

THE UNITED REPUBLIC OF TANZANIA



No. 11 OF 1972

I ASSENT,

*Julius K. Nyerere*  
.....  
President

11TH MAY, 1972

**An Act to remove the Disqualification of certain Public Officers  
from being elected as Members of the National Assembly**

[12TH MAY, 1972]

WHEREAS section 27 of the Interim Constitution of Tanzania, 1965, in subsection (2), provides that subject to such exceptions and limitations as may be prescribed by an Act of Parliament a person who holds or acts in any office or appointment in the service of the United Republic shall not be qualified for election as a constituency member:

AND WHEREAS it is in the public interest that certain categories of public officers should cease to be disqualified from election as constituency members:

NOW, THEREFORE, be it enacted by the Parliament of the United Republic as follows:—

1. This Act may be cited as the Public Officers (Eligibility for Election as Constituency Members) Act, 1972 and shall be read as one with the Interim Constitution of Tanzania, 1965. Short title and construction

2. This Act shall apply to a public officer who is a public officer by virtue of— Application

(a) holding a Civil Service Office as defined in the Civil Service Act, 1962; or Cap. 509

(b) holding a judicial office as defined in the Judicial Service Act, 1962; or Cap. 508

(c) holding the office of Area Commissioner; or

(d) being a member of the Unified Teaching Service established by the Unified Teaching Service Act, 1962; or Cap. 463

- Acts, 1968  
No. 44
- Cap. 553
- Acts, 1966  
No. 24
- (e) being a member of the Police Force; or
  - (f) being a member of the Unified Co-operative Service established by the Unified Co-operative Service Act, 1968; or
  - (g) being an officer or a member of the National Service established by the National Service Act, 1964; or
  - (h) being an employee of a local authority; or
  - (i) being an officer or member of the Tanzania People's Defence Forces established by the National Defence Act, 1966.

Public officers to cease to be disqualified for election

3. A public officer to whom this Act applies shall not be disqualified from being elected as a constituency member of the National Assembly by reason only of his holding a public office specified in section 2.

Public officer elected as member of National Assembly not to be required to resign

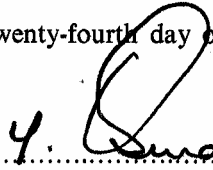
4. No public officer to whom this Act applies and who is elected as a constituency member of the National Assembly or is otherwise appointed or nominated as a member of the National Assembly shall be required to resign from or to vacate the public office by reason only of his being so elected, appointed or nominated and any requirement in the terms and conditions of his service as such public officer (whether such terms and conditions are prescribed by or under any written law or are incorporated or otherwise form part of the contract of service pursuant to which he was appointed to such public office) requiring him to resign from or vacate such public office upon, or rendering him liable to any disciplinary punishment by reason of, his being so elected, appointed or nominated shall cease to have effect:

Provided that nothing in this section shall be construed as exempting such public officer from compliance with other terms and conditions of his service as such public officer.

Where a member of National Assembly appointed to public office

5. Where a member of the National Assembly is appointed to any public office specified in section 2 he shall not be required to vacate his seat in the National Assembly by reason only of such appointment.

Passed in the National Assembly on the twenty-fourth day of April, 1972.

  
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Clerk of the National Assembly