

THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS)  
ACT, 2009

ARRANGEMENT OF SECTIONS

PART I  
PRELIMINARY PROVISIONS

<i>Section</i>	<i>Title</i>
1.	Short title.
2.	Amendment of certain Written Laws.

PART II  
AMENDMENT OF THE ADMINISTRATOR-GENERAL (POWERS AND FUNCTIONS)  
ACT, CAP. 27

3. Construction.
4. Repeal of section 11.
5. Repeal of section 12.
6. Repeal of section 13.
7. Repeal of section 15.
8. Repeal of section 16.
9. Amendment of section 52.

PART III  
AMENDMENT OF THE BIRTHS AND DEATH REGISTRATION ACT, CAP. 108

10. Construction.
11. Amendment of section 6.
12. Amendment of section 7.
13. Amendment of section 11.
14. Amendment of section 13.
15. Amendment of section 17.
16. Repeal of section 26.
17. Repeal of section 27.
18. Repeal of section 28.

## PART IV

## AMENDMENT OF THE LAW SCHOOL OF TANZANIA ACT, 2007

19. Construction.
20. Amendment of section 15.

## PART V

## AMENDMENT OF THE PUBLIC SERVICE ACT, CAP. 298

21. Construction.
22. Amendment of section 3.
23. Amendment of section 5.

## PART VI

## AMENDMENT OF THE NATIONAL HEALTH INSURANCE FUND ACT, CAP. 395

24. Construction.
25. Amendment of section 2.
26. Amendment of section 3.
27. Amendment of section 11.
28. Repeal of section 12.
29. Amendment of section 14A.
30. Amendment of section 45.
31. Amendment of section 52.

## PART VII

## AMENDMENT OF THE NATIONAL PROSECUTION SERVICE ACT, 2008

32. Construction.
33. Amendment of section 22.

## PART VIII

## AMENDMENT OF THE WITCHCRAFT ACT, CAP. 18

34. Construction.
35. Amendment of section 5.

PART IX

AMENDMENT OF THE PENAL CODE, CAP. 16

- 36. Construction.
- 37. Amendment of section 162.

PART X

AMENDMENT OF THE THE ECONOMIC AND ORGANISED CRIMES CONTROL ACT,  
CAP. 200

- 38. Construction.
- 39. Amendment of the First Schedule.

PART XI

AMENDMENT OF THE TRANSPORT LICENSING ACT CAP. 319

- 40. Construction.
- 41. Amendment of section 3.
- 42. Amendment of section 17.

PART XII

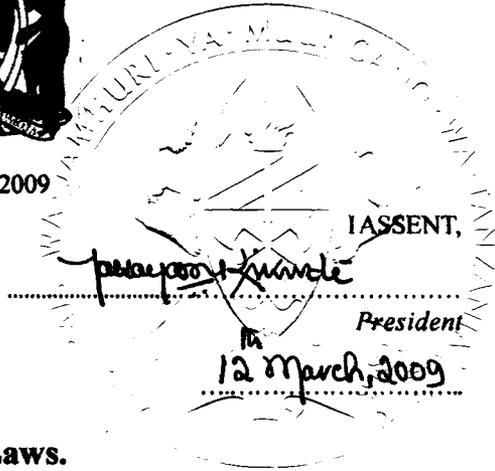
AMENDMENT OF LAND ACT, CAP. 113

- 43. Construction.
- 44. Amendment of section 23.
- 45. Amendment of section 30.

THE UNITED REPUBLIC OF TANZANIA



NO. 3 OF 2009



I ASSENT,

President

12 March, 2009

An Act to amend certain Written Laws.

ENACTED by Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) Act, 2008.

Short title

2. The written laws specified in various Parts of this Act are amended in a manner provided for in their respective Parts.

Amendment of certain written laws

PART II

AMENDMENT OF THE ADMINISTRATOR-GENERAL (POWERS AND FUNCTIONS) ACT, CAP. 27)

3. This Part shall be read as one with the Administrator-General (Powers and Functions) Act, hereinafter referred to as the "principal Act".

