

THE SISAL INDUSTRY ACT, 1973

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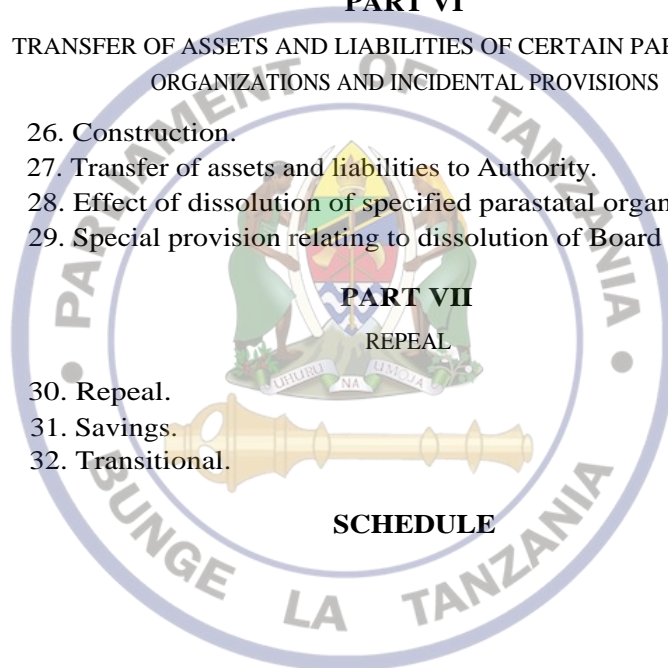
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THE UNITED REPUBLIC OF TANZANIA



No. 2 OF 1973

I ASSENT,

Julius K. Nyerere
President

8TH MARCH, 1973

An Act to make provision for a Unified System of Marketing and Export of Sisal, to establish the Tanzania Sisal Authority, to provide for the functions of the Authority and for other matters connected with or incidental to the Sisal Industry in Tanganyika

ENACTED by the Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY

1. This Act may be cited in the Sisal Industry Act, 1973 and shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint.

2. In this Act, unless the context otherwise requires—
 "associated crop" has the meaning assigned to that expression in paragraph (1) of subsection (2) of section 5;
 "the Authority" means the Tanzania Sisal Authority established by subsection (1) of section 3;
 "the Board of Directors" means the Board of Directors of the Authority established under subsection (2) of section 3;
 "member" in relation to the Board of Directors means a member of the Board and includes the chairman of the Board of Directors;
 "Minister", save in section 29, means the Minister for the time being responsible for matters relating to agriculture;
 "producer" means any person who grows sisal for sale or for manufacture of sisal product,
 "sisal" means the plant *Agave Sisalana* or other species of the genus *Agave*, or of the hybrids of any such species and the fibre thereof, and includes brush tow, but does not include flume tow or carded tow;
 "sisal inspector" means an inspector appointed by the Board of Directors for the purposes of this Act;

Short title
and
commence-
ment

Interpreta-
tion

- "sisal plantation" means any land held, or deemed by any written law to be held, under a right of occupancy, on which sisal is grown;
- "sisal product" means any article made from sisal and includes any article in the manufacture of which sisal or any sisal product is used;
- Acts 1968
No. 27 "society" means a co-operative society registered under the Co-operative Societies Act 1968;
- "subsidiary company" means any body corporate established by or under any written law (hereinafter referred to as "the first subsidiary"), not less than fifty per centum of the share capital of which is owned by the Authority, and includes—
- (a) a body corporate (hereinafter referred to as "the second subsidiary") not less than fifty per centum of the issued share capital of which is owned by the: first subsidiary;
 - (b) a body corporate (hereinafter referred to as the "subsequent subsidiary") not less than fifty per centum of the issued share capital of which is owned by the second or another subsequent subsidiary.

