NO. 11 OF 2005

I ASSENT,
BENJAMIN WILLIAM MKAPA
President
24TH JUNE 2005

AN ACT to amend certain written laws

[.....]

ENACTED by Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

Short title and construction

1.– (1) This Act may cited as the Written Laws (Miscellaneous Amendment) (No.2) Act, 2005.

(2) The Written Laws specified in various Parts of this Act are amended in the manner specified in each of the relevant Part.

PART II
AMENDMENT OF THE JOINT FINANCE COMMISSION ACT, 1996

Construction Act No.14 of 1996

2. This Part shall be read as one with the Joint Finance Commission Act, 1996 hereinafter referred to as the "principal Act".

Addition of section 23

3. The principal Act is amended by adding the following provision immediately after section 22:

"Power to make regulations

23.– (1) The Minister may, upon the advice of the Commission and in consultation with the Minister responsible for finance in the Revolutionary Government of Zanzibar, make regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations –

(a) prescribing staff regulations;

(b) providing for the procedure by which each Government shall contribute to the Joint Finance Account;

(c) prescribing the establishment functions and procedure of the Committees of the Commission;

(d) providing for any matter which in the opinion of the Commission is necessary to provide for the efficient performance of the functions and the exercise of powers of the Commission.

(3) The Regulations made under this Act shall be published in the *Gazette*.

PART III

AMENDMENT OF THE NON-GOVERNMENTAL ORGANIZATIONS ACT, 2002

Construction Act No. 24 of 2002

4. This Part shall be read as one with the Non-Governmental Organizations Act, 2002 hereinafter referred to as the "principal Act".

Amendment of section 2

5. The principal Act is amended in section 2 -

(a) by inserting the following definition in its appropriate alphabetical order –

"non-partisan" for the purposes of the Act, means not seeking political power or campaigning for any political party;";

(b) by deleting the definition of the words "Non-Governmental Organization" and substituting for it the following:

"Non-Governmental Organization" also known by acronym as "NGO", means a voluntary grouping of individuals or organizations which is autonomous, non-partisan, non-profit sharing–

(a) organized at the local, national or international level for the purpose of enhancing or promoting economic, environmental, social or cultural development or protecting the environment, lobbying or advocating on such issues; or

(b) established under the auspices of any religious or faith propagating organization, trade union, sports club, political party, religious or faith organization or community based organization,

but does not include a trade union, social club, a religious or faith propagating organization or community based organization;".

Amendment of section 11

6. The principal Act is amended in section 11 -

(a) by deleting subsections (2), (3), (4) and (5) and substituting for them the following provisions:

"(2) The Minister may, by notice published in the *Gazette*, prescribe interests and advantages available to registered Non-Governmental Organizations.

(3) Non-Government Organization registered or established pursuant to the provisions of any other written law shall be required to apply to the Registrar for a Certificate of Compliance.

(4) A Certificate of Compliance shall be issued upon satisfaction by the Non-Governmental Organization of the terms and conditions for registration under this Act and shall have similar effect as a certificate of registration issued under this Act.

(5) No fee shall be chargeable and be payable in respect of making application for a certificate of compliance.

(7) Upon obtaining Certificate of Compliance a Non-Governmental Organization shall be required to pay an annual fee of the amount as may be prescribed by the Board.".

Amendment of section 12

7. The principal Act is amended in section 12 by adding immediately after subsection (2) the following new subsection -

"(3) In case of an International Non-Governmental Organization, the application for registration shall be submitted by three or more persons, being the founder members and two of whom shall be residents of Tanzania.

(4) Application for registration shall be accompanied by -

(a) a certificate of incorporation;

(b) copy of constitution of the Non-Governmental Organization;

(c) minutes containing full names and particulars of founder members;

(d) personal particulars of office bearers;

(e) an application fees;

(f) address and physical location of the head office of the Non-Governmental Organization; and

(g) any other particulars or information as may be required by the Registrar."

Amendment of section 18

8. The principal Act is amended in section 18 –

(a) by re-designating that section "18" as section "18(1)";

(b) by adding immediately after subsection (1) as re-designated the following provision:

"(2) A registered Non-Governmental Organization shall, by virtue of registration under this Act, be a body corporate capable in its name of -

(a) suing and be sued;

(b) acquiring, purchasing or otherwise disposing of any property, movable or immovable;

(c) entering into contract; and

(d) doing or performing all acts which can be done by a body corporate and which are necessary for the proper performance of its duties and functions.".

