

THE UNITED REPUBLIC OF TANZANIA



No. 15 OF 1968

I ASSENT,

Julius K. Nyerere
President

1ST FEBRUARY, 1968

An Act to amend Certain Local Government Laws

[2ND MARCH, 1968]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Local Government Laws (Amendment) Act, 1968, and shall come into operation on the 2nd March, 1968.

short title
and com-
mencement

PART I

AMENDMENTS TO THE MUNICIPALITIES ORDINANCE

2. In this Part, unless the context otherwise requires-
"the Ordinance" means the Municipalities Ordinance.

3. Section 7E of the Ordinance is repealed and replaced by the following sections: -

Interpre-
tation
Cap. 105
Section 7E of
Cap. 105
repealed
and
replaced

"Disquali-
fication for
office as
councillor

Cap. 333

7E.-(1) Subject to the provisions of this section a
councillor shall cease to be a councillor if he-

- (a) holds any office of profit under a council or a local government authority established under the Local Government Ordinance; or
- (b) is an undischarged bankrupt, or is a person who has, since his election or appointment, made a composition or arrangement with his creditors; or
- (c) save as may be otherwise provided in this Ordinance or any written law, has or receives any salary or takes or receives any fee, remuneration or reward for or on account of anything done as a councillor or acts as an agent for any rate payer at any meeting of the council convened in relation to matters concerned with rating; or

- Cap. 492
- (d) has been sentenced to death by any court in the United Republic of Tanzania;
 - (e) has, since his election or appointment been detained under the Preventive Detention Act, 1462 for a period exceeding six months;
 - (f) has, since his election or appointment, been convicted of an offence by a court in the United Republic and sentenced to imprisonment for a term exceeding six months, or
 - (g) has, since his election or appointment, been convicted by a court in the United Republic of any offence involving fraud or dishonesty; or
 - (h) is of unsound mind.

(2) Where any councillor is convicted of any offence the commission of which, in the opinion of the President, is incompatible with such councillor's continuance in office, the President may determine that he shall be disqualified from further serving as a councillor and as from the date when such determination is communicated to him, the councillor shall cease to be a councillor.

(3) For the purposes of paragraphs (d), (f) and (g) of subsection (1) and for the purposes of subsection (2), the ordinary date on which the period allowed for making an appeal against the conviction or sentence, as the case may be expires or, if such an appeal is made, the date on which the appeal is finally disposed of or abandoned or fails by reason of the non-prosecution thereof, shall be deemed to be the date of the conviction or sentence, as the case may be.

Non-compliance with certain Provisions of the Local Government (Elections) Act, 1966

7EE. A councillor shall cease to be a councillor-

- (a) if such circumstances arise that if he were not a councillor he would not, by virtue of the provisions of paragraph (i), (j), (k), (l) or (m) of subsection (1) of section 12 of the Local Government (Elections) Act, 1966, be qualified for election as a councillor:

Provided that where a councillor or his spouse becomes a beneficial owner of a share in a company or of any interest in a share, house or building by inheritance or by operation of law the councillor shall not cease to be a councillor by reason of the provisions of paragraph (i) or (k) of subsection (1) of section 12 of the Local Government (Elections) Act, 1966 if such councillor or his spouse, as the case may be, shall, within three months of such share, house or building, or such interest in a share, house or building having become vested in him, take such steps as may be necessary to remove the disqualification imposed by the provisions of the paragraph (i) or (k) of subsection (1) of section 12 of the Local Government (Elections) Act, 1966; or

- Cap. 16
- (b) where he or his spouse has lodged an undertaking under paragraph (b) of subsection (4) of section 12 of the Local Government (Elections) Act, 1966, if he or his spouse, as the case may be, fails to comply with such undertaking; or
 - (c) if he fails to lodge a declaration under section 7I within the period specified in that section or if he is convicted of an offence under section 107 of the Penal Code in respect of such declaration; or
 - (d) if he fails to lodge a statement of affairs in accordance with section 7J".

4. Section 7F of the Ordinance is amended in subsection (1) thereof by deleting the word "Minister" which occurs in the third line of paragraph (a) and substituting therefor the word "Commission".