PART II

TANZANIA SISAL AUTHORITY

Establishment of Tanzania Sisal Authority

- 3.** (1) There is hereby established an authority which shall be known as the Tanzania Sisal Authority.
- (2) The management and functions of the Authority shall vest in a Board of Directors.
- (3) The provisions of the Schedule to this Act shall have effect as to the constitution and proceedings of, and otherwise in relation to, the Board of Directors.
- (4) The Minister may, by order in the *Gazette*, amend, add to, vary or replace the Schedule to this Act.

Authority to be a body corporate

- 4.** The Authority shall be a body corporate with perpetual succession and a common seal and shall be capable in law of suing and being sued in its corporate name, of purchasing, holding, managing and disposing of any property whatsoever, whether movable or immovable, and whether by way of investment or otherwise, and of entering into any such contract as may be necessary or expedient for the performance of its functions under this Act or any other written law.

Functions of Authority

- 5.**-(1) The functions of the Authority, shall be-
- (a) to promote the development and improvement of the sisal industry;
 - (b) to carry on, either on its own or in participation with any other person, the business of growers, processors, exporters and manufacturers of sisal and sisal products including any other business or activity conducive or incidental thereto;

- (c) to control and regulate the marketing and export of sisal and sisal products and to secure the most favourable arrangements for the marketing and export of sisal and of sisal products;
- (d) to advise the Government on all matters affecting the sisal industry.

(2) In particular, and without prejudice to the generality of the provisions of subsection (1) and subject to any special or general directions of the Minister, the Authority shall have power-

- (a) to control and fix the prices to be paid from time to time for sisal which is to be exported or sold locally for the purposes of local industries and to notify such prices in such manner as the Board of Directors may deem expedient or requisite;
- (b) to regulate the marketing of sisal for use in industries in the United Republic;
- (c) to inspect, classify, and grade sisal and sisal products;
- (d) to allocate production quotas to sisal producers;
- (e) to undertake or cause to be undertaken research into the production, marketing and uses of sisal, sisal products, and associated crops;
- (f) to make orders or give directions for the compulsory registration of all producers of sisal or of sisal products or of any particular category of producers;
- (g) to acquire by agreement and hold interests in any company or firm carrying on business concerned directly or indirectly with sisal;
- (h) to establish branches within the United Republic or elsewhere;
- (i) to manage the affairs of and continue the business of any public corporation or any firm the interests of which are vested in or acquired by the Authority under the provisions of this Act, whether or not such business relates to, sisal;
- (j) to advance money on loan to, give guarantees for the benefit of or provide management or other services to, persons or bodies of persons engaged in the sisal business;
- (k) with the consent of the Minister to charge, levy and collect fees for any services rendered by it in relation to the grading, classification or inspection of sisal or the carrying out of research in any aspect of the sisal industry;
- (l) to authorize, direct or regulate the growing of any crop (in this Act referred to as "associated crop") other than sisal on any sisal plantation and to carry out research in that behalf;
- (m) to do all such acts and things as may be necessary to uphold and support the credit of the Authority and to obtain and justify public confidence, and to avert or minimize any loss to the Authority;
- (n) to do anything or enter into any transaction which in the opinion of the Board of Directors is calculated to facilitate the proper and efficient carrying out of the Authority's functions under this Act.

Orders and directions of Authority

6.-(1) When any order is made or direction is given by the Authority under this Act the Board of Directors shall convey or cause to be conveyed the contents of the orders and directions to the persons concerned in such manner as the Board may from time to time determine:

Provided that if any such order or direction is published in the *Gazette* all persons shall be deemed to have notice thereof.

(2) Contravention of any order or direction given or issued by the Authority and in force at the time of such contravention, shall be an offence against this Act.

Minister may give directions

7. The Minister may give to the Board of Directors directions of a general or specific character as to the exercise or performance by the Authority of any of its functions under this Act, and the Board shall give effect to every such direction.

PART III

MARKETING AND EXPORT OF SISAL

Restriction on export of sisal

8. (1) No person other than the Authority or a subsidiary company designated in that behalf by the Board of Directors shall export sisal.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding five years, or to both such fine and imprisonment.