Amendment of section 24

9. The principal Act is amended in section 24 by repealing subsection (1) and replacing it with the following provision:

"(1) Where, without any reasonable cause a Non-Governmental Organization fails to file annual report for two consecutive years, it shall be lawful for the Board to imply that such Non-Governmental Organization has ceased to exist, and may issue a notice in writing to the office bearers of that Non-Governmental Organization requiring them to submit to the Board within a period of sixty days, proof of its existence.".

Amendment of section 31

10. The principal Act is amended in paragraph (c) of section 31 by deleting the words "competition or" appearing in the second line of subparagraph (iii).

11. The Schedule to the principal Act is amended in paragraph 3 by adding immediately after subparagraph (3) the following new subparagraph— Amendment of the Schedule

"(4) A member of the Board shall cease to hold office upon -

(a) death; or

(b) conviction for criminal offence and being sentenced to imprisonment for a period of not less than one year; or

(c) being adjudged to be of unsound mind."

PART IV

AMENDMENT OF THE LAND ACT, 1999

12. This Part shall be read as one with the Land Act, 1999 hereinafter referred to as the "principal Act". ConstructionAct No.4 of 1999

13. Section 50 of the principal Act is amended - Amendment of section 50

(a) in subsection (1) by deleting the phrase "in the court having jurisdiction" and substituting for it the phrase "District Land and Housing Tribunal or District Court" and by deleting the word "District" appearing at the last line of that subsection;

(b) by inserting the following provision after subsection (2):

"(2A) Subject to subsection(1) of section 22 of the Land Disputes Court Act, 2002, filing of a copy of notice in the District Court shall apply where the District Land and the Housing Tribunal has not been established or is not operational at the district level.";

(c) in paragraph (b) of subsection (2) by deleting the phrase "such civil magistrate aforesaid" line and substituting for it the phrase "the court mentioned under subsection (1)"

14. The principal Act is amended in section 77 by - Amendment of section 77

(a) adding the following provision immediately after subsection (2) -

"(3) The Minister may, with the approval of the National Assembly signified by a resolution and by order published in the *Gazette*, exempt any leased land or class of leased land or building comprised in any lease from the application of any of the provisions of this Part.";

(b) renumbering subsection (3) as subsection (4)

Amendment of section 78

15. The principal Act is amended in section 78 by –

(a) inserting the following provision immediately after subsection (2) -

"(3) In determining the amount of rent payable under a lease, regard shall be had to -

(a) size of the land;

(b) use of the land;

(c) value of the land as evidenced by leases in the market in the area where the land is located;

(d) location of the land; and

(e) condition of the land or building.

(4) For purposes of determining the amount of rent payable, it shall be taken into account that the lessor will pay -

(a) the land rent under a granted right of occupancy;

(b) the premium for insuring the land;

(c) the property tax and other rates leviable upon the land under any law; and

(d) any repairs for which the lessor is liable by agreement or customs or any law."

(b) by renumbering the current subsection (3) as subsection (5).

Amendment of section101

16. The principal Act is amended in section 101 by-

(a) repealing subsection (1);

(b) deleting the side note and substituting for it the following "Determination of a lease."

Amendment of section 102

17. The principal Act is amended by repealing section 102 and replacing for it the following provisions:-

Distress for rent

102.-(1) Subject to the provisions of subsection (3) a lessor may only exercise his right to levy distress for rent after service of a notice in accordance with the provisions of section 104.

(2) Where it is not possible to peacefully exercise a right to levy distress, the lessor shall only do so under the order of the Court.

(3) The exercise of the right to levy distress shall only be exercised using a Court Broker or a Broker of a Tribunal.

18. The principal Act is amended in section 103 by deleting subsection (1) and substituting for it the following:

Amendment of section 103

"(1) Subject to the notice served under section 104 or 105 of this Act, a lessor may exercise any right to terminate a lease for failure to pay rent due under the lease or for a breach of any covenant or condition in the lease.".

