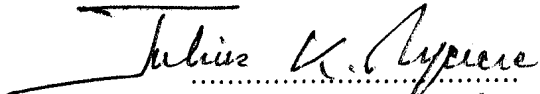


THE UNITED REPUBLIC OF TANZANIA



No. 46 OF 1965

I ASSENT,


President

8TH JULY, 1965

An Act to amend the National Assembly (Elections) Act, 1964

[9TH JULY, 1965]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the National Assembly (Elections) (Amendment) Act, 1965 and shall be read as one with the National Assembly (Elections) Act, 1964 (hereinafter referred to as the principal Act). Short title and construction Acts 1964 No. 11

2.—(1) Subsection (1) of section 3 of the principal Act is hereby amended by deleting the definitions “candidate”, “election agent”, “member” and “nomination day” and by inserting, in their appropriate alphabetical positions, the following new definitions:— Amendment of interpretation of principal Act

“ ‘candidate’ means a person who submits himself in a constituency for election to the National Assembly:

Provided that—

- (a) for the purposes of those provisions of this Act which relate to a time after the primary nomination of candidates, it does not include a candidate whose nomination is declared invalid by the Returning Officer or who withdraws his candidature; and
- (b) for the purposes of those provisions of this Act which relate to a time after the final nomination of candidates, it does not include a candidate who has not been approved or selected for the relevant election and constituency by the National Executive Committee of the Party;

‘contested election’ means an election in a constituency at which there is more than one candidate;

'member' means a constituency member of the National Assembly;

'nomination' means nomination as a candidate for election and-

(a) in Part III and Part IIIA means, as the context requires, nomination at a primary nomination under Part III or nomination at a final nomination under that Part; and

(b) elsewhere in this Act, final nomination;

'nomination day' means a day appointed as primary nomination day;

'the Party' means the Party the constitution of which is for the time being set out in the First Schedule to the Constitution;"

(2) Section 3 of the principal Act is hereby further amended by adding, immediately below subsection (1), the following new subsection: -

"(1A) Where this Act requires any matter or thing to be done by an organ of the Party, that matter or thing shall be done, subject to the Constitution and this Act, in accordance with the constitution of the Party and any rules of the Party applicable thereto which are not inconsistent with the Constitution or this Act:

Provided that where any member of an organ of the Party is a candidate in respect of whom that organ has a function under the Constitution or this Act, he, shall not take part in the proceedings of that organ in the exercise of such functions in relation to himself."

Supervisory
delegates

3. The principal Act is hereby amended by adding, immediately below section 7, the following new section: -

"Supervisory
delegates 7A.-41) The Commission shall, as occasion requires, appoint, from among persons nominated for the purpose by the National Executive Committee or the Central Committee of the Party-

(a) three supervisory delegates for every meeting of an Annual District Conference held for the purposes of section 30;

(b) three supervisory delegates for every constituency in which there is a contested election.

(2) No person shall be appointed a supervisory delegate-

(a) under paragraph (a) of subsection (1). for a meeting of an Annual District Conference for a district in which he is ordinarily resident; or

(b) under paragraph (b) of subsection (1), for a constituency in which he is ordinarily resident.

(3) Supervisory delegates may exercise the functions conferred on them by this Act notwithstanding any vacancy in their number."

4. Section 11 of the principal Act is hereby amended by adding, immediately below subsection (2), the following new subsection:-

"(3) Notwithstanding any other provision of this Act, a registered voter who is a candidate at an election in a constituency shall be entitled to vote at the election in that constituency whether or not he is registered as a voter in any polling district in that constituency."