Compulsory marketing orders

9. (1) It shall be lawful for the, Authority, with the approval of the Minister, to, order producers of sisal in any specified area to sell or otherwise dispose of sisal to or through the Authority, or a subsidiary company or a society designated in that behalf in such order.

(2) The Authority may, in any order made under subsection (1) exempt any producer or category of producers from all or any of the provisions of such order.

(3) Every order made by the Authority under subsection (1) shall be published in the *Gazette*.

Payments for sisal sold to Authority

10. Subject to any direction by the Minister in that behalf, payment for any quantity of sisal purchased by the Authority for export, re-sale within the United Republic or otherwise shall be made by the Authority in such manner or by such installments as the Board of Directors may determine:

Provided that-

- (a) in the case of a payment for any quantity of sisal exported or resold locally by the Authority such payment shall not, save with the express consent of the seller, be delayed to a date later than thirty days from the date of the receipt by the Authority of the proceeds of the sale on export or on domestic re-sale, as the case may be;

- (b) nothing in this section or any other provision of this Act shall be construed as precluding the Authority from exporting sisal on behalf of or as an agent of the producer.

PART IV

ADMINISTRATION AND FINANCIAL PROVISIONS

11. (1) The Board of Directors may from time to time appoint, at such salaries and upon such terms and conditions as it may think fit, such officers and employees of the Authority as it may deem necessary for the proper and efficient conduct of the business and activities of the Authority.

Appointment
of employees

(2) The President shall appoint a General Manager of the Authority who shall be the chief executive officer of the Authority.

12. (1) The Board of Directors may transfer any person who is employed by the Authority to the employment of a subsidiary company, or may transfer any person who is employed by a subsidiary company to the employment of the Authority or to the employment of another subsidiary company.

Transfer of
employees

(2) Where an employee is transferred under subsection (1)-

- (a) he shall, as from the date of his transfer, be deemed to be the employee of the Authority or, as the case may be, of the subsidiary company to which he is transferred;
- (b) the terms and conditions of service applicable to him after such transfer shall not be less favourable than those which were applicable to him immediately before the transfer and for the purposes of determining any right to gratuity or any other superannuation benefit, his service with the Authority or, as the case may be, the subsidiary company to which he is transferred, shall be regarded as continuous with his service immediately preceding such transfer; and
- (c) his employment immediately prior to his transfer and his employment by the Authority or, as the case may be, the subsidiary company to which he is transferred, shall be deemed to be continuous employment by one employer within the meaning of section 8A of the Severance Allowance Act, 1962, and that Act shall apply to the parties in the same manner as it applies to the cases set out in subsection (1) of the said section 8A.

Cap. 487

13. The Directors shall be entitled to receive such remuneration, allowances and other benefits as the Minister may direct.

Remuneration
and
allowance of
Directors
and members
Superannua-
tion benefits

14. The Board of Directors may-

- (a) grant gratuities or other retirement allowances or benefits to the officers and employees of the Authority;
- (b) establish and provide for contribution by the Authority to a superannuation fund and a medical benefits fund for the officers and employees of the Authority;
- (c) require any officer or employee of the Authority to contribute to any such superannuation fund or medical benefits fund and fix the amounts and method of payment of such contribution.

Agents and
contractors

15. The Board of Directors may, from time to time, appoint and employ, upon such terms and conditions as it thinks fit, such agents and contractors of the Authority as it deems necessary.

Power of the
Board to
delegate

16.-(1) Subject to subsection (6), the Board of Directors may from time to time, by writing under the seal of the Authority, delegate, subject to such terms, conditions and restrictions as it may specify, to any committee of the Board or to any officer or servant of the Authority, or to any subsidiary company, all or any of its functions, powers, authorities or duties under this Act, and where any delegation is so made the delegated function, power, authority or duty may be performed or, as the case may be, exercised by the delegate subject to the terms, conditions and restrictions specified in the writing.

