

TANGANYIKA



No. 58 OF 1963

I ASSENT,

Julius K. Nyerere
President

24TH DECEMBER, 1963

An Act to amend the Local Government Ordinance

[.....]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Local Government Ordinance (Amendment) Act, 1963, shall be read as one with the Local Government Ordinance (hereinafter referred to as the Ordinance) and, subject to the provisions of subsection (3) of section 4, shall come into operation on such date as the Minister shall, by notice in the *Gazette*, appoint.

Short title,
construction
and com-
mencement
Cap. 333

2. Section 15 of the Ordinance is hereby amended as follows:—

Section 15 of
Cap. 333
amended

- (a) by inserting, immediately after the word "Instrument" in the first line of subsection (2), the following "and to the provisions of subsection (8A) of this section,"; and
- (b) by inserting, immediately below subsection (8) the following new subsection:—

"(8A) Notwithstanding the foregoing provisions of this section or the provisions of the Instrument, where the Minister deems it expedient for the proper and efficient functioning of a District Council, he may, by order published in the *Gazette*, appoint the Area Commissioner of a district any part of which is within the area of such Council to be the chairman of such Council, and where any such appointment is made—

- (i) the Area Commissioner so appointed shall, so long as such appointment subsists and notwithstanding any rules or orders made under subsection (3) of section 17, be deemed to be a member of the Council and to hold the office of chairman *ex officio*;
- (ii) the person who, immediately before such appointment, held office as chairman of the Council shall vacate that office and, so long as such appointment subsists, no election shall be held for the office of chairman;

(iii) if the Minister so directs, the person who, immediately before such appointment, held office as vice-chairman of the Council shall vacate that office; and in any such case the Minister may—

(A) appoint a member of the Council to hold office, subject to the provisions of subsection (3) of this section, as vice-chairman either for the remainder of the period of office for which his predecessor was elected or for so long as the appointment of the Area Commissioner as chairman subsists;

or

(B) direct the Council to elect a successor in accordance with the provisions of subsection (8) of this section.”

Section 52 of
Cap. 333
amended

3. Subsection (1) of section 52 of the Ordinance is hereby amended as follows:—

(a) by inserting, immediately after the word “maintain” in paragraph (114), the commas and words “, either alone or in association with any other person,”;

(b) by inserting, immediately after the word “maintain” in paragraph (115), the commas and words “, either alone or in association with any other person,”.

Section 76 of
Cap. 333
amended

4.—(1) Section 76 of the Ordinance is hereby amended as follows:—

(a) in subsection (2), by deleting sub-paragraph (ie) of paragraph (b) and by substituting therefor the following new sub-paragraph:—

“(ie) one-half of all fines imposed by any magistrate’s court within the area of the District Council for offences committed in such area in contravention of the provisions of this Ordinance or of any by-laws or regulations made thereunder;”;

(b) in subsection (2), by deleting sub-paragraph (iii) of paragraph (b);

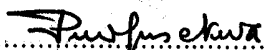
(c) in subsection (3), by deleting the words “subordinate court or local court within the township” in sub-paragraph (ix) of paragraph (b) and by substituting therefor the words “magistrate’s court within the township for offences committed therein”.

(2) The expression “magistrate’s court” in section 76 of the Ordinance, as amended by this section, shall have the meaning ascribed thereto in the Magistrates’ Courts Act, 1963.

(3) This section shall come into operation on the first day of January, 1964.

Act 1963
No. 55

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


Clerk of the National Assembly