Section 7F amended

5. The Ordinance is amended by adding, immediately below section 7H, the following new sections: -

New Section 7I and 7J added to Cap. 105

"Declaration by councillors

7I.-(1) Every councillor who is a councillor on the 2nd of March, 1968 shall, not later than the 5th of March, 1968, lodge with the Regional Commissioner a declaration in duplicate to the effect that he is not disqualified from being a councillor by virtue of the provisions of section 7EE.

(2) Every councillor who is elected or appointed as a councillor on or after the 3rd of March, 1968, shall, within fifteen days of his election or appointment, lodge with the Regional Commissioner a declaration in duplicate to the effect that he is not disqualified from being a councillor by virtue of the provisions of section 7EE.

(3) The declaration required to be lodged with the Regional Commissioner under this section shall be in such form as may be prescribed.

(4) The Regional Commissioner shall forward a copy of every declaration lodged with him in accordance with this section to the Attorney-General.

Councillors to lodge statements of affairs

7J.-(1) Every councillor shall, at such interval and in such form as may be prescribed, lodge with the Regional Commissioner a statement of affairs in duplicate giving particulars of his income and assets and of the income and assets of his spouse.

(2) The Regional Commissioner shall forward a copy of every statement of affairs lodged in accordance with this section to the Attorney-General.

(3) Until such time as any statement of affairs lodged under this section is produced as evidence before a court in any proceedings under Part IIIA, no person other than the President, the Minister, the Regional Commissioner, the Attorney-General and persons authorized in writing by the Minister, the Regional Commissioner or the Attorney-General in that behalf shall have access to or be entitled to any information contained in such statement."

Section 20 of
Cap. 105
amended

6. Section 20 of the Ordinance is hereby amended-
(a) in subsection (1) by deleting the full stop at the end, substituting therefor a colon and inserting the following proviso:

Cap. 446

"Provided that where a council has appointed an education committee under the provisions of section 9 of the Education Ordinance such committee shall be deemed to be the Education and Cultural Committee appointed under this section and notwithstanding any provision of this Ordinance to the contrary, the constitution, proceedings and appointment of the chairman of such committee shall be regulated by the provisions of the Second Schedule to that Ordinance.", and

(b) by adding the following subsections immediately below sub-section 2: -

"(2A) A committee appointed under this section, other than the Finance, Establishments and General Purposes Committee, may include persons who are not members of the council but who are appointed to the committee by the council or who are co-opted by the committee where the Committee has been authorized by the council to co-opt additional members not being members of the council:

Provided that at least two-thirds of the members of every committee shall be members of the council.

(2B) A person co-opted to a committee of the council under the provisions of subsection (2A) shall have the same rights and powers in all respects as if he were a person appointed to be a member thereof."

New Part
IIIA added

7. The Ordinance is amended by adding, immediately below Part III thereof, the following new Part:-

"PART IIIA

DECLARATION AS To DISQUALIFICATION

Attorney-
General
may petition
for declara-
tion

24A.-(1) Where the Attorney-General has reason to believe that a councillor has, by virtue of any of the provisions of section 7EE become disqualified from continuing as a councillor, he may petition the High Court for a declaration to that effect.

(2) Subject to any rules made under section 24C every petition under this section shall, insofar as may be practicable, be tried in the same manner as if it were a civil suit.

(3) Witnesses shall be subpoenaed and sworn in the same manner, as nearly as circumstances admit, as in a trial by the High Court in the exercise of its original civil jurisdiction and shall, without prejudice to the provisions of any other law, be subject to the same penalties for the giving of false evidence or for non-attendance.

(4) On the trial of a petition under this section the court may by order compel the attendance of any person as a witness who appears to it to be in a position to give relevant information, and any person refusing to obey such order

shall be guilty of a contempt of court. The court may examine any witness so compelled to attend or any person in court, although such witness or person is not called and examined by any party to the petition. After the examination of a witness as aforesaid by the court, such witness may be cross-examined by or on behalf of the petitioner or respondent, or both of them.

Respondent to be given opportunity to be heard

24B.-(1) On every petition under section 24A the court shall give the respondent an opportunity of being heard and of producing such relevant evidence as he may wish.

(2) At the conclusion of the trial of a petition the court shall determine whether the respondent is disqualified from continuing to be a councillor by operation of section 7EE and every such determination of the court shall be final.

Rules of court

24C. The Chief Justice may make rules of court regulating the procedure and practice to be followed and prescribing the fees to be paid on and in relation to petitions under section 24A.