(2) Any delegation under subsection (1) may be made to the holder of an office under the Authority specifying the office but without naming the holder, and in every such case each successive holder of the office in question and each person who occupies or performs the duties of that office may, without any further authority, perform or, as the case may be, exercise the delegated function, power, authority or duty in accordance with the delegation made.

(3) The Board of Directors may revoke a delegation made by it under this section.

(4) No delegation made under this section shall prevent the Authority from itself performing or exercising the function, power, authority or duty delegated.

(5) Any delegation made under this section may be published in the *Gazette*, and upon such publication shall be judicially noticed and shall be presumed to be in force unless the contrary is proved.

(6) The Board of Directors shall not have power under this section to delegate-

- (a) its power of delegation; or
- (b) the power to make any order or give directions under section 9;
- (c) the power to approve the annual budget or any supplementary budget of receipts and expenditure, the annual balance sheet or any statement of account.

Annual and
supplemen-
tary budget

17.-(1) In this Act "financial year" means any period not exceeding twelve consecutive months designated in that behalf by the Board of Directors:

Provided that the first financial year after the commencement of this Act shall commence) on the date of the commencement of this Act and may be of a shorter or longer period than twelve months,.

(2) Not less than two months before the beginning of any financial year (other than the first financial year) the Board of Directors shall, at its meeting especially convened for that purpose, pass a detailed budget (in this Act called the annual budget) of the amounts respectively-

- (a) expected to be received; and
- (b) expected to be disbursed,

by the Authority during that financial year.

(3) If in any financial year the Authority requires to make any disbursement not provided for, or of an amount in excess of the amount provided for, in the annual budget for the year, the Board of Directors shall, at a meeting, pass a supplementary budget detailing such disbursement.

(4) The annual budget and every supplementary budget shall be in such form and include such details as the Minister may direct.

(5) Forthwith upon passing of any annual budget or any supplementary budget the Board of Directors shall submit same to, the Minister for his approval.

(6) The Minister shall, upon receipt of the annual budget or any supplementary budget, approve or disapprove the same or may approve subject to such amendment as he may deem fit.

(7) Where the Minister has approved any annual budget or supplementary budget, the budget, as amended by him, shall be binding on the Authority which, subject to the provisions of subsection (8), shall confine its disbursements within the items and the amounts contained in the applicable estimates as approved by the Minister.

(8) The Board of Directors may-

- (a) with the sanction in writing of the Minister, make a disbursement notwithstanding that such disbursement is not provided for in any budget;
- (b) from the amount of expenditure provided for in any estimates in respect of any item, transfer a sum not exceeding fifty thousand shillings to any other item contained in such budget;
- (c) adjust expenditure limits to take account of commercial and climatic changes not reasonably foreseeable at the time the budget was prepared subject to submitting a supplementary budget to the Minister within two months of such alteration of expenditure limits becoming necessary.

18. The Board of Directors may, and shall if so directed by the Minister, establish and maintain such reserve or special funds of the Authority as the Board or the Minister may consider necessary or expedient, and shall make into or from any such funds such payments as the Board may deem fit or, in the case of a fund established pursuant to a direction by the Minister, as the Minister may direct.

Reserve and special funds

19. With the prior approval of the Minister, the Board of Directors may, from time to time, invest any part of the moneys available in any fund of the Authority maintained by it in such manner as the Board may deem fit.

Investment

20. (1) With the prior approval of the Minister the Board of Directors may, from time to time, borrow moneys for the purposes of the Authority by way of loan or overdraft, and upon such security and such terms and conditions relating to the repayment of the principal and the payment of interest as, subject to any direction by the Minister, the Board deems fit.

