NAKALA MTANDAO (ONLINE DOCUMENT)

THE UNITED REPUBLIC OF TANZANIA

No. 14 OF 1973

I ASSENT

Julius K. Nyerere
President

23RD JULY, 1974

An Act to empower the Government to control and regulate Utilization of Land

[27TH JULY, 1973]

ENACTED by the Parliament of the United Republic of Tanzania.

Short title

1. This Act may be cited as the Rural Lands (Planning and Utilization) Act, 1973.

Interpretation

2. In this Act unless the context otherwise requires-

"building" means any building, construction or other structure on, in or under any land and includes the land on, in or under which such building, construction or structure is situate;

"building operations" includes any building or construction operations, and the making of roads, railways, water works, sewage disposal works, electrical or telephonic installations and any road works or earth-works preliminary or incidental to the construction of buildings;

"farming" includes-

(a) the use of land for any agricultural, horticultural, or forestry activity of any description;

(b) cattle farming, dairy farming and poultry farming;

(c) the rearing of cattle, livestock or other domestic animals for any purpose whatsoever;

"land development" includes development of land by building operations;

"mining operation" shall have the meaning assigned to the expression "mining" in the Mining Ordinance; Cap. 123

"Minister" means the Minister for the time being responsible for regional administration;

"specified area" means any area specified by order under section 4.

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Delegation

3. The Minister may, by order in the *Gazette,* delegate to a public officer all or any of his functions under this Act.

Declaration of specified areas

4. Where the President is of the opinion it is in the public interest to regulate land development in any area of Tanganyika, he may by order in the *Gazette,* declare such area to be a specified area for the purpose of this Act.

Regulation of land development in specified areas

5.-(l) Where any area has, by an order made under section 3, been declared to be a specified area the Minister may, after consultation with the Minister for the time being responsible for lands, make regulations-

(a) regulation building operations in such area;

(b) regulating farming operations in such area;

(c) regulating mining operations in such area;

(d) prohibiting the carrying out of any building operation, farming operation or mining operation in the whole or any part of such area;

(e) reserving the area or any part thereof for the establishment of an Ujamaa Village;

(f) reserving the area or any part thereof for development as gardens, forests or parks and requiring demolition of all or any category of buildings within such area or part thereof or the discontinuance of all or any specified category of buildings, farming or mining operations thereon;

(g) providing for the revocation, of or the amendment of the terms of, any right of occupancy granted in respect of any land the whole or any part of which fails within the specified area;

(h) providing for the extinction, cancellation or modification of the rights, titles and interests in or over the parcels of land falling wholly partly within the specified area, or in or over any building within the specified area;

(i) providing for the avoidance of undue hardship to any person affected by such regulations;

(j) prescribing anything which in his opinion it is necessary or expedient to prescribe in order to give better effect to the provisions of such regulations and to control and regulate land development in the specified area.

(2) Where regulations made under this section require the demolition of buildings or the discontinuance or substantial modification of any building, farming or mining operation, the regulations shall allow a period of not less than three months for compliance with such requirement.

(3) Subject to the provisions of subsections (2) and (4) any person who contravenes any of the provisions of regulations made under this section shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding two years.

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(4) It shall be lawful for the Minister, by writing, to extend in respect of any person or class of persons, the time within which any requirement of any regulations made under this section shall be complied with and where any such extension has been granted, the regulations shall apply in relation to the person or persons to whom the writing applies as if the period within, which such requirement shall be complied with were the period so extended.

(5) Regulations under this section may be made so as to apply to all specified areas generally.

Advisory committees

6. (1) The Minister may establish a committee or committees to advise him on the land development in any area of Tanganyika.

(2) The Minister may make regulations regulating the composition and procedure or committees established under this section.

Cap. 378

7. The provisions of the Town and Country Planning Ordinance shall not apply to specified areas.

Passed in the National Assembly on the eighteenth day of July, 1973.

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Clerk of the National Assembly

Printed by the Government Printer, Dar es Salaam, Tanzania.