Jurisdiction of Resident Magistrate

24D.-(1) The Chief Justice may by order-

- (a) invest any Resident Magistrate with jurisdiction to try any petition under section 24A which, but for the provisions of this section, would ordinarily be tried by the High Court and may specify the area within which such Resident Magistrate may exercise such jurisdiction; or
- (b) invest any Resident Magistrate with jurisdiction to try all petitions under section 24A within such area as may be specified in the order.

and such Resident Magistrate shall, by virtue of such order, have power in respect of the petitions specified therein to make any order which could lawfully be made by the High Court.

(2) The High Court may transfer any petition pending before it for trial to any Resident Magistrate and such Resident Magistrate shall, upon such transfer, have power in respect of the petition transferred to him to make any order which could lawfully be made by the High Court.

(3) Every declaration made by a Resident Magistrate in respect of any petition under section 24A pursuant to the jurisdiction conferred upon him either by subsection (1) or subsection (2) of this section shall be subject to confirmation by the High Court.

(4) The High Court may, in confirmation, confirm, vary or set aside any declaration made by a Resident Magistrate or make any other declaration which the High Court may think fit.

(5) Proceedings before a Resident Magistrate shall be governed, as far as may be practicable, by rules relating to such proceedings before the High Court."

Section 89B added to Cap. 105

8. The Ordinance is amended by adding immediately below section 89A the following new section: -

"Regulations 89B. The Minister may make regulations-

- (a) prescribing the form of declaration required to be lodged by a councillor under section 7I;
- (b) prescribing the interval at which and the form in which statements of affairs required to be lodged under section 7J shall be lodged;
- (c) prescribing anything which under this Ordinance may be prescribed."

PART II

AMENDMENTS TO THE LOCAL GOVERNMENT ORDINANCE

Interpretation Cap. 333

9. In this Part, unless the context otherwise requires, "the Ordinance" means the Local Government Ordinance.

Section 12 of Cap. 333

10. Section 12 of the Ordinance is repealed and replaced by the following sections: -

"Disqualification for office as councillor

Cap. 105

12.-(1) Subject to the provisions of this section a member of an authority shall cease to be such member if he-

- (a) holds any office of profit under an authority or under a city council or a municipal council established under the Municipalities Ordinance; or
- (b) is an undischarged bankrupt, or is a person who has since his election or appointment, made a composition or arrangement with his creditors;
- (c) save as may be otherwise provided in this Ordinance or any written law or in any Instrument, has or receives any salary or takes or receives any fee, remuneration or reward for or on account of anything done as a member or acts as an agent for any rate payer at any meeting of the authority convened in relation to matters concerned with rating; or
- (d) has been sentenced to death by any court in the United Republic of Tanzania; or
- (e) has, since his election or appointment been detained under the Preventive Detention Act, 142, for a period exceeding six months; or
- (f) has, since his election or appointment, been convicted of an offence by a court in the United Republic and sentenced to imprisonment for a term exceeding six months; or
- (g) has, since his election or appointment, been convicted by a court in the United Republic of any offence involving fraud or dishonesty; or

Cap. 492

(h) is of unsound mind.

(2) Where any member of an authority is convicted of any offence the commission of which in the opinion of the President, is incompatible with such member's continuance in office, the President may determine that he shall be disqualified from further serving as a member and as from the date when such determination is communicated to him, the member shall cease to be a member.

(3) For the purposes of paragraphs (d), (f) and (g) of subsection (1) and for the purposes of subsection (2), the ordinary date on which the period allowed for making an appeal against the conviction or sentence, as the case may be, expires or, if such an appeal is made, the date on which the appeal is finally disposed of or abandoned or fails by reason of the non-prosecution thereof, shall be deemed to be the date of the conviction or sentence, as the case may be.

