

THE UNITED REPUBLIC OF TANZANIA



No. 22 OF 1978

I ASSENT,

Julius K. Nyerere
President

13TH SEPTEMBER, 1978

An Act to amend the Unified Teaching Service Act, 1962

..... SEPTEMBER, 1978

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Unified Teaching Service (Amendment) Act, 1978 and shall be read as one with the Unified Teaching Service Act, 1962 (hereinafter referred to as "the principal Act").

Short title and construction
Cap. 463

2. Section 2 of the principal Act is hereby amended as follows:—

(a) by adding, in the appropriate alphabetical position, the following new definition:—

Section 2 of
Cap. 463
amended

““District Committee” means a committee established under section 5 of this Act;”

(b) by deleting the definition “local authority” and substituting for it the following new definition:—

““local authority” means any city, municipal or town council established or deemed to have been established under the Urban Council (Interim Provisions) Act, 1978 or any district established under the Decentralization of Government Administration (Interim Provisions) Act, 1972;”

Acts, 1978
No. 11
Acts, 1972
No. 27

3. Section 5 of the principal Act is hereby repealed and replaced by the following new section:—

“Establishment of Committees

5.—(1) The Minister may by Order published in the *Gazette* establish Committees to exercise jurisdiction under this Act in such areas of Tanzania Mainland as may be specified in the order.

Section 5 of
Cap. 463
amended

(2) Without prejudice to the generality of subsection (1) the Minister shall establish for each region a Regional Committee and for each district a District Committee.

(3) The Regional Committee shall advise the Board on such matters as may be referred to it by the Board and shall carry out such other functions as may be prescribed or conferred on the committee by the Minister.

(4) The District Committee shall have such functions as the Minister may, by regulations, prescribe.

(5) The provisions of the Second Schedule to this act shall have effect as to the constitution proceedings and acts of, and otherwise in relation to, any Regional Committee.

(6) The provisions of the Third Schedule to this Act shall have effect as to the constitution, proceedings and acts of, and otherwise in relation to, any District Committee.

Section 6 of
Cap. 463
amended

4. Section 6 of the principal Act is hereby amended by—

(a) adding immediately below item "g" the following new items:

"(h) re-categorization of grades and ranks;

(i) regulating the filling of vacant posts in the approved establishment;

(j) the secondment, transfer and release of teachers to other public or private institutions;

(k) the payment of allowances to members of the Board who are not public officers;"

(b) re-lettering item "(h)" and "(i)" as "(l)" and "(m)".

Replacement
of First
Schedule

5. The principal Act is amended by deleting the First Schedule and substituting therefor the following—

FIRST SCHEDULE

Section 4

(a) *Constitution of Central Board*

Constitutions

1. The Board shall consist of—

(a) a Chairman appointed by the Minister; and

(b) nineteen other members appointed by the Minister of whom—

(i) four shall represent the Government and of this number at least two shall represent the Ministry of National Education;

(ii) three shall represent the Managers of Advisory Boards of Schools other than Government Schools;

(iii) four shall represent the Regional Development Committee, in respect of schools owned by the Government;

(iv) eight shall represent the trade union of which the teachers may be members.

Tenure of
office of
members

2.—(1) Subject to the provisions of sub-paragraphs (2) and (3) of this paragraph, a member appointed under paragraph (1) shall hold office for such period as the Minister shall at the time of his appointment direct and if no such direction is given, for a period of three years from the date of his appointment and shall be eligible for re-appointment.

(2) The Minister may at any time revoke an appointment made by him under paragraph (1).

(3) Any member of the Board appointed under paragraph (1) may resign from the Board by notice in writing addressed, in the case of the Chairman, to the Minister and in the case of any other member, to the Chairman, and as from the date specified in such notice or, if no date is specified, from the date of receipt of the notice, such member shall cease to be a member of the Board.

(4) If during any period any member of the Board is, owing to illness or any other cause, unable to perform his duties as a member of the Board, the Minister may appoint a temporary member to perform the duties of such member for the period during which he is disabled.

(b) *General Provisions relating to the Meetings Proceedings and Acts of the Central Board*

3. The validity of any proceedings of the Board shall not be affected by any vacancy amongst the members thereof or by any defect in the appointment of any member thereof.

Board to act notwithstanding any vacancy

4.—(1) The Secretary to the Board shall be an officer of the Ministry of National Education appointed for the purpose by the Commissioner for National Education.