19. The principal Act is amended in section 104 by deleting paragraphs (d) and (e) of subsection (2) and substituting for them the following –

"(d) in the event that the breach is not remedied the lease shall terminate at the expiry of thirty days from the date of service of notice."

20. The principal Act is amended in section 105 by deleting paragraphs (c) and (d) of subsection (2) and substituting for them the following -

Amendment of section 105

"(c) in the event that the breach is not remedied the lease shall terminate on expiry of thirty days from the date of the service of notice."

21. The principal Act is amended in section 106 by deleting subsection (4) and substituting for it the following -

Amendment of section 106

"(4) The Minister may by regulation, prescribe the form of the notice to be served under this part.

"(5) Service of notice under the provisions of this Part shall be effected in person or by registered post and where the person to whom service is to be made is evading service or by some other reason, service cannot be made to that person physically, service may be effected by affixing the copy of the notice in a conspicuous place—

(a) on or as near as may be to the land where possible;

(b) where the land is village land, at the offices of the village council or other public place within the village;

(c) where the land is general land at the offices of the local authority having jurisdiction in the area where the land is located or on other public place in the area where that land is located; and

(d) publishing a copy in one or more newspapers circulating in Tanzania.

(6) The notice displayed or published pursuant to the provisions of this Part may be in English or Kiswahili or both languages."

Amendment of section 108

22. The principal Act is amended in section 108 by -

(a) deleting paragraph (a) of subsection (1);

(b) renumbering paragraphs (b), (c), (d) to (k) as paragraphs (a), (b), (c), (d) to (j) respectively.

PART V

AMENDMENT OF THE NATIONAL HOUSING ACT, 1990

Construction Act No.2 of 1990

23. This Part shall be read as one with the National Housing Act, 1990 hereinafter referred to as the "principal Act".

Amendment of section 2

24. The principal Act is amended in section 2 by –

(a) deleting all references to the definition of the term "standard rent"; and

(b) substituting for the definition of the terms "landlord" and tenant" the following definitions-

"landlord" means a person by whom a lease is granted and includes a person who has accepted the transfer or assignment of the reversion of a lease;

"tenant" means a person to whom a lease is granted and includes a person who has accepted a transfer or assignment of a lease.

Amendment of section 4

25. The principal Act is amended in section 4 by inserting immediately after subsection (4) the following provision:

"(5) in the cause of performance of its functions, the Corporation shall operate on sound commercial principals.

26. The principal Act is amended in section 11 by - Amendment of section 4

(a) deleting the phrase "subject to the provisions of this Act and of the Rent Restriction Act, 1984";

(b) deleting the phrase "Act, 1984 No.17" appearing in the marginal note;

(c) renumbering section 11 as section "11(1)";

(d) adding the following provisions immediately after subsection (1):

"(2) In determining the amount of rent payable under this section, the Corporation shall have regard to the -

(a) size of the premises;

(b) use of the premises;

(c) value of the premises as evidenced by leases in the market in the area where the premises is located;

(d) location of the premises; and

(e) condition of the premises.

(3) For purposes of calculating the amount of rent payable under this section, it shall be taken into account that the Corporation will pay -

(a) the land rent under a granted right of occupancy;

(b) the premium for insuring the premises;

(c) the property tax and other rates leviable upon the premises under any law; and

(d) any repairs for which the Corporation is liable by agreement or custom or any law..".

27. The principal Act is amended in section 31 – Amendment of section 31

(a) by renumbering the contents of section 31 as subsection (1); and

(b) adding the following provision immediately after subsection (1):

Act No.4 of 1999

"(2) Any member or employee of the Corporation shall be required to declare interest as is required by section 15 of the Land Act, 1999."

PART VI

AMENDMENT OF THE LAND DISPUTES COURTS ACT, 2002

Construction Act No.2 of 2002

28. This Part shall be read as one with the Land Disputes Courts Act, 2002 hereinafter referred to as the "principal Act"

Amendment of section 37

29. The principal Act is amended in section 37 by -

(a) renumbering the contents of section 37 as section 37(1);

(b) adding the following provisions immediately after subsection (1) -

"(2)Where the Land Division of the High Court is not operational within any given district, the Land and Housing Tribunal shall have the jurisdiction to determine disputes involving public corporations specified under subsection (1)(d)".