Non-compliance with certain provisions of the Local Government (Elections) Act 1966 Acts 1966 No. 47

12A. A member of an authority shall cease to be such member-

(a) if such circumstances arise that if he were not a member he would not, by virtue of the provisions of paragraphs (1), (j), (k), (1), or (m) of subsection (1) of section 12 of the Local Government (Elections) Act, 1966, be qualified for election as a member:

Provided that where a member or his spouse becomes a beneficial owner of a share in a company or of any interest in a share, house or building by inheritance or by operation of law the member shall not cease to be a member by reason of the provisions of paragraph (i) or (k) of subsection (1) of Section 12 of the Local Government (Elections) Act, 1966, if such member or his spouse, as the case may be, shall, within three months of such share, house or building, or such interest in a share, house or building having become vested in him, take such steps as may be necessary to remove the disqualification imposed by the provisions of paragraph (i) or (k) of subsection (1) of section 12 of the Local Government (Elections) Act, 1966; or

(b) where he or his spouse has lodged an undertaking under paragraph (b) of subsection (4) of section 12 of the Local Government (Elections) Act, 1966, if he or his spouse, as the case may be, fails to comply with such undertaking; or

(c) if he fails to lodge a declaration under section 17 within the period specified in that section or if he is convicted of an offence under section 107 of the Penal Code in respect of such declaration; or

(d) if he fails to lodge a statement of affairs in accordance with section 17A."

Cap. 16

11. Section 14 of the Ordinance is amended in subsection (1) thereof Section 14 by deleting the word "Minister" which occurs in the third line of amended paragraph (a) and substituting therefor the word "Commission"

New Sections 17 and 17A added to Cap. 333

12. The Ordinance is amended by adding, immediately below section 16, the following new sections: -

"Declaration by councillors

17.-(1) Every member of an authority who is such member on the 2nd of March, 1968 shall, not later than the 5th of March, 1968, lodge with the Regional Commissioner a declaration in duplicate to the effect that he is not disqualified from being a member by virtue of the provisions of section 12A.

(2) Every member of an authority who is elected or appointed as such member on or after the 3rd of March, 1968 shall, within fifteen days of his election or appointment, lodge with the Regional Commissioner a declaration in duplicate to the effect that he is not disqualified from being a member by virtue of the provisions of section 12A.

(3) The declaration required to be lodged with the Regional Commissioner under this section shall be in such form as may be prescribed.

(4) The Regional Commissioner shall forward a copy of every declaration lodged with him in accordance with this section to the Attorney-General.

Councillors to lodge statements of affairs

17A.-(1) Every member of an authority shall, at such interval and in such form as may be prescribed, lodge with the Regional Commissioner a statement of affairs in duplicate giving particulars of his income and assets and of the income and assets of his spouse.

(2) The Regional Commissioner shall forward a copy of every statement of affairs lodged in accordance with this section to the Attorney-General.

(3) Until such time as any statement of affairs lodged under this section is produced as evidence before a court in any proceedings under Part IIIA, no person other than the President, the Minister, the Regional Commissioner, the Attorney-General and persons authorized in writing by the Minister, the Regional Commission or the Attorney-General in that behalf shall have access to or be entitled to any information contained in such statement."

New Part IIIA added

13. The Ordinance is hereby amended by adding, immediately below Part III thereof, the following new Part:

PART IIIA

DECLARATION AS TO DISQUALIFICATION

"Attorney-General may declaration

17B. (1) Where the Attorney-General has reason to believe that a member of an authority has, by virtue of any of the provisions of section 12A, become disqualified from continuing as such member, he may petition the High Court for a declaration to that effect.

(2) Subject to any rules made under section 17D every petition under this section shall, insofar as may be practicable, be tried in the same manner as if it were a civil suit.

(3) Witnesses shall be subpoenaed and sworn in the same manner, as nearly as circumstances admit, as in a trial by the High Court in the exercise of its original civil jurisdiction and shall, without prejudice to the provisions of any other law, be subject to the same penalties for the giving of false evidence or for non-attendance.

(4) On the trial of a petition under this section the court may by order compel the attendance of any person as a witness who appears to it to be in a position to give relevant information, and any person refusing to obey such order shall be guilty of a contempt of court. The court may examine any witness so compelled to attend or any person in court, although such witness or person is not called and examined by any party to the petition. After the examination of a witness as aforesaid by the court, such witness may be cross-examined by or on behalf of the petitioner or respondent, or both of them.

Respondent
to be given
opportunity
to be heard

17C.-(1) On every petition under section 17B the court shall give the respondent an opportunity of being heard and of producing such relevant evidence as he may wish.

(2) At the conclusion of the trial of a petition the court shall determine whether the respondent is disqualified from continuing to be a member of an authority by operation of section 12A and every such determination of the court shall be final.