Construction Cap.27

4. Section 11 of the principal Act is repealed.

- |                                                                                                                                                                                                            |                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 4. Section 11 of the principal Act is repealed.                                                                                                                                                            | Repeal of section 11    |
| 5. Section 12 of the principal Act is repealed.                                                                                                                                                            | Repeal of section 12    |
| 6. Section 13 of the principal Act is repealed.                                                                                                                                                            | Repeal of section 13    |
| 7. Section 15 of the principal Act is repealed.                                                                                                                                                            | Repeal of section 15    |
| 8. Section 16 of the principal Act is repealed.                                                                                                                                                            | Repeal of section 16    |
| 9. The principal Act is amended in section 52(1) by deleting the phrase "ten thousand" appearing between the phrase "does not" and the word "shillings" and substituting for them the words "ten million". | Amendment of section 52 |

### PART III

#### AMENDMENT OF THE BIRTHS AND DEATHS REGISTRATION ACT, CAP. 108

- |                                                                                                                                                                               |                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 10. This Part shall be read as one with the Births and Deaths Registration Act, hereinafter referred to as the "principal Act."                                               | Construction Cap. 108   |
| 11. The principal Act is amended in Section 6 by deleting the designation "Minister" appearing in the first line and substituting for it the designation "Registrar General". | Amendment of section 6  |
| 12. The principal Act is amended in section 7 by deleting the designation "Minis" appearing in the first line and substituting for it the designation "Registrar General."    | Amendment of Section 7  |
| 13. The principal Act is amended in section 11 by deleting the phrase "the registration of whose birth is compulsory".                                                        | Amendment of section 11 |
| 14. The principal Act is amended in section 13 by deleting the phrase "the registration of whose birth is compulsory".                                                        | Amendment of section 13 |

Amendment of section 17

15. The principal Act is amended in section 17 by deleting the phrase "the registration of whose death is compulsory".

Repeal of section 26

16. The principal Act is amended by repealing section 26 and substituting for it the following new section:

"Compulsory registration of birth and death

26. The registration of birth and death shall be compulsory."

Repeal of section 27

17. Section 27 of the principal Act is repealed.

Repeal of section 28

18. Section 28 of the principal Act is repealed.

#### PART IV

#### AMENDMENT OF THE LAW SCHOOL OF TANZANIA ACT, 2007

Construction Act No.5 of 2007

19. This Part shall be read as one with the Law School of Tanzania Act, hereinafter referred to as the "principal Act".

Amendment of section 15

20. The principal Act is amended in section 15(1) by:

(a) deleting paragraph (b) and substituting for it the following paragraph:

"(b) the Registrar of the Court of Appeal".

(b) adding immediately after paragraph (f) the following paragraph:

"(g) one member representing students".

## PART V

## AMENDMENT OF THE PUBLIC SERVICE ACT, CAP. 298

21. This Part shall be read as one with the Public Service Act, hereinafter referred to as the "principal Act". Constru-  
ction  
Cap. 298
22. The principal Act is amended in section 3 by deleting the phrase "the Deputy Attorney General and" appearing in the definition of "Permanent Secretary" Amend-  
ment of  
section 3
23. The principal Act is amended in section 5 by- Amend-  
ment of  
section 5
- (a) deleting item (ii) of paragraph (a); and
  - (b) renumbering item (iii) of paragraph (a) as item (ii);

## PART VI

## AMENDMENT OF THE NATIONAL HEALTH INSURANCE FUND ACT, CAP. 395

24. This part shall be read as one with the National Health Insurance Fund Act, hereinafter referred to as the "principal Act". Constru-  
ction  
Cap. 395
25. The principal Act is amended in section 2 by – Amend-  
ment of  
sections 2
- (a) deleting the opening words of subsection (1) and substituting for them the following words:
 

“(1) This Act shall apply to all public servants, Councilors, retirees who were previous members and any other category or group of persons other than the following categories:”
  - (b) inserting after the words "public servant" which appears in subsection (2) the phrase "person or group of persons".
26. The principal Act is amended in section 3 by inserting at an appropriate alphabetical order the following definition: Amend-  
ment of  
section 3
- “Councillors” as used in this Act means Councilors of the local government authorities other than Members of Parliament;”

Amend-  
ment of  
section 11

27. The principal Act is amended in section 11(1) by substituting a full-stop that appears at the end of paragraph (c) with a semi-colon and adding after that paragraph the following paragraphs:

- "(d) retiree who were previously members of the Fund; and
- (e) Councilors during the time when any of such councilors is in office.

