

TANGANYIKA



No. 76 OF 1962

I ASSENT,

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

Governor-General

27TH NOVEMBER, 1962

An Act to amend the Societies Ordinance

[12TH DECEMBER, 1962]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Societies Ordinance (Amendment) Act, 1962, and shall be read as one with the Societies Ordinance (hereinafter called the Ordinance).

Short title
and
construction
Cap. 337

2. Section 2 of the Ordinance is hereby amended by inserting immediately after the definition "member" in subsection (1) thereof following new definition:-

Section 2
of Cap. 337
amended

" 'Minister' means the Minister for the time being responsible for home affairs;".

3. The Ordinance is hereby amended by inserting immediately after section 6 thereof the following new sections 6A and 6B: -

New sections
inserted in
Cap. 337

"Minister may
require
organizations
to register
as societies

6A.-(1) Subject to the provisions of subsection (5), where the Minister is satisfied that any company, partnership, association or other organization formed for the purpose of conducting any lawful trade or business is carrying on its activities predominantly for a purpose other than the conduct of lawful trade or business he may, notwithstanding that such company, partnership, association or other organization is not a society within the meaning of this Ordinance by reason of the provisions of paragraph (a), paragraph (b), paragraph (c), paragraph (e) or paragraph (f) of the definition 'society' in subsection (1) of section 2 and notwithstanding the provisions of any other law, by order in writing addressed to the registered office or to the principal place of business of such company, partnership, association or other organization require such company, partnership, association or other organization to apply to the Registrar, within such period, being not less than twenty-one days, as may be specified in the order, for registration under this Ordinance.

(2) Notification shall be given in the *Gazette* of any order made under subsection (1).

(3) Where any company, partnership, association or other organization in respect of which an order has been made under subsection (1) applies for registration under this Ordinance in compliance with such order and is registered under this Ordinance then, with effect from the date of such registration, all the provisions of this Ordinance shall, notwithstanding the provisions of any other law, apply to such company, partnership, association or other organization.

(4) Where any company, partnership, association or other organization in respect of which an order has been made under subsection (1) fails to apply for registration under this Ordinance in compliance with such order or, having so applied, is refused such registration, or where such company, partnership, association or other organization having been registered under this Ordinance, such registration is subsequently cancelled under any provision of this Ordinance, the Minister may publish notice of such failure, refusal or cancellation in the *Gazette* and on the date of the publication of such notice the company, partnership, association or other organization shall be dissolved.

(5) No order shall be made under subsection (1) in respect of any organization to which the provisions of paragraph (d) or paragraph (g) of the definition 'society' in subsection (1) of section 2 apply.

Provisions
to apply
when
organi-
zation
dissolved

6B.- (1) The following provisions of this section shall apply to and in respect of any company, partnership, association or other organization dissolved under the provisions of section 6A.

(2) The liabilities incurred by any director, officer or member of the company, association or other organization or by any partner in the partnership shall continue and may be enforced as if the company, partnership, association or other organization had not been dissolved.

(3) All assets vested in or held on trust for and all liabilities incurred by any organization which is a body corporate shall vest in the Official Receiver who shall take all steps necessary to discharge such liabilities and to liquidate such assets and distribute the same to the members of the organization in accordance with the law relating to the winding up of companies, and for such purposes the Official Receiver shall have all such powers as are had by a liquidator appointed by the Court.

(4) The Minister may by order in writing provide for such incidental, supplementary or consequential matters as he may consider necessary or expedient for the more effectual carrying out of the provisions of subsections (2) and (3)."

Passed in the National Assembly on the twenty-third day of November 1962.


Clerk of the National Assembly