5. Part III of the principal Act (which comprises sections 26 to 39 inclusive) is hereby repealed and replaced by the following new Parts: -

"PART III

NOMINATION OF CANDIDATES FOR ELECTION

(a) *Primary Nomination*

Primary
nomination
day

26.-(1) When an election is to be held in a constituency and where an election is countermanded and the election procedures are to commence afresh, the Commission shall, by notice in the *Gazette*, appoint a day (hereinafter in this Part referred to as primary nomination day)-

(a) in the case of a general election, not less than five nor more than twenty-five days after the dissolution of Parliament;

(b) in the case of a by-election, not less than twenty nor more than fifty days after the occurrence of the event upon which the by-election is to take place,

for the primary nomination of candidates for election.

(2) The Commission may appoint different primary nomination days for different constituencies during the same general election, and may revoke the appointment of its primary nomination day and appoint some later day within the period provided for in subsection (1) to be the primary nomination day.

(3) The Commission shall give at least seven days' notice of primary nomination day and, in the case of a general election, where the President has given notice of his intention to dissolve Parliament, the notice of primary nomination day may be given before such dissolution.

27.-(1) In order to be validly nominated at a primary nomination to stand as a candidate for a constituency, a person must be nominated in writing by not less than twenty-five voters registered in the constituency for which he is a candidate.

(2) The writing shall be in the prescribed form, shall be signed by the candidate and by the persons nominating him, and shall contain the following particulars:-

(a) the names, address and particulars of the candidate;

(b) the names, addresses and descriptions of the nominators; of the candidate; and

Candidates may vote in their constituencies notwithstanding they are not registered there

New provision for nomination of candidates

(c) a certificate by the candidate that he is willing and otherwise qualified to stand for election.

(3) Every nomination paper shall be accompanied by-

(a) a statutory declaration in the prescribed form, made and signed by the candidate before a magistrate and declaring the candidate's qualifications and that he is not disqualified for election; and

(b) a certificate in the prescribed form in respect of the nominators, by the Registration Officer in charge of the constituency in which such nominators are registered, certifying that the nominators are so registered.

If such statutory declaration and certificate are not delivered to the Returning Officer with the nomination paper the nomination of the candidate shall be deemed to be void.

(4) The Returning Officer shall provide nomination papers and shall supply any voter with such number of nomination papers as he may require.

(5) Each candidate, or one of the persons nominating him, shall deliver his nomination paper (together with one copy thereof) signed as herein before provided at the office of the Returning Officer not later than four o'clock in the afternoon of primary nomination day.

(6) The Returning Officer shall forthwith cause a copy of the nomination paper to, be posted in a conspicuous position outside his office.

(7) No, person shall nominate more than one candidate, and where a Registration Officer has issued a certificate under paragraph (b) of subsection (3) in respect of a person's nomination of one candidate he shall refuse to issue a certificate in respect of that person's nomination of another candidate:

Provided that a person shall not be prevented from signing a nomination paper by reason only of his having signed that of a candidate who, has died or withdrawn his candidature before delivery of such first-mentioned nomination paper.

(8) A Registration Officer shall, save in the case provided for in subsection (7), when requested by or on behalf of a candidate to issue a certificate in respect of a nominator who is registered in the constituency of which he has charge, issue a certificate accordingly.

(9) The fact that, subsequent to primary nomination day, the name of a person who has nominated a candidate is deleted from a register of voters for the constituency shall not invalidate the nomination of the candidate.

Candidate to
be nominated
for one seat
only

Objections to
and decisions
as to
validity of
nomination
papers

28. No candidate may be nominated for election in more than one constituency.

29.-(1) Objection may be made to a nomination paper on all or any of the following grounds, but on no other grounds, namely—

- (a) that the description of the candidate is insufficient to identify him;
- (b) that the nomination paper does not comply with or was not delivered in accordance with the provisions of this Part;
- (c) that it is apparent from the contents of the nomination paper that the candidate is not qualified to stand for election;
- (d) that the requirements of subsection (3) of section 27 have not been complied with.

(2) No objection to a nomination paper shall be allowed unless it is made to the Returning Officer before four o'clock in the afternoon of the day following primary nomination day.

(3) The objection may be made by another candidate in the constituency or by the Returning Officer of his own motion and shall be in writing, signed by the objector, and shall specify the grounds, of objection.

