

TANGANYIKA



No. 7 OF 1962

I ASSENT,

R. Windham
.....
Chief Justice

28TH FEBRUARY, 1962

An Act to amend the Municipalities Ordinance

[2ND MARCH, 1962]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Municipalities Ordinance (Amendment) Act, 1962, and shall be read as one with the Municipalities Ordinance. Short title and construction Cap. 105

2.—(1) Section 2 of the Municipalities Ordinance is hereby amended by inserting immediately before the definition of “improvements” contained therein the following new definition:— Section 2 of Cap. 105 amended

“ ‘City Council of Dar es Salaam’ means the City Council of Dar es Salaam incorporated by Royal Charter dated the eighth day of November, 1961, and any reference in this Ordinance or in any other written law to a municipality or to a municipal council shall be construed as including a reference to the City of Dar es Salaam or the City Council of Dar es Salaam, as the case may be.”

(2) This section shall be deemed to have come into operation on the tenth day of December, 1961.

3. Section 5 of the Municipalities Ordinance is hereby amended by deleting the words and symbol “twenty-five” in the second line of subsection (1) thereof and substituting therefor the words and symbol “thirty-six”. Section 5 of Cap. 105 amended

4. The Municipalities Ordinance is hereby amended by inserting immediately after section 37 thereof the following new section to be numbered 37A:— New section 37A inserted in Cap. 105

“Loans and advances guaranteed by Government

37A. Where any loan or advance made to a council by any person or bank has been guaranteed by the Government and where pursuant to the terms of such guarantee the Government has made any payment to the person or bank making such loan or advance of any capital or interest due from the council to such person or bank in respect of such

loan or advance the capital or interest so paid by the Government shall constitute a debt due by the council to the Government and shall be a charge on the property and revenues, present and future, of the council and the provisions of section 36 shall apply in all respects as if the capital or interest so paid had been a loan granted to the council by the Government under this Ordinance.”.

Section 43
of Cap. 105
amended

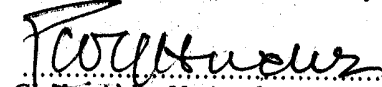
5. Section 43 of the Municipalities Ordinance is hereby amended by inserting immediately after subsection (4) thereof the following new subsection to be numbered (5): —

“(5) For the avoidance of doubt it is hereby declared that payment to the inspector of his fees and charges in respect of the preparation of his report and of his other duties under this section shall be made by the council.”.

Validation

6. It is hereby declared that any payment made between the first day of January, 1949, and the date of coming into operation of this Act by a council to an inspector appointed under section 43 of the Municipalities Ordinance of the fees and charges of such inspector in respect of any of his duties under that section shall not be deemed to have been invalidly made by reason only that such council was not under the provisions of the said Ordinance specifically empowered to make such payment.

Passed in the National Assembly on the sixteenth day of February, 1962.


Clerk of the National Assembly