

THE UNITED REPUBLIC OF TANZANIA



No. 5 OF 1987

I ASSENT,

A handwritten signature in black ink, appearing to read 'Mwasa'.

.....
President

18 JULY, 1987

An Act to amend the Act establishing the Committee for the Enforcement of the Leadership Code.

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Bill may be cited as the Committee for the Enforcement of Leadership Code (Amendment) Act, 1987, and shall be read as one with the Committee for Enforcement of Leadership Code, Act, 1973, in this Act referred to as "the principal Act".
2. This Act shall come into operation on such date as the Minister may, by notice in the *Gazette* appoint.
3. Principal Act is amended by deleting the word "Committee" wherever it occurs in the Act and by substituting for it the word Commission.
4. The Principal Act is amended in section 1 by inserting immediately below it the following—
 - 1A. This Act shall extend to Tanzania Zanzibar as well as to Mainland Tanzania".
5. The Principal Act is amended in section 2 by deleting definition of "Member" and substituting for it the following definition in its appropriate alphabetical order—
 - "Commissioner" means a member of the Commission and includes the Chairman and Vice-Chairman of the Commission;
 - "Party" means Chama cha Mapinduzi and includes any other organ affiliated to it."
 - "Leader" means any person in a category of persons as from time to time may be determined by the President by an order published in the government *Gazette*.

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6. The principal Act is amended in subsection (2) (b) of section 3 by deleting that subsection and substituting for it the following—

“(2) (b) not less than three and not more than five other Commissioners of which at least not more than half Commissioners from the Revolutionary Government of Zanzibar.

(c) the Commissioners appointed under paragraph (b) shall when reappointed hold office for another term of office, save that he shall not be reappointed for a third term unless he has been out of the Commission for more than three years.

7. The principal Act is amended in section 4 by repealing subsection (1) and replacing it with the following—

“4.—(i) The Commission shall have power to enquire into any alleged or suspected breach of the leadership code by all members and persons in the service of the Government of the United Republic and of the Revolutionary Government of Zanzibar, leaders and persons in the service corporate bodies, institutions, local authorities and public organizations established by or under the Government of the United Republic or the Revolutionary Government of Zanzibar”.

8. The principal Act is amended by:

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

6.—(1) Subject to section 7 of this Act, every person who gives or is required to give any information by, or ordered to attend to give evidence or to produce any document, paper or thing before the Commission shall be entitled in respect of such information, evidence, document, papers or things to the same rights and privileges as witnesses have in a court of law”.

6A. The Principal Act is amended by inserting immediately after the word “President” the words “or to the Head of the time Revolutionary Government of Zanzibar” as the case may be in section 7, 8, 9 and 10.

9. The principal Act is amended in section 10 by adding immediately below it the following section—

10A. So soon as may be after six months in every year the President shall cause to be prepared and laid before the National Assembly or The House of Representatives a report of the Commissioner’s operations and activities during the twelve months preceding the first of July in such year.

(2) A report required to be laid before the National Assembly or the House of Representatives shall not disclose the identity or contain any statement which may give an indication as to the identity of any person whose conduct the Commission may have enquired into or in respect of whose conduct any enquiry may be pending before the Commission.

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(3) Subject to subsection (2) the report to be laid before the National Assembly or the House of Representatives shall indicate:

- (a) total number of enquiries conducted upon;
- (b) a number of those leaders who have been found guilty; and
- (c) the nature or scope of the misconduct"

10. The Principal Act is amended in section 14 by adding immediately below it the following section—

Regulations 14A. The minister may, by an order published in the (Amendment *Gazette* make regulations for the better carrying out the pro- of section 14) vision of this Act.

Passed in the National Assembly on the twenty-third day of April, 1987.