(4) The Returning Officer shall, with the least possible delay, decide on the validity of every objection and inform the candidate concerned of his decision, and, if the objection is allowed, of the grounds of his decision.

(5) The decision of the Returning Officer that a nomination paper is valid or invalid shall be subject to review by way of an election petition presented pursuant to the provisions of Part VII on one or other of the grounds specified therein, but, save on such a petition, shall be final and conclusive and shall not be called in question in any court.

30.-(1) Where, after the determination of any objections under section 29, there are more than two candidates for election in a constituency, a meeting of the Annual District Conference of the Party for the district in which the constituency is situate shall be held as soon as is practicable.

(2) The Returning Officer and the supervisory delegates shall be entitled to attend the proceedings of a meeting of the Annual District Conference held for the purpose of this section.

(3) At a meeting of an Annual District Conference held for the purpose of this section-

- (a) the Returning Officer shall read to the meeting the names and particulars of the candidates as specified in their respective nomination papers; and
- (b) after each candidate has been given a fair and equal opportunity to answer questions by the members of the Annual District Conference then present, the meeting shall proceed, without further discussion, to vote by secret ballot on the candidates for each constituency for which the meeting is held and, on such a ballot, each member of the Annual District Conference present at the meeting may cast a preference for the candidate of his choice in each such constituency.

(4) The Returning Officer shall certify the number of preferences accorded to each candidate and shall forthwith send such certificates together with the nomination papers of the candidates to the National Executive Committee of the Party.

(5) The supervisory delegates shall report to the National Executive Committee of the Party any failure to accord a fair and equal opportunity to candidates, any non-compliance with the provisions of this section or with any rules of the Party not inconsistent therewith, or any other irregularity, at a meeting of an Annual District Conference held for the purpose of this section, or, if it be the case, shall report that there were no such irregularities.

Proceedings
where less
than three
candidates

31. Where after the determination of any objections under section 29, there is one candidate or there are two candidates only for election in a constituency, the Returning Officer shall forthwith send the nomination paper of such candidate or, as the case may be, the nomination papers of the candidates to the National Executive Committee of the Party.

(b) Final Nomination and Election Day

Approval
and selection
by National
Executive
Committee

32.-(1) When one or more candidates have been nominated at a primary nomination for an election in a constituency, the Secretary-General of the Party (or in his absence, the person acting for him), acting on the advice of the Chairman of the Commission, shall appoint a day for a meeting of the National Executive Committee of the Party for the final nomination of such candidate or candidates, and the National Executive Committee shall meet on that day and, if necessary, on succeeding days for such purpose.

(2) A meeting of the National Executive Committee held for the purpose of this section shall-

- (a) consider the nomination papers of the candidates, the certificates of the preferences accorded them at any meeting of the Annual District Conference, and any report of the supervisory delegates; and
- (b) unless, in the exercise of the powers conferred upon the National Executive Committee by section 28 of the Constitution, the meeting declines to approve or select a candidate or candidates, exercise its powers of approval or selection, as the case may be, in accordance with the provisions of that section,
- and every candidate approved or selected shall be deemed to have been finally nominated for the relevant election and constituency.

(3) The National Executive Committee shall forthwith after approving or selecting the candidate or candidates in a constituency, or as the case may be, declining to give its approval or make a selection, certify the same to the Electoral Commission:

Provided that where the National Executive Committee meets for the purpose of this section in respect of more than one constituency, it shall not be required to give its certificate until it has exercised its functions in respect of all the constituencies for which the meeting is convened other than those in which an election is countermanded.

(4) The Chairman of the Electoral Commission shall be entitled to be present at meetings of the National Executive Committee of the Party held for the purpose of this section.

One
candidate
only finally
nominated

33. Where only one candidate is finally nominated for an election in a constituency, such candidate shall be deemed to be elected and the Electoral Commission shall, by notice in the *Gazette*, declare him to have been elected.

