

TANGANYIKA



No. 5 OF 1963

I ASSENT,

Julius K. Nyerere
President

...7TH MARCH, 1963

An Act to amend the Sisal Industry Ordinance

[8TH MARCH, 1963]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Sisal Industry Ordinance (Amendment) Act, 1963, and shall be read as one with the Sisal Industry Ordinance (hereinafter called the Ordinance). Short title and construction Cap. 143

2. Section 2 of the Ordinance is hereby amended by inserting immediately after the definition of "financial year" contained therein the following new definition:— Section 2 of Cap. 143 amended

"'Minister' means the Minister for the time being responsible for agriculture;".

3. Section 3 of the Ordinance is hereby amended as follows:—

(a) by inserting a full stop immediately after the words and symbols "(in this Ordinance referred to as the 'Board')" in the second line of subsection (1) thereof and by deleting the remainder of that subsection; and Section 3 of Cap. 143 amended

(b) by deleting subsections (2) to (10) (inclusive) thereof and substituting therefor the following new subsection to be numbered (2):—

"(2) The provisions of the Schedule hereto shall have effect as to the constitution and proceedings of, and otherwise in relation to, the Board."

4. Section 4 of the Ordinance is hereby amended by deleting the words and commas "in the United Kingdom or in any British Dominion, Colony or Dependency or in any foreign country, territory or state" and substituting therefor the words "outside Tanganyika". Section 4 of Cap. 143 amended

5. Section 6 of the Ordinance is hereby amended as follows:—

(a) by deleting paragraph (d) thereof and substituting therefor the following new paragraph:— Section 6 of Cap. 14 amended

“(d) subject to the approval of the Minister, to make or manufacture goods made of sisal or of by-products from the manufacture of sisal;”;

(b) in paragraph (i) thereof by deleting the words and commas “whether British, Dominion, Colonial or foreign or in respect of any Mandated Territory” in the eighth and ninth lines and substituting therefor the words “whether in Tanganyika or elsewhere”; and

(c) in paragraph (m) thereof by deleting the words “East Africa” in the first line and substituting therefor the word “Tanganyika”.

Section 12
of Cap. 143
amended

6. Section 12 of the Ordinance is hereby amended by deleting from paragraph (a) thereof the colon appearing in the second line and the proviso thereto.

General
amendment
of Cap. 143

7. The Ordinance is hereby amended by deleting the words “Governor” and “Governor in Council” wherever they appear therein and substituting therefor in each case the word “Minister”.

Schedule
added to
Cap. 143

8. The Ordinance is hereby amended by inserting immediately after section 14 thereof the following new Schedule:—

“SCHEDULE

(Section 3 (2))

CONSTITUTION AND PROCEEDINGS OF THE BOARD

Constitution
of the Board

1.—(1) The Board shall consist of:—

- (a) two members to be appointed by the Minister to represent the interests of sisal growers other than the owners of estates in the sisal industry;
- (b) two members, being persons nominated by such registered trade union as in the opinion of the Minister is representative of workers in the sisal industry, to be appointed by the Minister to represent the interests of such workers;
- (c) four members, being persons nominated by the Association, to be appointed by the Minister to represent the interests of estate owners in the sisal industry; and
- (d) two members to be appointed by the Minister to represent respectively the Ministry for the time being responsible for agriculture and the Ministry for the time being responsible for commerce.

(2) A member of the Board shall, unless his appointment is sooner terminated 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 two years from the date of his appointment, and shall be eligible for re-appointment.

(3) If any member is incapacitated by illness, temporary absence from Tanganyika or other sufficient cause, from performing the duties of his office, another person may be appointed by the Minister to act in his stead, and every person so appointed shall have all the powers and authority of the member for whom he is acting until such member is again able to perform the duties of his office or ceases to hold office as a member of the Board:

Provided that where such member was nominated by a trade union or the Association for appointment to the Board, the person to be appointed to act in his stead shall also be nominated by that trade union or by the Association, as the case may be.

(4) Any member of the Board 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 receipt of the notice by the Minister, he shall cease to be a member of the Board.

(5) The Minister shall nominate two members of the Board to be respectively the Chairman and Vice-Chairman of the Board. The Chairman and Vice-Chairman of the Board shall hold office as such for such period as the Minister may specify at the time of their nomination.

(6) Notwithstanding the provisions of this paragraph relating to the composition of the Board, the Minister may, by order published in the *Gazette*, from time to time vary the composition of the Board.

Casual
vacancies

2. Where any member of the Board ceases to be a member thereof before the normal expiration of his term of office, the Minister shall appoint another person in his place to hold office until such first-named person's term of office would have expired had he not ceased to be a member:

Provided that where such first-named person was nominated for appointment to the Board by a trade union or by the Association, such other person shall also be nominated by that trade union or by the Association, as the case may be:

And provided that if the term of office of such first-named person would have expired within six months of the date when he ceased to be a member it shall be in the discretion of the Minister whether to appoint another person in his place.

3.—(1) An ordinary meeting of the Board shall be held at least once in every year. Meetings

(2) An ordinary meeting of the Board 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 of the Board is incapacitated by illness, absence from Tanganyika or other sufficient cause, the Vice-Chairman may convene such a meeting on his behalf.

(3) The Chairman of the Board, or in his absence the Vice-Chairman, shall be bound to convene a special meeting of the Board upon receipt of a request in writing in that behalf signed by not less than six members of the Board. Not less than fourteen days' notice of such meeting should be given to all members of the Board in the manner prescribed in sub-paragraph (2) of this paragraph.

4.—(1) Six members of the Board shall form a quorum. Procedure

(2) In the absence of the Chairman from any meeting of the Board, the Vice-Chairman shall preside. In the absence of both the Chairman and Vice-Chairman from any meeting, the members present shall choose one of their number to be temporary chairman for 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 the decision of the Board. In the event of an equality of voting on any matter, the Chairman of the meeting shall have a casting vote in addition to a deliberative vote.

5. Subject to the provisions of paragraph (4) relating to a quorum, the Board may Vacancies, act notwithstanding any vacancy in the membership thereof and no act or proceeding etc., not to of the Board shall be invalid by reason only of some defect in the appointment of invalidate a person who purports to be a member thereof.

6. Subject to the provisions of this Schedule, the Board shall have power to regulate Board may regulate its proceedings its own procedure."

Passed in the National Assembly on the sixteenth day of February, 1963.

T. M. M. M. M.
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Clerk of the National Assembly