PART VII

REPEAL OF THE RENT RESTRICTION ACT, 1984

Repeal of the Rent Restriction ActAct No.17 of 1984

30. The Rent Restriction Act, 1984 is hereby repealed.

PART VIII

AMENDMENT OF THE PUBLIC PROCUREMENT ACT, 2004

Construction Act No.21 of 2004

31. This Part shall be read as one with the Public Procurement Act, 2004 hereinafter referred to as the "principal Act".

Amendment of sections 82 and 84

32. The principal Act is amended as follows:

(a) in subsection (5) of section 82 by deleting the word "thirty" and substituting for it the phrase "forty five"; and

(b) in subsection (3) of section 84 by deleting the word "thirty" and substituting for it the phrase "forty five".

PART IX

AMENDMENT OF THE LOCAL AUTHORITIES (ELECTIONS) ACT, 1979

33. This Part shall be read as one with the Local Authorities (Elections) Act, 1979 hereinafter referred to as the "the principal Act" — Construction Act No.4 of 1979

34. The principal Act is amended in subsection (1) of section 40, by deleting the phrase "within one month before the date of election" which appears in paragraph (d). — Amendment of section 40

PART X

AMENDMENT OF THE MEDICAL PRACTITIONERS AND DENTISTS ORDINANCE, CAP 409

35. This Part shall be read as one with the Medical Practitioners and Dentists Ordinance hereinafter referred to as the "principal Act". — Construction Cap. 409

36. The principal Act is amended by inserting the following provision immediately after section 10A: — Addition of section 10B

"Exemption from requirement to register

10B.-(1) It shall not be necessary to a person registered as medical practitioner or dentist in Tanzania Zanzibar to register in accordance with this Ordinance if such person has been registered as such in accordance with the laws applicable in Tanzania Zanzibar.

(2) For purposes of acquiring practical experience in medicine, surgery, midwifery or any other discipline, a person who has been provisionally registered in Tanzania Zanzibar shall be treated as having complied with the requirements of sections 14 and 15AA."

37. The principal Act is amended by inserting immediately after section 26 the following provision: — Addition of section 26A

"Observance of Code of Ethics

26A.-(1) There shall be a Code of Ethics for Professional Conduct for Medical Practitioners and Dentists which may be known in short form the "Code of Ethics".

(2) The Code of Ethics shall be promulgated and adopted by the Council.

(3) Every medical practitioner and dentist shall observe the Code of Ethics and, a breach of any of the provisions thereof shall amount and be treated as infamous conduct in professional respect and may attract measures stipulated under sections 26 and 27.".

PART XI

AMENDMENT OF THE POLITICAL SERVICE RETIREMENT BENEFITS ACT, 1999

Construction Act No.3 of 1999

38. This Part shall be read as one with the Political Service Retirement Benefits Act, 1999 hereinafter referred to as the "principal Act".

Amendment of section 6

39. The principal Act is amended in section 6 by deleting subsection (3) and substituting for it the following provisions:

"(3) Where a former President, Vice-President, Prime Minister or Speaker was, prior to becoming a leader, under the repealed Act, whose terms of service were permanent and pensionable, his pension or gratuity in relation to the services he rendered prior to being elected or appointed as the President, Vice President, Prime Minister or Speaker, as the case may be, shall be granted in addition to the benefits granted to him in accordance with the provisions of sections 9, 12, 14 or 18.

(4) The expression "appropriate authority" for the purpose of sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, means the Permanent Secretary to the Treasury and for the purposes of section 24, the President."

40. The principal Act is amended in section 9 by — Amendment of section 9

(a) deleting paragraph (c) of subsection (1) and substituting for it the following:

"(c) other benefits as stipulated in Part I of the Schedule to this Act.";

(b) repealing subsections (2) and (3); and

(c) adding the following provision:

"(2) If the former President is requested by the Government or an international organisation to travel outside the United Republic, the appropriate authority shall meet the first class travelling expenses which shall also cover expenses for -

(a) the spouse;

(b) two personal assistants,

and where the former President is requested to travel within the United Republic, the Government shall meet travelling expenses which shall in addition cover expenses for the driver.".

41. The principal Act is amended by deleting section 11 and substituting for it the following provisions: Repeal and substitution of section 11

"Pension and benefits for widow or widower of the former President

11. Where the former President dies his widow or widower shall be granted by an appropriate authority:

(a) survivor's pension of the sum equal to forty per cent of the salary of the incumbent President; and

(b) other benefits as stipulated in Part II of the Schedule to this Act.".