Rules of
court

17D. The Chief Justice may make rules of court regulating the procedure and practice to be followed and prescribing the fees to be paid on and in relation to petitions under section 17B.

Jurisdiction
of Resident
Magistrate

17E.-(1) The Chief Justice may by order-

- (a) invest any Resident Magistrate with jurisdiction to try any petition under section 17B which, but for the provisions of this section, would ordinarily be tried by the High Court and may specify the area within which such Resident Magistrate may exercise such jurisdiction; or
- (b) invest any Resident Magistrate with jurisdiction to try all petitions under section 17B within such area as may be specified in the order,

and such Resident Magistrate shall, by virtue of such order, have power in respect of the petitions specified therein to make any order which could lawfully be made by the High Court.

(2) The High Court may transfer any petition pending before it for trial to any Resident Magistrate and such Resident Magistrate shall, upon such transfer, have power in respect of the petition transferred to him to make any order which could lawfully be made by the High Court.

(3) Every declaration made by a Resident Magistrate in respect of any petition under section 17B pursuant to the jurisdiction conferred upon him either by subsection (1) or subsection (2) of this section shall be subject to confirmation by the High Court.

(4) The High Court may, in confirmation, confirm, vary or set aside any declaration made by a Resident Magistrate or make any other declaration which the High Court may think fit.

(5) Proceedings before a Resident Magistrate shall be governed, as far as may be practicable, by rules relating to such proceedings before the High Court."

Section 29 of
Cap. 333
amended

14. Section 29 of the Ordinance is hereby amended-

(a) in subsection (1) by deleting the full stop at the end, substituting therefor a colon and inserting the following proviso:

"Provided that where an authority has appointed an education committee under the provisions of section 9 of the Education Ordinance such committee shall be deemed to be the Education and Cultural Committee appointed under this section and notwithstanding any provision of this Ordinance to the contrary, the constitution, proceedings and appointment of the chairman of such committee shall be regulated by the provisions of the Second Schedule to that Ordinance.";

Cap. 446

(b) by deleting subsection (4) and substituting therefor the following new subsection: -

"(4) Subject to subsection (5), a committee appointed under this section, other than the Finance, Establishment and General Purposes Committee, may include persons who are not members of the authority but who are appointed to the committee by the authority or who are co-opted by the committee where the committee has been authorized by the authority to co-opt additional members not being members, of the authority."; and

(c) by adding the following subsection immediately below subsection (6):-

"(7) Notwithstanding any provision of this Ordinance to the contrary where a District Development and Planning Committee has been established-

(a) such Committee shall consist of-

(i) persons who are for the time being members of the Finance, Establishment and General Purposes Committee; and

(ii) such other persons as the Minister may direct;

- (b) the chairman of the Committee shall be the Area Commissioner of the district or, in the absence of the Area Commissioner from any meeting, such person as the Committee may elect to be the chairman of that meeting; and
- (c) the authority shall, save insofar as the Minister may otherwise direct, be deemed to have delegated to the Committee all its functions relating to the development planning of the district."

PART III

AMENDMENTS TO THE LOCAL GOVERNMENT (ELECTIONS) ACT, 1966

15. In this Part, unless the context otherwise requires, "the Act" means the Local Government (Elections) Act, 1966.

Interpretation
Acts 1966
No. 47

16. Section 12 of the Act is amended-

(a) in subsection (1)-

(i) by deleting the full stop at the end of paragraph (h) and substituting therefor "or in the service of an Authority;"; and

(ii) by inserting the following paragraphs immediately below the said paragraph (h):-

Section 12
of Act 47
of 1966
amended

"(i) if he or his spouse is the beneficial owner of any share in any company incorporated or established in the United Republic or elsewhere or of any interest in any such share;

(j) if he or his spouse holds the office of a director in any company incorporated or established in the United Republic or elsewhere otherwise than as a nominee of the Government or of an Authority or of any statutory corporation or of any company of which the majority of ordinary shares are held by the Government, an Authority or a statutory corporation;

(k) if he or his spouse is the beneficial owner of any house or other building or of any interest in a house or other building which, or any portion of which, is in the exclusive occupation of some other person in consideration of payment of rent, fee or other valuable consideration whatsoever other than lawful deductions from the wages payable to a domestic servant in respect of occupation by him of any portion of such house or of any quarters attached thereto;

(l) if he or his spouse is in receipt of two or more salaries; or

(m) if he or his spouse, being a person engaged in any trade, business, profession or vocation, employs any workman for the purposes of, or in connection with, such trade, business, profession or vocation."; and

(b) by adding the following new subsections immediately below subsection (2): -

"(3) For the purpose of paragraph (i) of subsection (1) of this section "share" includes stock, debenture and other interest whatsoever.