Repeal of  
section  
12

28. Section 12 of the principal Act is repealed.

Amend-  
ment of  
section  
22

29. The principal Act is amended by repealing section 14A and substituting for it the following:

"Cessation of membership 14A. Membership shall cease if employment of a member is determined by death."

Amend-  
ment of  
section  
45

30. The principal Act is amended in section 45 by-

- (a) deleting the words "compounded interest" appearing in subsection (1); and
- (b) inserting proviso to subsection (1) as follows:

"Provided that the Fund may, if it thinks, waive in whole or in part any penalty imposed pursuant to this section."

Repeal of  
section  
52

31. Section 52 of the principal Act is repealed.

## PART VII

### AMENDMENT OF THE NATIONAL PROSECUTION SERVICE ACT, 2008

Constru-  
ction  
Act No. 1  
of 2008

32. This Part shall be read as one with the National Prosecution Services Act, 2008, hereinafter referred to as the "principal Act."

33. Section 22 of the principal Act is amended in subsection (1) by inserting the phrase "by notice in the Gazette" between the words "may" and "appoint."

Amendment of section 22

### PART VIII

#### AMENDMENT OF THE WITCHCRAFT ACT, CAP. 18

34. This Part shall be read as one with the Witchcraft Act, hereinafter referred to as the "principal Act".

Construction  
Cap. 18

35. Section 5 of the principal Act is amended in subsection (2) by deleting subsection (3).

Amendment of section 5

### PART IX

#### AMENDMENT OF THE PENAL CODE, CAP. 16

36. Part shall be read as one with the Penal Code, hereinafter referred to as the "principal Act".

Construction  
Cap. 16

37. Section 162 of the principal Act is hereby repealed.

Amendment of section 162

### PART X

#### AMENDMENT OF THE ECONOMIC AND ORGANISED CRIMES CONTROL ACT, CAP. 200

38. This Part shall be read as one with the Economic and Organized Crimes Control Act, hereinafter referred to as the "principal Act".

Construction  
Cap. 200

39. The First Schedule to the principal Act is amended by deleting paragraphs 1 and 2.

Amendment of the First Schedule

## PART XI

## AMENDMENT OF THE TRANSPORT LICENSING ACT, CAP. 317

Amend-  
ment of  
section 3

40. This Part shall be read as one with the Transport Licensing Act hereinafter referred to as the "principal Act".

Amend-  
ment of  
section 3

41. The principal Act is amended in section 3 by inserting at the end of the definition of the term "motor vehicle" the phrase "and includes motorcycle and tri-cycle."

Amend-  
ment of  
section  
17

42. The principal Act is amended in section 17 by-

- (a) deleting the word "and" which appears at the end of the paragraph (a);
- (b) substituting for a full-stop which appears at the end of paragraph (b), with a semi-colon; and
- (c) adding the following paragraph after paragraph (b):-  
 "(c) may, in the case of application for use of a motor cycle or tricycle as public service vehicle, issue general or specific conditions for use of such motor cycle or tricycle for hire or reward and for issuance of policy of insurance."

## PART XII

## AMENDMENT OF THE LAND ACT, CAP. 113

Construc-  
tion  
Cap. 113

43. This Part shall be read as one with the Land Act hereinafter referred to as the "principal Act."

Amend-  
ment of  
Section 23

44. The principal Act is amended in section section 23 by deleting word "two years" appearing in paragraph (b) of subsection (5) and substituting for it the word "five years."

Amend-  
ment of  
Section 30

45. The principal Act is amended by adding after section 30 of following new provisions:

“Saving  
provisions

**30A.** Notwithstanding the amendment and repeal of sections 26, 27, and 28 an offer of a right of occupancy issued before the 1st December, 2008 shall continue to be valid for all purposes and shall have the force of law applicable to it as if section 26, 27, and 28 had not amended or repealed as the case may be.”

Passed in the National Assembly on the 29<sup>th</sup> January, 2009.



.....  
Dr. Thomas D. Kashililah  
*Clerk of the National Assembly*