Two
candidate
only finally
nominated
and election
day

34. Where two candidates are finally nominated for an election in a constituency, the Commission shall, by notice in the *Gazette*, appoint a day not less than forty days and not more than fifty days after the day on which they are deemed to have been finally nominated, to be election day in the constituency:

Provided that-

- (a) where there is more than one contested election during a general election, the Commission may appoint different election days for different constituencies; and
- (b) the Commission may revoke the appointment of an election day and appoint some other day within such period aforesaid to be election day.

Notice of
election

35.-(1) Where there is a contested election, the Returning Officer shall, on or before the eighth day before election day, give notice in the constituency in such manner as he may think fit, as to the following matters:-

- (a) the day or days and (subject to the provisions of subsection (4)) the time or times of commencement and close of the poll;
- (b) the address of the polling station or stations;
- (c) in any district where there is more than one polling station, the voters assigned to each polling station; and
- (d) the full names, addresses, occupations and representative symbols of the candidates.

(2) The day appointed for polling pursuant to the provisions of paragraph (a) of subsection (1) in any polling district may differ from that appointed for any other polling district in the same constituency:

Provided that-

- (a) election day for a constituency shall be the polling day for at least one polling district in that constituency; and
- (b) one day but not more than one day shall be appointed as polling day for each polling district; and
- (c) the last day appointed for polling in any polling district in any constituency shall be not later than such time after election day for that constituency as the Commission may appoint.

(3) Where the Returning Officer has appointed a polling day for a polling district pursuant to the provisions of this section, he may, where it appears to him to be in the public interest so to do, give notice in the constituency in such manner as he may think fit altering the polling day appointed for any polling district, and thereupon polling shall take place in that polling district on the polling day specified in such notice.

(4) For the purpose of paragraph (a) of subsection (1), the time of commencement of the poll shall be eight o'clock in the morning and the time of close of the poll shall be six o'clock in the evening or such earlier time as may be specified in the notice.

(c) Withdrawal, death and absence of candidates

Withdrawal
of
candidature

36. A candidate may withdraw his candidature by notice in writing signed by, and delivered by, him to the Returning Officer not later than the time when he is finally nominated.

Death of
candidates

37.-(1) Where, after four o'clock in the afternoon on primary nomination day and before the close of the poll in an election, a candidate in a constituency dies, the Returning Officer shall, upon being satisfied of the fact of death, countermand the election in the constituency.

(2) In any case where the Returning Officer countermands an election pursuant to the provisions of subsection (1), the Commission shall, by notice in the *Gazette*, appoint some other convenient day, not later than thirty days after such countermand, for the primary nomination of candidates for election in the constituency and the electoral procedure in that constituency shall be commenced afresh:

Provided that no new nomination shall be required in respect of a candidate who at the time of the countermand of the election had been validly nominated at the primary nomination.

Absence of
candidates

38. If-

(a) the National Executive Committee of the Party declines, in the exercise of the powers conferred on it by section 28 of the Constitution, to approve or select a candidate or candidates for a constituency on final nomination and there are, therefore, no candidates for the constituency; or

(b) after primary nomination day, there are no candidates in a constituency for any other reason,

the Commission shall, by notice in the *Gazette*, countermand the election and appoint some other convenient day, not later than thirty days after such countermand, for the primary nomination of candidates for election in the constituency and the electoral procedure in that constituency shall be commenced afresh.

PART IIIA

THE ELECTION CAMPAIGN

Campaign
to be
organized
by the Party

39.-(1) Where there is a contested election in a constituency-

(a) the District Executive Committee of the Party for the district in which the constituency is situated shall organize the election campaign on behalf of both the candidates and shall present them to the electorate at meetings convened for the purpose;

(b) no candidate at such election, nor any person acting on his behalf (whether or not such person is acting with the approval or consent of the candidate), shall convene or address any public meeting in the constituency for the purpose of furthering the candidate's

election, other than a meeting held by or under the auspices of the District Executive Committee, or undertaken any public or door-to-door canvassing save as may be permitted by the District Executive Committee.