Power to borrow

- (2) A person lending money to the Authority shall not be bound to enquire whether the borrowing of that money by the Authority has been approved by the Minister.
- Accounts and audit
- 21.**-(1) The Board of Directors shall cause to be provided and kept proper books of accounts and records with respect to-
- (a) the receipt and expenditure of moneys by, and other financial transactions of, the Authority;
- (b) the assets and liabilities of the Authority,
- and shall cause to be made out for every financial year a balance sheet showing details of the income and expenditure of the Authority and all its assets and liabilities.
- Acts 1968 No. 1
- (2) At least once in every financial year the accounts, including the balance sheet, of the Authority shall be audited by the Tanzania Audit Corporation established by the Tanzania Audit Corporation Act, 1968.
- (3) As soon as the accounts of the Authority have been audited, and in any case not later than six months after such auditing, the Board of Directors shall submit to the Minister a copy of the audited statement of accounts together with a copy of the report thereon made by the auditors.
- (4) Every such audited balance sheet shall be placed before a meeting of the Board of Directors and, if adopted by the Board shall be endorsed with a certificate that it has been so adopted.
- (5) As soon as practicable after the receipt by him of the copy of the statement together with the copy of the report submitted pursuant to subsection (3) the Minister shall lay a copy of the statement together with a copy of the report before the National Assembly.

PART V

MISCELLANEOUS PROVISIONS

- Liability of members, etc.
Cap. 16
Acts, 1970
No. 7
- 22.** Without prejudice to the provisions of section 284A of the Penal Code or of the Specified Officers (Recovery of Debts) Act, 1970, no act or thing done, or omitted to be done, by any member of the Board of Directors or by any officer, servant or agent of the Authority shall, if done or omitted *bona fide* in the execution or purported execution of his duties as such member, officer, servant or agent, subject any such person to any action, liability or demand whatsoever.
- Powers of sisal inspectors
- 23.** (1) Any sisal inspector may, at any reasonable hour of the day, enter any place where sisal is grown, processed or stored, and inspect and examine the same for the purpose of ensuring that the provisions of this Act, or of any regulations made hereunder, or of any directions given or order made by the Authority are being complied with.
- (2) A sisal inspector may, for the purpose of securing compliance with the provisions of this Act or of any regulations made hereunder, or of directions given or order made by the Authority or for the purposes of detecting and establishing any breach of any such provisions or directions or order take samples of any sisal found in any plantation, processing plant, sisal store or any other place, and may submit such samples to such tests as he may deem necessary.

(3) Any person who obstructs a sisal inspector in the exercise of the powers conferred upon him by this section, or who neglects or refuses to produce to the sisal inspector any book or record which the sisal inspector may request to be produced for his inspection, shall be guilty of an offence.

24. (1) The Authority may, with the approval of the Minister make Regulations regulations for all or any of the following purposes: -

- (a) to require the submission of information and statistics relating to sisal and sisal products, including (but not restricted to) such matters as production, acreage, machinery, labour, equipment, storage facilities, sales, deliveries, shipments and stock, and to prescribe forms in connection therewith;
- (b) to prescribe the procedure for the compulsory registration of sisal plantations and the forms to be used in connection therewith;
- (c) to prescribe the manner in which sisal shall be stored by producers and the manner in which such place where the sisal is stored shall be maintained, and the specifications of any store to be used for the storage of sisal;
- (d) to provide for the definitions of grades of sisal offered for sale for export and to make orders prohibiting sale of sisal for export that does not comply with such grades;
- (e) to provide for the inspection of sisal and for the appointment of inspectors, and to prescribe the duties of such inspectors;
- (f) to provide for the inspection, weighing and measuring of sisal;
- (g) to provide for records to be kept by the producers and for the submission of returns and to prescribe forms of such records and returns;
- (h) to prescribe the manner in which any fees prescribed by the Authority shall be calculated, levied and collected;
- (i) to provide for any matter incidental to any of the matters hereinbefore mentioned;
- (j) to prescribe anything which is to be or may be prescribed and generally for the carrying into effect of any of provisions or purposes of this Act including the performance by the Authority of its functions relating to the development of associated crops on sisal plantations.

(2) Regulations made under this section may be made applicable to Tanganyika as a whole or to any part thereof.

