

THE UNITED REPUBLIC OF TANZANIA



No. 7 OF 1966

I ASSENT,

Julius K. Nyerere
President

6TH JANUARY, 1966

An Act to amend the Municipalities Ordinance

[7TH JANUARY, 1966]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Municipalities Ordinance (Amendment) Act, 1965, and shall be read as one with the Municipalities Ordinance. Short title and construction Cap. 105

2. Section 19 of the Municipalities Ordinance is hereby repealed and replaced by the following new section:— Section 19 of Cap. 105 repealed and replaced

“Absence of councillors from meetings

19.—(1) Any councillor who—

(a) without leave of absence or the prior written permission of the mayor absents himself from three consecutive ordinary meetings of the council; or

(b) without leave of absence or the prior written permission of the chairman of the committee absents himself from three consecutive meetings of any committee to which he has been appointed by the council,

shall forthwith cease to be a councillor.

(2) A council may grant leave of absence from meetings of the council for a period not exceeding nine months to any councillor who wishes to proceed out of Tanzania:

Provided that if any councillor is absent from Tanzania for a period exceeding nine months he shall forthwith cease to be a councillor.

(3) Notwithstanding paragraph (b) of subsection (1) of this section, the absence of a councillor from a meeting of a committee of a council before the commencement of the Municipalities Ordinance (Amendment) Act, 1965 shall not be taken into account in determining whether he ceases to be a councillor under that subsection.”.

Section 25
of Cap. 105
amended

3. Section 25 of the Municipalities Ordinance is hereby amended as follows:—

- (a) by deleting from the fourth and fifth lines of subsection (1) the comma and words “, medical officer of health and African Affairs officer” and by substituting therefor the words “and medical officer of health”;
- (b) by deleting from the third and fourth lines of the first proviso to subsection (2) the comma and words “, medical officer of health or African Affairs officer” and by substituting therefor the words “or medical officer of health”.

Section 28
of Cap. 105
amended

4. Section 28 of the Municipalities Ordinance is hereby amended by deleting from the second and third lines of paragraph (c) of subsection (1) the comma and words “, the municipal engineer and the African Affairs officer” and by substituting therefor the words “and the municipal engineer”.

Section 54
of Cap. 105
amended

5. Section 54 of the Municipalities Ordinance is hereby amended as follows:—

- (a) by inserting, immediately below paragraph (14) the following new paragraph:—

“(14A) to establish, maintain and control pounds for dogs, cats and any other animal;”;
- (b) by inserting, immediately below paragraph (29) (bb), the following new sub-paragraph:—

“(bbb) to establish, maintain and operate midwifery services, including domiciliary midwifery services;”.

Section 70
of Cap. 105
amended

6. Section 70 of the Municipalities Ordinance is hereby amended by inserting, immediately after the word and comma “seizure,” in paragraph (35), the word and comma “impounding.”.

Section 75
of Cap. 105
amended

7. Section 75 of the Municipalities Ordinance is hereby amended by deleting the first four lines thereof and by substituting therefor the following:—

“There may be annexed to the breach of any by-law such penalty not exceeding one thousand shillings or such term of imprisonment not exceeding six months, or both such fine and imprisonment as the authority making the same may prescribe therein and, subject to the foregoing limitations, different fines and terms of imprisonment may be imposed for successive breaches, and an additional fine or fines imposed for continuous breaches, of any by-law.”.

8. Section 77 of the Municipalities Ordinance is hereby amended by deleting subsection (1) and by substituting therefor the following new subsection:—

Section 77
of Cap. 105
amended

“(1) The Council may, by by-laws made under section 70 of this Ordinance, prescribe and charge reasonable fees, charges and tariffs in relation to any licence, permit or other instrument or document granted or issued thereunder or in respect of any place, trade, occupation or matter which it is empowered by or under this Ordinance to inspect or supervise.”.

9. Section 81 of the Municipalities Ordinance is hereby amended as follows:—

Section 81
of Cap. 105
amended

- (a) by renumbering the same as subsection (1) of section 81; and
(b) by adding immediately below subsection (1) the following new subsection:—

“(2) Where any person is convicted of failing to comply with, or of contravening, any condition subject to which a licence, permit or other authority has been granted to him under the provisions of any by-law made under this Ordinance, the court which convicts him may, on the application of the council, cancel or suspend for a period not exceeding six months the licence, permit or authority in respect of which the offence was committed.

(3) The powers conferred on a court by this section may be exercised in addition to, or in substitution for, any penalty prescribed by the law or by-laws.”.

Passed in the National Assembly on the twenty-third day of December, 1965.


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Clerk of the National Assembly