(2) The District Executive Committee shall, in consultation with the supervisory delegates for the constituency, draw up a programme of meetings for every constituency situated within its district in which there is a contested election, and shall specify in such programme the time and place of each meeting, the person who shall take the chair thereat and the order of speaking (alternating at successive meetings) of the candidates. The programme shall not be altered without the approval of the supervisory delegates.

(3) In the organization and conduct of the election campaign the members of the District Executive Committee shall accord a fair and equal opportunity to each of the candidates.

Supervision
of campaign

39A.(1) The Organization and conduct of an electoral campaign in a constituency shall be subject to the supervision of supervisory delegates appointed for the constituency and such delegates shall be entitled to attend every meeting of the District Executive Committee at which the business of the electoral campaign is conducted and every meeting convened for the purpose of the campaign.

(2) The supervisory delegates appointed for a constituency shall bring to the notice of the District Executive Committee any failure to afford a fair and equal opportunity to candidates, any non-compliance with the provisions of this Part or with any rules of the Party made for the purposes of this Part, and any other irregularity during the election campaign, and shall, unless they are satisfied that any such failure, non-compliance or irregularity is not of such a nature as to affect significantly the conduct of the campaign and that steps are being taken to prevent its repetition, report the same to the Electoral Commission.

Symbols

39B.(1) For the purpose of enabling a candidate to assist voters to identify him when voting, a candidate shall be entitled to associate himself while electioneering with an approved symbol allotted to him by the National Executive Committee of the Party, and no candidate shall, while electioneering, associate himself with any to the symbol.

(2) The display of a symbol during the election campaign shall be subject to the control of the District Executive Committee of the Party.

Payments by
candidates

39c.-(1) Every candidate shall be responsible for his personal expenses during an election.

(2) A candidate in a contested election may remunerate, at such rates as the Commission may prescribe, one counting agent.

(3) Any payment to a person as a counting agent in excess of the rates prescribed by the Commission, any payment by or on behalf of a candidate to any other person who, assists a candidate at an election on account of such assistance, and any payment by or on behalf of a candidate for or on account of the transportation of voters to or from the poll, shall be deemed to be treating within the meaning of this Act.

(4) Save as provided in subsection (1) or (2) of this section, no candidate shall expend any sum in furtherance of his campaign for election."

6. Section 42 of the principal Act is hereby repealed and replaced by the following new section: -

"Polling
agent

42.-(1) The District Executive Committee of the Party for the district in which the constituency is situated may appoint one person to be known as a polling agent to attend at each polling station within the constituency for the purpose of detecting personation.

(2) Notice in writing of the appointment, stating the names and address of the polling agent, together with the polling station to which he has been assigned, shall be given to, the Returning Officer not later than seven days before election day.

(3) If any polling agent dies or becomes incapable of acting as such, another polling agent may be appointed in his place, and notice in writing shall be given forthwith to the Returning Officer and the presiding officer concerned of the name and address of the polling agent so appointed and the polling station to which he is appointed."

7. The principal Act is hereby amended by adding, immediately below section 46, the following new section: -

"Voting by
supervisory
delegates

46A.(1) Notwithstanding the provisions of section 46, a person appointed a supervisory delegate under paragraph (b) of subsection (1) of section 7A may vote in the constituency in which he is registered as a voter by writing the name of the candidate of his choice on a special ballot paper, and sending it to the Returning Officer for that constituency in a sealed envelope marked "Ballot".

(2) Ballot papers for the purposes of this section shall be provided by the Commission and may be obtained by supervisory delegates from the Returning Officer in the constituency for which they are appointed. Before issuing a special ballot paper to a supervisory delegate, a Returning Officer shall stamp the delegate's voting card with his official stamp and shall certify on the ballot paper that he has done so.

