall, subject to the provisions of this Act, remain in force until the same expires.

Form and duration of licences

Power to impound announced broadcast receivers

inspection

Exemptions

Fees

minister may make rules

Saving

SCHEDULE

(Section 14)

FEEES

<i>When payable</i>	<i>Amount</i>
	<i>Shs.</i>
On the issue of a dealer's licence	100/-
On the issue of a broadcast receiver licence	10/-
On the issue of a duplicate thereof	5/-

Passed in the National Assembly on the eighteenth day of February,, 1964.

Pius Msekwa
Clerk of the National Assembly