(4) For the purposes of paragraphs (i) and (k) of subsection (1) of this section-

(a) a person shall not be deemed to be a beneficial owner of a share in a company or of a house or other building or of any interest in a share, house or other building, if such person's interest therein is as a beneficiary under a trust or wakf relating to such share, house or other building or interest in a share, house or other building and if-

(i) he himself is not the settlor of the trust or wakf; and

(ii) he was not, at any time during the five years immediately preceding the settlement of the trust or wakf, the beneficial owner of the share, house or building, or of any interest in the share, house or building;

(b) a person shall not be in contravention of the provisions of paragraph (i) or (k) where any share, house or building or any interest in a share, house or building, becomes vested in him by inheritance or by operation of law if-

(i) where such share, house or building or interest in a share, house or building becomes so vested in him within the three months immediately preceding the date appointed for the primary nomination, such person lodges with the Electoral Commission an undertaking in the prescribed form to dispose of such share, house or building or interest in a share, house or building within three months of the primary nomination; or

(ii) where such share, house or building or interest in a share, house or building becomes so vested in him after the date appointed for the primary nomination but before such person or his spouse, as the case may be, takes his seat as a member of the Authority, such person lodges with the Electoral Commission an undertaking in the prescribed form that he will dispose of his share, house or building or of the interest in a share, house or building within three months of his or his spouse, as the case may be, becoming a member of the Authority.

(5) For the purpose of paragraph (j) of subsection (1) of this section "statutory corporation" means any body corporate established by or under any written law other than the Companies Ordinance.

(6) For the purposes of paragraph (1) of subsection (1) Cap. 212 of this section-

(a) "salary" means-

- (i) the gains or profit from any trade, business, profession or vocation; or
- (ii) the remuneration payable to a person under any contract of service by way of salary, wages or allowances; or
- (iii) the income accruing to a beneficiary under a trust or wakf from such trust or wakf,

but does not include the allowances payable to a member of an Authority as such member;

- (b) where a person receives two or more salaries he shall be deemed to be receiving only one salary if the total amount received by him does not exceed the amount of the salary for the time being payable to a member of the National Assembly as such member; and
- (c) where a person, is a beneficiary under two or more trusts or wakfs, the total income according to him as such beneficiary shall be deemed to be one salary.

(7) Notwithstanding the provisions of paragraph (a) of subsection (6) of this section the President may, by order published in the *Gazette*, declare any income, remuneration or emoluments not to be a salary for the purposes of paragraph (1) of subsection (1) of this section.

(8) For the purposes of paragraph (in) of subsection (1) of this section-

(a) "workman" means a person who has entered into or works under a contract of service with the person employing him, whether such person works by way of manual labour or otherwise, whether the contract is express or implied, or is oral or in writing, and whether the remuneration is calculated by time or work done, or whether by the day, week or for any longer period but does not include a person-

- (i) who is employed on a temporary basis by a farmer to do any work of an agricultural nature and whose remuneration is calculated by time or work done or on a daily basis;
- (ii) who is employed in connection with his employer's profession by any person engaged in the medical, legal, architectural, civil engineering or dentistry profession or such other profession as the President may, by order published in the *Gazette*, declare to be an exempt profession for the purposes of this subsection; or

(iii) who participates on a communal basis or under some customary arrangement in doing any work for the benefit of a member of the community in consideration of remuneration calculated by time or work done; and

(b) "vocation" includes maintaining a hotel, boarding house or like establishment for gain or profit."

Section 23 of
Act 47 of
1966
amended

17. Section 23 of the Act is amended in subsection (1) thereof by deleting the words "dies, the Returning Officer shall, upon being satisfied of the fact of death, " in the third line and substituting therefor the words "dies or becomes disqualified for election as an elected member by virtue of the provisions of section 12, the Returning Officer shall, upon being satisfied, of the fact of death or disqualification,".

Passed in the National Assembly on the fifteenth day of January, 1968.


M. M. Mwansekwa
Clerk of the National Assembly