(3) Where a Returning Officer receives a special ballot paper from a person appointed a supervisory delegate who is registered as a voter in his constituency, he shall on election day in his constituency, if the paper is certified in accordance with subsection (2), detach the certificate and deliver it to the presiding officer and, in the presence of the presiding officer, place the ballot paper in a ballot box.

(4) A Returning Officer shall account to the Commission for every special ballot paper issued by him under this section and shall return to the Commission any such papers received by him but not issued."

Official discouragement of prospective candidates an offence

8. The principal Act is hereby amended by adding, immediately below section 71, the following new section: -

"Official discouragement of persons from seeking nomination, etc

71A. (1) Any person holding any official office or acting in any official capacity who, in the exercise of the functions of such office or in such capacity, makes any statement or does any act with intent to discourage any other person from seeking nomination under this Act or to procure any person who has been nominated to withdraw his candidature, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(2) No proceedings shall be instituted against any person for an offence contrary to this section without the prior consent of the Director of Public Prosecutions.

(3) In this section, official office and official capacity include not only an office in the service of the United Republic or a capacity in respect of the United Republic, but also any other office or capacity of or in the Party, any trade union, or any co-operative society and any other office or capacity the holder of which thereby occupies a position of influence in relation to the particular candidate or prospective candidate."

Additional offence relating to election campaign

9. Section 73 of the principal Act is hereby amended by deleting paragraph (b) and substituting therefor the following new paragraph: -

"(b) contravenes the provisions of subsection (1) of section 39B or of paragraph (b) of subsection (1) of section 39;"

10. The principal Act is hereby amended by adding, immediately below section 80, the following new section:-

"Bribery, treating and undue influence in relation to members of the District Executive Committee

80A.-(1) Where any person does any such act as is described in sections 78, 79 or 80 to or in respect of influence a member of the District Executive Committee which is charged with the organization and conduct of the relevant election campaign, or a supervisory delegate appointed for the constituency, with the intent that such member or delegate shall discriminate in favour of one or other of the candidates at the election, or where any such member or delegate does any such act as is so described on account of discriminating or having discriminated in favour of one or other of the candidates, he shall be deemed, according to the circumstances of the case, to be guilty of bribery, treating or undue influence within the meaning of this Act.

(2) For the purposes of this section, sections 78, 79 and 80 shall be read as if references to voters and to voting were references to such members and delegates and to such discrimination respectively, and as if the references to the intent specified therein were references to the intent specified in subsection (1) of this section."

Additional offences relating to bribery, treating and undue influence

11. Section 86 of the principal Act is hereby amended as follows:-

- (a) by inserting, immediately after the word "document" in the tenth line of subsection (1), the words "is authorized by the District Executive Committee of the Party and"; and
- (b) by adding, immediately below subsection (3), the following new subsection:—

"(4) Nothing in this section applies to any bill, placard, poster or document published by or on behalf of the Commission or the Returning Officer."

12. Part VI of the principal Act (which comprises sections 88 to 98 inclusive) is hereby repealed.

Election addresses, etc, require authority of District Executive Committee

Provisions relating to election expenses repealed

13.-(1) Section 99 of the principal Act is hereby amended by inserting, immediately below subsection (1), the following new subsection:-

"(1A) Save in respect of any non-compliance with the provisions of subsection (2), (3), (4) or (5) of section 28 of the Constitution, the proceedings of a meeting of any Annual District Conference or the National Executive Committee of the Party which is held for the purposes of this Act shall not be subject to review in any court, either by way of an election petition or otherwise, and any question of such non-compliance shall be raised, in the first instance, on an election petition and not otherwise. The following provisions of this section shall have effect subject to the provisions of this subsection."