25. Any person who commits an offence against this Act or any subsidiary legislation made hereunder shall, unless some other punishment is prescribed therefore, be liable on conviction to a fine not exceeding fifty thousand shillings or imprisonment for a term not exceeding three years, or to both such fine and imprisonment and in every case of an offence under this Act or under subsidiary legislation made hereunder, the sisal or sisal product in relation to which the offence is committed shall, upon conviction be forfeited to the Authority. Penalty

PART VI

TRANSFER OF ASSETS AND LIABILITIES OF CERTAIN PARASTATAL
ORGANIZATIONS AND INCIDENTAL PROVISIONS

- Construction **26.** In this Part and Part VII, save where the context otherwise requires-
- "effective date" means the date on which this Act comes into operation;
- Cap. 580 "the Sisal Board" means the Tanganyika Sisal Marketing Board established by the Sisal Industry Act, 1965;
- "specified parastatal organization" means the Sisal Board and Tasma;
- "Tasma" means the Tanganyika Sisal Marketing Association Limited, a company limited by guarantee and incorporated under the Companies Ordinance.
- Transfer of assets and liabilities to Authority **27.** With effect from the effective date all the assets and liabilities of each of the specified parastatal organizations shall, by virtue of this section and without further assurance, vest in the Authority and each such parastatal organization shall be deemed to have been dissolved.
- Effect of dissolution of specified parastatal organizations **28.**-(1) Every person employed by a specified parastatal organization immediately preceding the commencement of this Act shall be employed, and as from the effective date shall be deemed to have been employed, by the Authority.
- (2) After a person becomes employed by the Authority by virtue of subsection (1) the terms and conditions of service applicable thereafter to him shall, save where the President otherwise directs, be not less favourable than those which were applicable to him immediately before his transfer to the service of the Authority and such a person shall be deemed to have been appointed to the service of the Authority in such employment and to such office as the Board of Directors shall determine and for the purposes of determining any right to gratuity or other superannuation benefit, his service with the Authority shall be regarded as continuous with his service immediately preceding the effective date.
- (3) After a person becomes employed by the Authority by virtue of subsection (1), his employment immediately prior to the effective date and his employment by the Authority shall be deemed to be continuous employment by one employer within the meaning of section 8A of the Severance Allowance Act, 1962, and that Act shall apply to the parties in the same manner as it applies to the cases set out in subsection (1) of the said section 8A.
- Cap. 487

(4) Every instrument to which subsection (5) applies shall, by virtue of this section continue in full force and effect and the Authority shall by this Act-

- (a) be substituted for the specified parastatal organization as a party thereto;
- (b) be entitled to receive, and enforce payment of, any money payable thereunder;
- (c) be entitled to obtain a transfer, conveyance or assignment of, and enforce possession of any property which is to be transferred, conveyed or assigned thereunder;
- (d) be liable to make payment of any money payable thereunder; or
- (e) be liable to transfer, convey or assign any property which is to be transferred, conveyed or assigned thereunder,

as the case may be.

(5) The instruments to which this subsection applies are instruments (including contracts, guarantees, agreements, bonds, authorities, mortgages, charges, bills of exchange, promissory notes, bank drafts, bank cheques, letters of credit and securities)-

- (a) to which a specified parastatal organization is a party;
- (b) under which any money is or may become payable or any other property is to be, or may become liable to be transferred, conveyed or assigned to the specified parastatal organization; or
- (c) under which any money is, or may become, payable or any other property is to be, or may become liable to be, transferred, conveyed or assigned, by the specified parastatal organization,

which are subsisting at the effective date or come into existence after that date.

(6) The Minister may, by order published in the *Gazette*, exempt from the provisions of this section any such instrument as aforesaid or any class or category of such instruments.

29. (1) In this section "minister" means the minister for the time being responsible for finance.

(2) The Sisal Marketing Board Fund established by the Sisal of Industry Act, 1965 shall be wound up and shall be paid into and form and part of the general revenue, of the Authority.

