

GOVERNMENT NOTICE NO. 81 published on 4/5/2001

THE LAND ACT

(No. 4 of 1999)

**THE LAND (COMPOSITION AND PROCEDURES OF
THE NATIONAL LAND ADVISORY COUNCIL)
REGULATIONS, 2001**

(Made under sections 17 and 179)

1. These Regulations shall be cited as the Land
(Composition and Procedures of the National Land
Advisory Council) Regulations 2001.

Citation

Land (Composition and Procedures of the National Land Advisory Council)

G.N. No. 81 (contd.)

Interpretation

2. In these Regulations, unless the context requires otherwise -

"Act" means the Land act, 1999;

"Commissioner" means the Commissioner for Lands;

"Council" means the National Land Advisory Council;

"Minister" means the Minister responsible for lands;

"Ministry" means the Ministry of responsible for Lands.

Composition

3. The Council shall consist of seven members at least three of whom shall be women as follows -

- a) a Chairman to be appointed by the President;
- b) three members appointed by the Minister;
- c) one representative from President's Office - Ministry responsible for Regional Administration and Local Government;
- d) one representative from the Ministry responsible for Livestock;
- e) one representative from the Ministry responsible for Agriculture;
- f) one representative from the Ministry responsible for Natural Resource;
- g) one representative from the Ministry responsible for Gender.
- h) one woman lawyer representing an association la Lawyers.

Vice-Chairman

4. At its first meeting, the Council shall elect a Vice-Chairman from amongst its themselves.

Secretariat

5. a) The Permanent Secretary of the Ministry responsible for Land shall be the Secretary to the Council;

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b) The Ministry shall make available to the Council such facilities and the services of such officers as are necessary for the proper and efficient exercise of the functions of the Council.

5.-(1) A member shall, unless his appointment is sooner terminated by the appointing authority, hold office for a period of three years. Any member of the Council shall be eligible for re-appointment.

Tenure of
Appointment

(2) Any member may at any time resign his office by giving notice in writing to the appointing authority and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the appointing authority, he shall cease to be a member.

(3) Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

6. The members of the Council shall work on part time basis.

Part Time

7.-(1) For the better exercise of its function the council shall have access to all proposed regulations and amendments thereof, annual reports of the Commissioner and the Board of Trustees of the Land Compensation Fund, reports, if any, of inquiries conducted under the Act, decisions of the Court of Appeal and the Land Division of the High Court in cases concerning land as well as the Commissioner's Circulars and Directives.

Exercise of
Functions

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(2) The Council shall have power to undertake and to commission any study, research and investigative report on any aspect relating to land.

(3) The Council shall co-operate with public and private bodies or institutions in carrying out its functions under the Act.

(4) Every advice to the Minister shall be in the form of a report and shall be signed by the Chairman, Secretary, and all members.

Meetings

8.-(1) The Council shall meet for the transaction of business at such times and places as it may decide but shall meet at least two times each year.

(2) The Chairman or, in his absence the Vice-Chairman, shall preside at all meetings of the Council.

(3) Decision at any meeting of the committee shall be made primarily by consensus and where consensus is not reached the decision shall be by majority of members present and voting and in case of equality of votes the Chairman shall have a casting vote in his deliberative vote.

(4) The quorum of any meeting of the Council shall be five, one of whom shall be the Chairman or, in his absence, the Vice-Chairman.

(5) The council shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings and the minutes of each meeting of the council shall be read and confirmed or amended and confirmed, at the next meeting of the Council and signed by the person presiding at the meeting. Any minutes purporting to be signed by the person presiding at a

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meeting of the council shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.

(6) Subject to the preceding provisions of this regulations, the council shall regulate its own procedure.

9. The members of the council shall not be paid any salary, but shall be paid such allowances as the council may, with the prior consent of Minister, determine.

Allowances

10.-(1) The Council shall, in respect of each financial year, cause to be prepared estimates of the expenditure of the Council and these estimates shall be approved by the Council before the commencement of the relevant financial year.

Annual
Estimates

(2) Forthwith upon passing the annual estimates the Council shall submit to the Minister for his approval.

(3) The Minister shall, upon receipt of the annual estimates approve or disapprove or may approve subject to such amendment as he may deem fit.

(4) Where the Minister has approved any annual estimates, those estimates shall be binding upon the Council which shall confine the disbursements of the Council within items and amounts contained in the applicable estimates as approved by the Minister.

11. Government Financial Regulation shall apply.

Accounts
and Audit

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Annual Report

12. The Council shall, not later than four months after the end of each financial year, submit to the Minister an annual report on the activities of the Council in respect of that financial year.

Financial Year

13. The financial year of the Council shall be the same as the financial year of the Government.

Dar es Salaam,
3rd May, 2001

G. CHEYO,
*Minister for Lands and
Human Settlement Development*
