

THE UNITED REPUBLIC OF TANZANIA

ACT SUPPLEMENT

No. 1

30th April, 2021

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THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS)
ACT, 2021

ARRANGEMENT OF SECTIONS

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THE UNITED REPUBLIC OF TANZANIA



NO.1 OF 2021

I ASSENT,

SAMIA SULUHU HASSAN,
President

[15th April, 2021]

An Act to amend certain written laws.

ENACTED by Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

Short title and
commencement

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) Act, 2021 and shall come into operation on such date as the Minister may, by Notice published in the Gazette, appoint.

Amendment
of certain
written laws

2. The written laws specified in various Parts of this Act are amended in the manner specified in their respective Parts.

PART II
AMENDMENT OF THE INTERPRETATION OF LAWS ACT,
(CAP. 1)

Construction
Cap. 1

3. This Part shall be read as one with the Interpretation of Laws Act, hereinafter referred to as the “principal Act”.

Amendment
of section 84

4. The principal Act is amended in section 84, by-

- a) deleting subsection (1) and substituting for it the following:

“(1) The language of laws of the United Republic shall be Kiswahili.”;

- b) adding immediately after subsection (1) as amended the following:

“(2) Laws of the United Republic that are currently in the English language shall be translated into Kiswahili.

(3) Without prejudice to subsection (1), where circumstances so require, laws enacted in Kiswahili may be translated into English language.”;

- c) renumbering subsections (2) to (4) as subsections (4) to (6) respectively;

- d) deleting subsections (5) and (6) as renumbered and substituting for them the following:

“(5) Where a written law is translated and there occurs a conflict or doubt as to the meaning of any word or expression, the language of the enacting version shall take precedence.

(6) The Minister responsible for legal affairs may make regulations prescribing circumstances and conditions where a law enacted in Kiswahili may be translated in English.”.

Addition of section
84A

5. The principal Act is amended by adding immediately after section 84 the following:

Language of
courts, etc

84A.-(1) Notwithstanding any other written law, the language of courts, tribunals and other bodies charged with the duties of dispensing justice shall be Kiswahili.

(2) Without prejudice to subsection (1), courts, tribunals and other bodies charged with a duty of dispensing justice may, where the interests of justice so require,

use English language in the proceedings and decisions.

(3) Where English language is used in the proceedings and decisions, such proceedings and decisions shall be translated and authenticated in Kiswahili language.

(4) Where proceedings or a decision is translated in Kiswahili language and there occurs a conflict or doubt as to the meaning of any word or expression, the language which the proceedings or decision was recorded shall take precedence.

(5) The Chief Justice may, in consultation with the Minister responsible for legal affairs, make rules for the better carrying out of the provisions of subsections (2), (3) and (4)."

PART III
AMENDMENT OF THE LAND DISPUTES COURTS ACT,
(CAP. 216)

Construction
Cap.216

6. This Part shall be read as one with the Land Disputes Courts Act, hereinafter referred to as the "principal Act".

Repeal of
section 32

7. The principal Act is amended by repealing section 32.

PART IV
AMENDMENT OF THE MAGISTRATES' COURTS ACT,
(CAP. 11)

Construction
Cap.11

8. This Part shall be read as one with the Magistrate's Courts Act, hereinafter referred to as the "principal Act".

Repeal of
section 13

9. The principal Act is amended by repealing section 13.

Passed by the National Assembly on the 13th February, 2021.

STEPHEN KAGAIGAI
Clerk of the National Assembly