Amendment of section 12

42. The principal Act is amended in section 12 by –

(a) deleting paragraph (c) of subsection (1) and substituting for it the following:

"(c) other benefits as stipulated in Part I of the Schedule to this Act.";

(b) repealing subsection (2);

(c) renumbering subsections (3) and (4) as subsections (2) and (3) respectively; and

(d) repealing subsection (3) as renumbered and substituting for it the following provision:

"(2) If the former Vice-President is requested by the Government or an international organisation to travel outside the United Republic, the appropriate authority shall meet the first class travelling expenses which shall also cover expenses for -

(a) the spouse;

(b) one personal assistant,

and where the former Vice-President is requested to travel within the United Republic, the Government shall meet travelling expenses which shall in addition cover expenses for the driver.".

Repeal and replacement of section 13

43. The principal Act is amended by repealing section 13 and replacing for it the following provisions:

"Pension and benefits for widow or widower of the former Vice-President

13. Where the former Vice-President dies his widow or widower shall be granted by an appropriate authority:

(a) survivor's pension of the sum equal to forty per cent of the salary of the incumbent Vice-President; and

(b) other benefits as stipulated in Part II of the Schedule to this Act.".

Amendment of section 14

44. The principal Act is amended in section 14 by -

(a) deleting paragraph (c) of subsection (1) and substituting for it the following:

"(c) other benefits as stipulated in Part I of the Schedule to this Act.";

(b) repealing subsection (2);
(c) renumbering subsections (3) and (4) as subsections (2) and (3) respectively; and
(d) deleting subsection (3) as renumbered and substituting for it the following:

"(3) If a former Prime Minister is requested by the Government or an international organization to travel outside the United Republic, the appropriate authority shall meet first class travel expenses which shall also cover expenses for-

(a) the spouse;

(b) one personal assistant,

and where a former Prime Minister is requested to travel within the United Republic, the Government shall meet travel expenses which shall in addition cover expenses for the driver.

45. The principal Act is amended in section 15 by –

Amendent of section 15

(a) re-designating that section as subsection (1);
(b) adding the following provision immediately after subsection (1):

"(2) Where the former Prime Minister dies his widow or widower shall be granted by an appropriate authority:

(a) survivor's pension of the sum equal to forty per cent of the salary of the incumbent ; and

(b) other benefits as stipulated in Part II of the Schedule to this Act.".

46. The principal Act is amended in section 16 by-

Amendment of section 16

(a) renumbering subsection (2) as subsection (3); and
(b) inserting the following provision after subsection (1):

"(2) A Minister, the Attorney-General and a Deputy Minister shall upon ceasing to hold office, be granted a winding-up allowance, such other allowances and benefits of an amount, as may be determined by the appropriate authority, pursuant to the provisions of section 24."

Amendment of section 18

47. The principal Act is amended in section 18 by-

(a) re-designating that section as subsection (1);

(b) deleting paragraph (c), (d), (e), (f),(g),and (h) and substituting for it the following paragraph (c) other benefits as stipulated in Part 1 of the Schedule;"

(c) adding the following provision immediately after subsection (1):

"(2) Where the former Speaker dies the widow or widower shall be granted by an appropriate authority:

(a) survivor's pension of the sum equal to forty percent of the salary of the incumbent Speaker; and

(b) other benefits as stipulated in Part II of the Schedule to this Act."

Amendment of section 21

48. The principal Act is amended by repealing subsection (3) and substituting for it the following:

"(3) A Member of Parliament shall, in addition to the benefits granted under subsection (1), be granted a winding-up allowance, such other allowances and benefits as may be determined by the appropriate authority pursuant to the provisions of section 24.

Amendment of section 24

49. The principal Act is amended by deleting section 24 and substituting for it the following:

24.—(1) A winding-up allowance, such other allowances and benefits payable under this Act shall be determined by the appropriate authority and may be reviewed, at intervals of not less than fifty months from the date on which the National Assembly was first summoned, upon the recommendation of-

(a) in the case of a former President, a former Vice-President and a former Prime Minister, a former Minister, a former Attorney-General and a former Deputy Minister, the Minister responsible for public service; and

(b) in the case of a former Speaker, a former Deputy Speaker and a former Member of Parliament, the Parliamentary Services Commission."