Secretary to the Board

(2) The Secretary to the Board shall attend all meetings of the Board but shall not vote at the meetings.

5.—(1) The Board shall meet at least once in every year at such time and place as the Chairman may appoint.

Meetings

(2) The Chairman may at any time call a meeting of the Board and—

(a) shall call a meeting within six weeks of receiving a request in that behalf specifying the reason for the meeting and addressed to him and signed by three members of the Board;

(b) shall call a meeting when directed so to do by the Minister.

6. The Chairman may in his discretion invite any person to attend any meeting of the Board and any such person may take part in the proceedings of that meeting but shall not be entitled to vote at the meetings.

Chairman may invite other persons to attend meetings

7. In the absence of the Chairman from any meeting of the Board, the members present shall, from among their number elect a Chairman for the purpose of such meeting.

Absence of Chairman

8. At any meeting of the Board twelve members shall form a quorum.

Quorum

9.—(1) The Board may appoint, and decide the constitution and powers of Committees of the Board.

Board may appoint Committees

(2) The Board, when appointing any committee under this paragraph, may authorize the committee to co-opt as members of the committee persons who are not members, of the Board.

10. All questions that come before the Board shall be decided by the votes of the majority of the members present at the meeting and in the event of an equality of votes the chairman shall, in addition to his vote as a member, have a casting vote.

Decision is to be by votes

11. The Chairman shall report to the Board the action taken on any matter in respect of which the Board has tendered advice to the Minister.”

Chairman to report to the Board

12. Subject to the provision of this Act and of any regulations made hereunder the Board may regulate its own procedure.

Board to regulate its own procedure

6. The principal Act is amended in the Second Schedule by adding immediately after sub-paragraph (2) of paragraph 5 the following new sub-paragraphs:—

Second Schedule amended

“(3) The Committee may appoint and decide the constitution and powers of, sub-committee of the Committee;

(4) The Board, when appointing any sub-committees under this paragraph, may authorize the sub-committee to co-opt as members of the sub-committee persons who are not members of the Board;

(5) The sub-committee shall deal with such matters as may be referred to it by the Committee.”

Addition of new Schedule 7. The principal Act is amended by adding, immediately after the Second Schedule, the following new Schedule—

"THIRD SCHEDULE

Section 5

(a) *Constitution of District Committees*

Constitution

1. The District Committee shall consist of—
 - (i) The District Development Director, who shall be Chairman of the Committee;
 - (ii) The District Education Officer, who shall be the Secretary to the Committee;
 - (iii) The District Manpower Management Officer;
 - (iv) One Education Officer, Inspectorate;
 - (v) One member appointed by the Minister;
 - (vi) The District Chairman of the Tanganyika Parents Association;
 - (vii) The District Secretary of Jumuiya ya Wafanya Kazi Tanzania;
 - (viii) Four Teachers representatives;
 - (ix) All teachers who represent teachers in the Regional Unified Teaching Service Committee and who are ordinarily resident within the area for which the Committee is established.

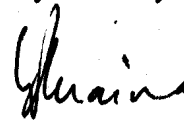
Tenure of office of members

- 2.—(1) Subject to the provision of sub-paragraph, (2) and (3) of this paragraph, a member appointed under paragraph (1) shall hold office for such period as the Minister shall at the time of his appointment direct and, if no such direction is given, for a period of three years from the date of his appointment and shall be eligible for re-appointment.
- (2) The Minister may at any time revoke an appointment made by him under paragraph (1).
- (3) Any member of the committee appointed under paragraph (1) may resign from the Committee by notice in writing addressed, in the case of the chairman to the Minister and in the case of any other member to the Chairman and as from the date specified in such notice, or, if no date is specified, from the date of receipt of the notice, such member shall cease to be a member of the committee.
- (4) If during any period any member of the committee is, owing to illness or any other cause, unable to perform his duties as a member of the committee, the Minister may appoint a temporary member to perform the duties of such member for the period during which he is disabled.

(b) *General Provisions relating to the Meetings Proceedings and Act of District Committees:*

The general provisions relating to the meetings, proceedings and Acts of the Regional Committee shall, with certain modifications apply in relation to the meetings, proceedings and acts of the District Committee."

Passed in the National Assembly on the twenty-sixth day of July, 1978.



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Clerk of the National Assembly