

TANGANYIKA



No. 2 OF 1962

I ASSENT,

P. Winham

Chief Justice

22ND FEBRUARY, 1962

An Act to re-style the Provinces of Tanganyika as Regions, to transfer certain Statutory Functions to Regional Commissioners and for matters incidental thereto and connected therewith, to amend the Interpretation and General Clauses Ordinance, the Official Oaths Ordinance and the National Assembly (Disqualification) Ordinance and to repeal the Deputy Provincial Commissioners Ordinance

[.....]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Regions and Regional Commissioners Act, 1962, and shall come into operation on such date as the Governor-General may by notice in the *Gazette* appoint.

Short title and commencement

2. In this Act, unless the context otherwise requires—

“Regional Commissioner” means a person appointed in accordance with section 48A of the Constitution to be a Regional Commissioner.

Interpretation

3. Every Province and Extra-provincial district of Tanganyika shall henceforth be known as a Region and every written law shall be read and construed accordingly.

Re-styling of Provinces as Regions

4.—(1) Subject to the provisions of subsection (2), every reference in any written law to “Provincial Commissioner” or to the officer in charge of an Extra-provincial district shall be read and construed as a reference to “Regional Commissioner”.

References to “Provincial Commissioner” to be read as references to “Regional Commissioner”

(2) Notwithstanding the provisions of subsection (1), the Governor-General may, by order, declare, whether for the avoidance of doubt or otherwise, that any reference in any written law to “Provincial Commissioner” or to the officer in charge of an Extra-provincial district shall be read and construed as a reference to such person as may be specified in the order, and where such order is made the reference in such written law shall be read and construed accordingly.

(3) An order under subsection (2) may—

- (a) be made between the passing of this Act and the date of coming into operation thereof; or
- (b) if made after the coming into operation of this Act, be expressed to have effect retrospectively from any date specified therein (being a date not earlier than the date of coming into operation of this Act) and, if so expressed, shall have effect accordingly.

Exercise of
functions
when
Regional
Commissioner
is unable
to act

5. If during any period the office of a Regional Commissioner is vacant or if a Regional Commissioner is during any period, owing to absence or inability to act from illness or any other cause, unable to exercise the powers or perform the duties of his office, such powers shall be had and may be exercised and such duties shall be performed by the person appointed to be an acting Regional Commissioner for that Region or, if no such appointment is made, by the Minister for the time being responsible for local government.

Amendment
of Cap. 1

6. The Interpretation and General Clauses Ordinance is hereby amended as follows:—

- (a) in subsection (1) of section 2 thereof—
 - (i) by deleting the definition “Administrative Officer” and substituting therefor the following new definition:—
“‘Administrative Officer’ includes any grade of administrative officer;”;
 - (ii) by deleting the definitions “Extra-provincial district”, “Province” and “Provincial Commissioner”; and
 - (iii) by inserting in the appropriate alphabetical positions the following new definitions:—
“‘Region’ means any area of Tanganyika proclaimed or deemed to be proclaimed by the Governor-General under section 45 of this Ordinance to be a Region; ‘Regional Commissioner’ means a Regional Commissioner appointed under section 48A of the Constitution;”;
- (b) in section 45 thereof—
 - (i) by deleting the word “provinces” in the second line of subsection (1) thereof and substituting therefor the word “regions”;
 - (ii) by deleting the word “province” in the second line of subsection (2) thereof and substituting therefor the word “region”;
 - (iii) by deleting the word “Provinces” in the marginal note thereto and substituting therefor the word “Regions”; and
 - (iv) by adding immediately after subsection (3) thereof the following new subsection:—

“(4) Every proclamation of provinces or of an extra-provincial district made under Article 7 of the Tanganyika Order in Council, 1920, and continued in force by subsection (3) of this section shall, with effect from the date of coming into operation of the Regions and Regional Commissioners Act, 1962, be deemed to be a proclamation of regions made under this section and shall continue in force until amended, revoked or replaced by a proclamation made under this section.”

7. The Official Oaths Ordinance is hereby amended as follows:— Amendment of Cap. 44

(a) by inserting immediately after section 6B thereof the following new section to be numbered 6c:—

“Regional Commissioners” 6c. The Oath of Allegiance and the Official Oath shall be taken by each Regional Commissioner and shall be tendered by the Governor-General.”; and

(b) in section 11A thereof—

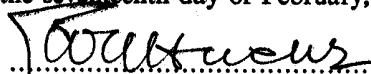
(i) by deleting the words “or a Parliamentary Secretary” in the fourth, fifth and sixth lines thereof and substituting therefor the comma and words “, a Parliamentary Secretary or a Regional Commissioner”; and

(ii) by deleting the words “or Parliamentary Secretary” in the sixth and seventh lines thereof and substituting therefor the comma and words “, Parliamentary Secretary or Regional Commissioner”.

8. The National Assembly (Disqualification) Ordinance is hereby amended by deleting the words “or Parliamentary Secretary” in the twelfth line of the definition “public office” in section 2 thereof and by substituting therefor the comma and words “, Parliamentary Secretary or Regional Commissioner”. Amendment of Cap. 401

9. The Deputy Provincial Commissioners Ordinance is hereby repealed. Repeal of Cap. 42

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


Clerk of the National Assembly