Additional grounds for avoidance of election on election petition

(2) Subsection (2) of section 99 of the principal Act is hereby amended by inserting, immediately below paragraph (b), the following new paragraph and proviso:-

"(bb) that, during the election campaign, statements have been made by the candidate, or on his behalf and with his knowledge and consent or approval, with intent to exploit tribal, racial or religious issues or differences pertinent to the election or relating to either of the candidates or, where the candidates are not of the same sex, with intent to exploit such difference:

Provided that no petition may be presented on the grounds set out in this paragraph without the consent in writing of not less than two of the supervisory delegates appointed for the relevant constituency;"

Replacement of certain forms

14. The First Schedule to the principal Act is hereby amended by deleting Forms 8, 9 and 12, and by substituting for Forms 8 and 9 the following new forms:-

FORM 8 (page 1)

The National Assembly (Elections) Act, 1964 (Section 27)

NOMINATION PAPER

To be submitted in DUPLICATE

..... Constituency

To: The Chairman, Electoral Commission.

We, the undersigned, being registered voters to the above constituency do hereby nominate:

(Name) (see footnote) of (address) (occupation) to stand as candidate for election in the constituency in the General /*by-election, nominations for which are required to be delivered on. . .

Dated this day of 19..

Table with 4 columns: Name of Nominator, Residence, Number of voting card, Signature or Thumb Print. Rows numbered 1 to 25.

And 1, (full names) , the candidate nominated herein, hereby certify that I am willing and otherwise qualified to stand for election at such election.

Received by me at o'clock on the day of 19

Signature of candidate

Signature of Returning Officer

CERTIFICATE OF THE REGISTRATION OFFICER

I have inspected all the names of those who nominated the candidate herein and I certify that they are all registered as voters in the Registers of Voters of this Constituency.

Date Registration Officer

CERTIFICATE OF THE RETURNING OFFICER

I hereby certify that the Primary nomination of the candidate named herein was considered by the Annual District Conference of the

District held on and that the candidate was accorded votes

Date Returning officer

FOR THE USE OF THE NATIONAL EXECUTIVE COMMITTEE

The primary nomination of the candidate named herein was considered at a Meeting of the National Executive Committee of the Party held on and *was approved

*the candidate was/*was not selected to contest the election

*the Committee declined to exercise its functions of approval and selection.

The symbol allotted to the candidate is

Date Secretary-General

FOR THE USE OF THE ELECTORAL COMMISSION

Received by me on the day of 19

Chairman, Electoral Commission

Note.-Only one name can be printed in BOLD characters on the Ballot Paper. The name which the candidate desires to use for this Purpose must be entered first and followed by his other names in full.

*Delete whichever is inapplicable.

BIOGRAPHICAL DETAILS OF CANDIDATE

(page 2)

- 1. Full names
2. Present occupation
3. Date and place of birth
4. (a) Residential address
(b) Postal address
5. (a) Date of you enrolment as a member of the Party
(b) Place of enrolment
(c) Number of membership-card
6. (a) Date of your first employment
(b) Name of employer
7. (a) Have you since changed your occupation
(b) If so state details

- 8. Membership of organizations other than the Party:
.....
- 9. State briefly your personal background-
.....

I solemnly declare that all particulars entered on this form are, to the best of my knowledge and belief, correct.

Date

Signature of Candidate

FORM 9

The National Assembly (Elections) Act, 1964
(Section 27)

STATUTORY DECLARATION OF A PERSON NOMINATED AT A PRIMARY
NOMINATION AS A CANDIDATE FOR ELECTION

I, do solemnly and sincerely declare that-

- 1. I am a citizen of Tanzania.
- 2. I am not less than twenty-one years of age.
- 3. I am a member of the Party.
- 4. I further declare that I am not disqualified for election under the provisions of the Constitution.

I make this solemn declaration conscientiously believing the same to be true.

Signed and solemnly declared by me
this day of 19-
Before me (Magistrate)".

Consequential and minor amendments

15.-(1) The principal Act shall be read and construed as if the references to a polling agent of a candidate were references to the polling agent appointed by the District Executive Committee of the Party.

(2) The provisions of the principal Act set out in the first column of the Schedule hereto are hereby amended in the manner set out opposite thereto in the second column of the Schedule.