(3) The Tanzania Audit Corporation shall, as soon as may be practical after the enactment of this Act, fully examine the accounts and the activities of Tasma and of its subsidiaries, prepare or cause to be prepared audited balance sheets of Tasma and of its subsidiaries and profit and loss accounts for the period expiring on the effective date, and submit its report, the balance sheets and profit and loss accounts to the Minister who shall, after consultation with the Attorney-General, determine whether or not any compensation be paid to any of the former members of Tasma. The fees payable for these services shall constitute a charge on the funds of the Authority.

Special provision relating to dissolution of Board and Tasma

(4) Every determination made by the Minister under subsection (3) shall be certified by him in writing and the contents of such writing shall be communicated to the member or members concerned.

(5) Where the Minister in exercise of the powers conferred upon him by this section has certified that any sum of money be paid to any such former member by way of compensation, such sum of money shall constitute a charge on and be paid out of the Consolidated Fund:

Provided that the amount of compensation shall be payable in such installments as the Minister may determine and the Authority shall be liable to reimburse the Consolidated Fund over such period and on such terms as the Minister, after consultation with the Minister for the time being responsible for agriculture, may specify.

(6) Subject to the provisions of this section no former member of Tasma shall be entitled to any compensation or other payment by reason of the dissolution of Tasma and the transfer of its assets and liabilities to the Authority.

PART VII

REPEAL

Repeal

30.-(1) The Sisal Industry Act, 1965 is hereby repealed.

Acts 1969
No. 48

(2) The Sisal Industry Act, 1969 is hereby repealed.

(3) All licences issued to licensed sisal agents under the Sisal Industry Act, 1965 shall, upon the commencement of this Act, be deemed to have been revoked and no person licensed as a licensed sisal agent shall be entitled to export sisal or otherwise operate as a licensed sisal agent.

Savings

31. (1) Notwithstanding the repeal of the Sisal Industry Act, 1965-

(a) all directions given by the Sisal Board and all rules made by the Sisal Board under the provisions of the Sisal Industry Act, 1965 shall be deemed to be directions given and regulations made by or on behalf of the Authority under the provisions of this Act, and shall remain in force until revoked by directions given or regulations made under this Act:

Provided that this paragraph shall not apply to any direction or rules pertaining to licensed sisal agents or the imposition or collection of levy;

(b) every compulsory marketing order made by the Sisal Board under the provisions of the Sisal Industry Act, 1965 shall be deemed to be a compulsory marketing order made by the Authority under the provisions of this Act and shall remain in force until revoked or replaced by an order made under this Act.

(2) References in this section to orders and rules made or directions given by the Sisal Board shall be construed as including orders and rules deemed to have been made and directions deemed to have been given by that Board under the provisions of Part VII of the Sisal Industry Act, 1965.

32.-(1) Notwithstanding anything to the contrary in this Act contained, the Minister may, on the recommendation of the Board of Directors and upon being satisfied that special circumstances exist which make it just and equitable so to do, permit any person who was licensed as a licensed sisal agent under the provisions of the Sisal Industry Act, 1965 to export, after the commencement of this Act, such quantity of sisal as the Minister may allow:

Transitional

Provided that the power conferred upon the Minister by this section shall not be exercised after the expiration of six months from the date of the commencement of this Act.

(2) The Minister may, by order published in the *Gazette*, at any time before the expiry of twelve months from the date of the commencement of this Act, make such consequential, transitional and supplementary provisions as he may consider necessary consequent upon the repeal of the Sisal Industry Act, 1965 or for the assumption by the Authority the assets and liabilities of any of the specified parastatal organizations.

SCHEDULE

1.-(1) The Board of Directors shall consist of the following members:-

Constitution

(a) a chairman appointed by the President;

(b) not less than ten and not more than fifteen other directors appointed by the Minister from amongst person who are, in his opinion, experienced in the production or marketing of sisal or sisal products, in banking or finance, in public administration, in economic and development planning and in regional development.

(2) The members of the Board of Directors shall, from among their number, elect a vice-chairman, who shall hold office for so long as he remains a member of the Board.