(2) Survivors pension and other benefits granted to a widow or widower of a political leader pursuant to the provisions of this Act shall apply in relation to a leader who assumes or retire from office on or after the 1st day of November, 1999.

(3) All benefits granted to a political leader pursuant to the provisions of this Act shall be exempted from income tax.".

50. The principal Act is amended by inserting the following Schedule after section 25:

Insertion of a Schedule

SCHEDULE

PART I

A: DESCRIPTION OF BENEFITS TO BE GRANTED TO THE FORMER PRESIDENT:

1. A winding-up allowance calculated on the basis of–

(a) the highest salary received in a number of months; and
(b) the percentage rate,

as may be determined by the appropriate authority.

2.Diplomatic passport and for the spouse or spouses

3. Medical treatment within and outside the United Republic borne by the Government.

4. The service of two motor vehicles to be provided by the Government of not less than 3 tonnage replaceable after every five years.

5. A furnished house containing not less than four bed rooms of which two rooms shall be self contained and shall contain –

(a) a furnished office; and

(b) a servant quarter.

6. A monthly maintenance allowance of the sum equal to eighty percent of the salary granted to the incumbent president.

7. Necessary security and other protection services to him and his immediate family.

8. One personal assistant.

9. One personal secretary.

10. One office attendant.

11. One cook.

12. One laundryman.

13. One domestic servant.

14. One gardener.

15. Two drivers.

16. Use of VIP lounge..

17. Burial expenses.

B: DESCRIPTION OF BENEFITS TO BE GRANTED TO THE FORMER VICE-PRESIDENT:

1. A winding-up allowance calculated on the basis of-

(a) the highest salary received in a number of months; and

(b) the percentage rate,

as may be determined by the appropriate authority.

2. Diplomatic passport and for the spouse or spouses.

3. Medical treatment within and outside the United Republic borne by the Government.

4. The service of one motor vehicle to be provided by the Government of not less than 3 tonnage replaceable after every five years.

5. A monthly maintenance allowance of the sum equal to eighty percent of the salary payable to the incumbent Vice-President.

6. Payment of the amount of money sufficient to pay salaries at the rate of the Government employees' minimum wages in respect of:

(a) one personal assistant;

(b) one cook;

(c) one laundryman;

(d) one domestic servant;

(e) one gardener; and

(f) one driver.

7. Use of VIP lounge.

8. Burial expenses.

C: DESCRIPTION OF BENEFITS TO BE GRANTED TO THE FORMER PRIME MINISTER:

1. A winding-up allowance calculated on the basis of-

(a) the highest salary received in a number of months; and

(b) the percentage rate,

as may be determined by the appropriate authority.

2. Diplomatic passport and for the spouse

3. Medical treatment within and outside the United Republic borne by the Government

4. The service of one motor vehicle to be provided by the Government of not less than 3 tonnage replaceable after every five years

5. Maintenance allowance of the sum equal to eighty percent of the salary payable to the incumbent Prime Minister

6. Payment of the amount of money sufficient to pay salaries at the rate of the Government employees' minimum wages in respect of:

(a) one personal assistant;

(b) one cook;

(c) one laundryman;

(d) one domestic servant;

(e) one gardener; and

(f) one driver.

7. Use of VIP lounge.

8. Burial expenses

PART II

A: DESCRIPTION OF BENEFITS TO BE GRANTED TO THE WIDOW OR WIDOWER OF THE FORMER PRESIDENT

1. A house which the deceased spouse was granted by the President.

2. A monthly maintenance allowance through his life of the sum equal to forty per cent of the salary of the incumbent President.

3. Medical treatment within the United Republic borne by the Government.

4. The service of one motor vehicle to be provided by the Government ownership of which shall revert to the spouse on expiry of three years.

5. Payment of the amount of money sufficient to pay salaries at the rate of the Government employees' minimum wages in respect of:

(a) a driver;

(b) a domestic servant.