THE SCHEDULE

COLUMN 1	COLUMN 2
Section 3 (1)	In the definition "election day" delete the figures "38" and substitute the figures "34". In the definition "polling station" delete the figures "39" and substitute the figures "35".
Section 13 (3)	Insert, after the word "closed" in the second line, the commas and words ", either generally or with such exceptions as may be specified therein," and after the words and comma "constituency, and" in the fourth line the brackets and words "(subject to any exceptions specified in the notice)".
Section 14	Re-number the section as subsection (1), delete the full stop at the end of the subsection, substitute therefore a colon, and add the following new proviso:-

COLUMN 1

COLUMN 2

"Provided that nothing in this Act shall render invalid the registration of a person qualified for registration in a polling district other than the polling district in which he is ordinarily resident, if such person is ordinarily resident in some other polling district in the same constituency and is not registered in that other polling district, and if such first mentioned registration was inadvertent."

Insert, immediately below the said subsection (1), the following new subsection: -

"(2) Notwithstanding the provisions of subsection (1), where a person who is qualified for registration is in the service of the United Republic outside Tanzania, he may, if the Electoral Commission consents thereto and he is not already registered in any polling district, be registered as a voter in the register of the polling district in which he was last ordinarily resident in Tanzania or, at his option, at a polling district for a constituency in Dar es Salaam."

- Section 17 Delete the words "before a magistrate" in the fifth and sixth lines
- Section 40 Delete the figures "39" and substitute the figures "35".
- Section 41 (a) Delete the figures "39" and substitute the figures "35".
- Section 44 (a) Delete the word "back" and substitute the words "ballot paper"
- Section 44 (d) Delete the words "the back of".
- Section 52 (1) (c) Insert, after the word "paper", the words "in the third line certificate under section 46A"
- Section 57 Insert a full stop after the word "upwards" in the third line and delete the remainder of the section.
- Section 58 (b) Insert, after the word "section" in the third line, the comma words and figures ", except a special ballot paper within the meaning of section 46A"
- Section 58 (c) Delete the word "back" and substitute therefor the words "ballot paper"
- Section 60 (b) Insert, immediately after the word "section" in the third line, the brackets, words and figures "but not including votes recorded on a special ballot paper within the meaning of section 46A"
- Section 66 (1) Delete the full stop at the end of subsection (1) and insert the following: - "other than nomination papers and certificates of preferences delivered to the National Executive Committee of the Party. The Commission shall be responsible for the safe custody of such nomination papers as are delivered to it."
- Section 74 (4) Insert a full stop after the words "has voted" in the sixth line and delete the remainder of the section.
- Section 74 (5) Delete the words "ascertain or attempt to ascertain, at such counting the number on the back of any ballot paper or"
- Section 99 (3) (a) Delete the words "or by his election agent" and "his election agent"
- Section 99 (3) (b) Delete the words "and his election agent"
- Section 100 (a) Delete the words "election agent or of another" in the second line,
- Section 100 (b) Delete the words "election agent or other" in the second line.
- Section 105 (1) (a) Delete the words and comma "or by his election agents,"
- Section 105 (4) Delete the words and comma "or by the election agent of a candidate," in the third line.
- Section 106 (1) Delete the proviso.
- Section 106 (b) Proviso (b)
- Section 107 (1) (a) Substitute a colon for the semi-colon at the end thereof and add the following new proviso to the paragraph: "Provided that nothing in this paragraph shall authorize the striking off of the vote of a candidate;"

COLUMN 1

Section 113

Section 117

The First
Schedule,
Form 4

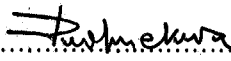
COLUMN 2

Insert, after the word and figure "section 7" in the third line,
the words "and supervisory delegates".

Insert, after the figure "17", the comma and figure ", 27".

Delete the bracket and word "(Magistrate)" in the subscription.

Passed in the National Assembly on the fifth day of July, 1965.


.....
Clerk of the National Assembly