(3) A member of the Board of Directors shall, unless his appointment is sooner determined by the Minister, or he otherwise ceases to be a member, hold office for such period as the Minister may specify in his appointment, or if no period is so specified, for a period of three years from the date of his appointment, and shall be eligible for re-appointment:

Provided that in the case of a member who is a member by virtue of his holding some other office, he shall cease to be a member upon his ceasing to hold that office.

(4) Any member of the Board of Directors may at any time resign by giving notice in writing to the Minister; and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the Minister, he shall cease to be a member.

(5) The Board of Directors may, with the approval of the Minister, appoint any member of the Board or Office of the Authority or a public officer to be the Secretary of the Board.

2. If a member is unable for any reason to attend a meeting, the body or the Ministry, as the case may be, which he represents, may, in writing, nominate another person in his place for the purpose of that meeting.

Absent member to be replaced at meetings

3. Where any member ceases to be a member for any reason before the expiration of his term of office, the Minister shall appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

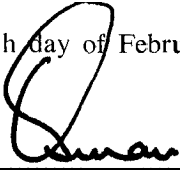
Casual vacancies

4.-(1) An ordinary meeting of the Board of Directors shall be convened by the chairman and the notice specifying the place, date and time of the meeting shall be sent to each member at his usual place of business or residence not less than fourteen days before the date of such meeting. In case the chairman is unable to act by reason of illness, absence from Tanganyika, or other sufficient cause, the vice-chairman may convene such meeting.

Meetings

- (2) The chairman, or in his absence, the vice-chairman, shall be bound to convene a special meeting of the Board of Directors upon receipt of a request in writing in that behalf signed by not less than three members of the Board. Not less than fourteen days' notice of such meeting shall be given to all members of the Board in the manner prescribed in sub-paragraph (1).
- (3) The chairman, the vice-chairman, or the temporary chairman elected in accordance with the provisions of paragraph 5 (2) presiding at any meeting of the Board of Directors may invite any person who is not a member to participate in the deliberations of the Board, but any such person shall not be entitled to vote.
- Procedure 5.-(1) One-half of the total number of the members of the Board of Directors, or seven members, whichever is the lesser number, shall form a quorum for a meeting of the Board.
- (2) In the absence of the chairman from a meeting of the Board of Directors the vice-chairman shall preside. In the absence of both the chairman and the vice-chairman from any meeting, the members present shall elect one of their number to be a temporary chairman of that meeting.
- (3) At any meeting of the Board a decision of the majority of the members present and voting shall be deemed to be a decision of the Board. In the event of an equality of votes the chairman of the meeting shall have a casting vote in addition to his deliberative vote.
- (4) Notwithstanding the provisions of sub-paragraph (2), where the chairman so directs, a decision may be made by the Board of Directors without a meeting by circulation of the relevant papers among all the members and the expression in writing of their views, but any member shall be entitled to require that any such decision shall be deferred until the subject matter shall be considered at a meeting of the Board of Directors.
- Minutes of meetings 6. Minutes in proper form of each meeting of the Board of Directors shall be kept and shall be confirmed by the Board at the next meeting and signed by the chairman of the meeting.
- The seal of the Authority 7. The seal of the Authority shall not be affixed to any instrument except in the presence of the General Manager or the Secretary and one member of the Board of Directors.
- Vacancies, etc. not to invalidate proceedings 8. Subject to the provisions of paragraph 5 relating to quorum, the Board of Directors may act notwithstanding any vacancy in the membership thereof and no act or proceeding of the Board shall be invalid by reason only of some defect in the appointment of a person who purports to be a member thereof.
- Orders, directions, etc. 9. All orders, regulations, directions, notices or documents made or issued by the Authority or the Board of Directors shall be signed by-
- (a) the General Manager; or
- (b) any member of the Board or other officer of the Authority authorized in writing by the General Manager in that behalf.
- Board may regulate its own proceedings 10. Subject to the provisions of this Schedule the Board of Directors shall have power to regulate its own proceedings.

Passed in the National Assembly on the twentieth day of February, 1973.


 Clerk of the National Assembly