6. Transport to a place of living for the rest of his life.

7. Burial expenses.

B: DESCRIPTION OF BENEFITS TO BE GRANTED TO THE WIDOW OR WIDOWER OF THE FORMER VICE-PRESIDENT

1. A house which the deceased spouse was granted by the President.

2. A monthly maintenance allowance through his life of the sum equal to thirty per cent of the salary of the incumbent President.

3. Medical treatment within the United Republic borne by the Government.

4. The service of one motor vehicle to be provided by the Government ownership of which shall revert to the spouse on expiry of three years.

5. Payment of the amount of money sufficient to pay salaries at the rate of the Government employees' minimum wages in respect of:

(a) a driver;
(b) a domestic servant.

6. Transport to a place of living for the rest of his life.
7. Burial expenses.

C: DESCRIPTION OF BENEFITS TO BE GRANTED TO THE WIDOW OR WIDOWER OF THE FORMER PRIME MINISTER

1. A house which the deceased spouse was granted by the President.
2. A monthly maintenance allowance through his life of the sum equal to thirty per cent of the salary of the incumbent President.
3. Medical treatment within the United Republic borne by the Government.
4. The service of one motor vehicle to be provided by the Government ownership of which shall revert to the spouse on expiry of three years.
5. Payment of the amount of money sufficient to pay salaries at the rate of the Government employees' minimum wages in respect of:
(a) a driver;
(b) a domestic servant.
6. Transport to a place of living for the rest of his life.
7. Burial expenses.

D: DESCRIPTION OF BENEFITS TO BE GRANTED TO A FORMER MINISTER, A FORMER ATTORNEY-GENERAL AND A FORMER DEPUTY MINISTER

1. A winding-up allowance calculated on basis of-
(a) The highest salaries received in a number of months; and
(b) a percentage rate
as may be determined by the appropriate authority.

2. A diplomatic passport for him and for his spouse or spouses."

E: DESCRIPTION OF BENEFITS TO BE GRANTED TO A FORMER SPEAKER

1. A winding-up allowance of a sum equal to the amount that would be received as salary by the incumbent Speaker in a number of months as may be determined by the appropriate authority.
2. One motor vehicle to be granted once and which shall be maintained by him.
3. A driver.
4. A diplomatic passport for him and for his spouse or spouses.
5. Seventy litres of fuel per week.
6. Maintenance allowance for a motor vehicle at a rate equal to forty percent of fuel allowance.

F: DESCRIPTION OF BENEFITS TO BE GRANTED TO A FORMER DEPUTY SPEAKER

1. A winding-up allowance of a sum equal to a percentage as may be determined by appropriate authority of the total sum of the salaries he received when he held the office as a Deputy Speaker.

2. A diplomatic passport for him and for his spouse or spouses.

PART XII

AMENDMENT OF THE PARLIAMENTARY SERVICES COMMISSION ACT, 1997

51. This Part shall be read as one with the Parliamentary Services Commission Act, 1997 hereinafter referred to as the "principal Act". Construction Act No. 14 of 1997

52. The principal Act is amended in section 7 by - Amendment of section 7

(a) deleting a full-stop which appears at the end of paragraph (b) of subsection (1) and substituting for it a semi-colon;

(b) inserting the following paragraph immediately after paragraph (b):

"(c) to review and advise the President on the gratuity and allowances payable to the Speaker and Members of Parliament in accordance with the Political Leaders Retirement Benefits Act, 1999.".

PART XIII

AMENDMENT OF THE LAW REFORM COMMISSION OF TANZANIA ACT, 1980

53. This Part shall be read as one with the Law Reform Commission of Tanzania Act, 1980 hereinafter referred to as the "principal Act". Construction

54. The principal Act is amended in section 6 by deleting in subsection (1) the word "six" and substituting for it the word "nine". Amendment of section 6

PART XIV

AMENDMENT OF THE NATIONAL HEALTH INSURANCE FUND ACT, 1999

55. This Part shall be read as one with the National Health Insurance Fund Act, 1999 hereinafter referred to as the "principal Act." Construction Act No. 8 of 1999

Repeal of section 17

56. The principal Act is amended by deleting section 17 and substituting for it the following:

Health care services not covered under the scheme

17. The Minister may, upon recommendation of the Board, prepare a list of health care services that may not be granted under this Act.

Passed in the National Assembly on the 9th June, 2005.

DAMIAN S. FOKA

Clerk of the National Assembly