

THE UNITED REPUBLIC OF TANZANIA



No. 26 OF 1970

I ASSENT,

Tulius K. Oyero
President

25TH JULY, 1970

**An Act to repeal the East African Industrial Licensing Ordinance
and to provide for matters consequential thereto**

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY

1. This Act may be cited as the East African Industrial Licensing Ordinance (Repeal) Act, 1970, and shall come into operation on such date as the East African Industrial Licensing Act, 1970, enacted by the Community comes into operation.

2. In this Act, unless the context otherwise requires—
“the Community Act” means the East African Industrial Licensing Act, 1970 of the Community;

“effective date” means the date on which this Act comes into operation;

“the former Council” means the East African Industrial Council established by the East Africa High Commission under the East African Industrial Council Order, 1962;

“the former Tribunal” means the Appeal Tribunal established by section 19 of the repealed Ordinance;

“repealed Ordinance” means the East African Industrial Licensing Ordinance;

PART II

REPEAL

3. The East African Industrial Licensing Ordinance is hereby repealed.

PART III

CONSEQUENTIAL AND TRANSITIONAL PROVISIONS

Provisions
of this
Part to
apply

4. Notwithstanding the repeal of the repealed Ordinance by this Act and the revocation of the East African Industrial Council Order, 1962 by the Community Act, the provisions of this Part shall apply.

Pending
applications

5. Where immediately preceding the effective date of any application for or in relation to a licence for the manufacture for sale of any article or for the erection, operation or establishment of any factory for the manufacture for sale of any article or for any declaration, is pending before the former Council—

- (a) if the former Council has not proceeded to hear such application, the application shall be heard by the East African Industrial Council established by the Community Act as if such application had been made to that Council;
- (b) if the former Council has, prior to the effective date, heard in part or in whole such application, the former Council shall continue with the hearing and shall dispose of same as if this Act had not been enacted.

Pending
appeals

6. Where immediately before the commencement of this Act any appeal against a decision, determination or order made or given by the former Council is pending before the former Tribunal—

- (a) if the former Tribunal has not proceeded to hear the appeal, the Appeals Tribunal established by the Community Act shall have jurisdiction to hear and determine the appeal as if it were an appeal from a decision, determination or order given or made by the East African Industrial Licensing Council established by the Community Act;
- (b) if at any time before the effective date the former Tribunal has heard in part or in whole such appeal, the former Tribunal shall continue to hear and dispose of the appeal as if this Act had not been enacted.

Appeals
against
decision
of former
Council

7. Where before the effective date the former Council has, in the exercise of the powers conferred upon it by repealed Ordinance—

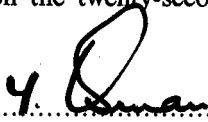
- (a) granted or refused to grant any licence; or
- (b) made or refused to make any order in relation to a licence; or
- (c) made or refused to make any declaration,

the person who could, under the provisions of the repealed Ordinance, have appealed against the decision of the former Council to the former Tribunal, may appeal against such decision to the Appeals Tribunal established by the Community Act, and such Appeals Tribunal shall have jurisdiction to hear such appeal as if it were an appeal from a decision, determination or order given or made by the East African Industrial Licensing Council established by the Community Act.

8. Where under the provisions of this Part the East African Industrial Licensing Council and the Appeals Tribunal established by the Community Act have jurisdiction to hear and determine any application or appeal, the Council or, as the case may be, the Appeals Tribunal, shall exercise such jurisdiction in accordance with the provisions of the Community Act and subject to limitations, if any, imposed by that Act. ^{Jurisdiction and procedure}

9. Every licence granted by the former Council under the repealed Ordinance and every declaration made by the former Council which are in force immediately preceding the effective date, shall be deemed to be a licence granted under the Community Act or, as the case may be, a declaration made in accordance with the provisions of that Act, and shall continue in force accordingly. ^{Saving of licences granted under repealed Ordinance}

Passed in the National Assembly on the twenty-second day of July, 1970.


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Acting Clerk of the National Assembly