

THE UNITED REPUBLIC OF TANZANIA



No. 46 OF 1969

I ASSENT,

  
President

6TH NOVEMBER, 1969

**An Act to amend the National Service Act, 1964**

[7TH NOVEMBER, 1969]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the National Service (Amendment) Act, 1969 and shall be read as one with the National Service Act, 1964.

Short title  
and construction  
Cap. 553

2. Section 5B of the National Service Act, 1964 is repealed and replaced by the following section:—

Section 5B  
of Cap. 553  
repealed and  
replaced

“5B.—(1) Subject to the provisions of this Act, every citizen of the United Republic, male or female, who has attained such age as is specified in the Third Schedule to this Act, and is a member of the class specified in that Schedule, shall be liable to have his name entered in the national service register and to be called upon to serve in the National Service in accordance with the provisions of this Act.

(2) The Minister may, by Order published in the *Gazette*, add to, amend, vary or replace the Third Schedule to this Act.”

3. Section 21 of the National Service Act, 1964 is amended in subsection (1)—

Section 21 of  
Cap. 553  
amended

(a) by inserting immediately below paragraph (c) the following new paragraph:—

“(cc) requiring that where a member of the Service is granted permission to enter into employment of any person his employment shall be governed by such terms and conditions as may be specified in the rules;”

(b) by adding immediately below paragraph (f) the following new paragraph:—

“(ff) the payment to a member of the Service of compensation in the event of such member receiving any injury in the course of the performance of his duties as a member of the Service and for payment of compensation to the dependants of a deceased member of the Service who dies as a result of any injury sustained by him in the course of the performance of his duties as such member, and for that purpose the Minister may, by such rules, declare that such provisions of the Workmen’s Compensation Ordinance as he may specify with such modifications as may be necessary, shall govern the right to compensation, the amount of such compensation and the payment of the compensation payable to a member of the Service under any rules made under this paragraph;”

Cap. 263

New section  
21A added

4. The National Service Act, 1964 is amended by adding immediately below section 21 the following new section:—

“Rules to prevail where conflict between rules and written laws


21A.—(1) Where, under paragraph (cc) of subsection (1) of section 21, rules are made providing for terms of employment of a member of the Service who is employed by any person, such terms shall be binding on such member as well as on the employer notwithstanding any written law to the contrary and notwithstanding any provision to the contrary in any such contract of employment.

(2) Where, under paragraph (ff), of subsection (1) of section 21, rules are made for the payment of compensation in the event of the death of or injury to a member of the Service, compensation shall be payable in accordance with such rules notwithstanding any other law to the contrary.”

Section 23 of  
Cap. 553  
amended

5. Section 23 of the National Service Act, 1964 is amended by deleting the words “from personal tax payable under the Personal Tax Ordinance and” which occur in the first and second lines, and also by deleting the marginal reference “Cap. 355”.

Passed in the National Assembly on the twenty-fourth day of October, 1969.

  
.....  
Clerk of the National Assembly