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ACT SUPPLEMENT

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THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) ACT,
2023

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THE UNITED REPUBLIC OF TANZANIA



NO. 5 OF 2023

I ASSENT

SAMIA SULUHU HASSAN
President

[5th July, 2023]

An Act to amend certain laws.

ENACTED by the Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

Short title

1. This Act may be cited as the Written Laws (Miscellaneous Amendments) Act, 2023.

Amendment of certain laws

2. The written laws specified in various Parts of this Act are amended in the manner specified in their respective Parts.

PART II
AMENDMENT OF THE ARCHITECTS AND QUANTITY SURVEYORS (REGISTRATION) ACT, (CAP. 269)

Construction Cap. 269

3. This Part shall be read as one with the Architects and Quantity Surveyors (Registration) Act,

hereinafter referred to as the “principal Act”.

Amendment
of section 2

4. The principal Act is amended in section 2-
- (a) in the definition of the term “architect”, by adding the words “architectural technologist” immediately after the words “landscape architect”;
 - (b) in the definition of the term “construction work”, by adding the words “civil engineering and services” immediately after the words “similar to buildings” appearing at the end of paragraphs (c) and (d);
 - (c) in the definition of the term “design and build”, by adding the words “or construction work” immediately after the word “building”;
 - (d) in the definition of the term “register”, by adding the words “project managers” immediately after the word “surveyors”; and
 - (e) in the definition of the term “project management”, by adding the words “or construction” immediately after the word “buildings”;
 - (f) by deleting the definition of the terms “graduate architect”, “graduate quantity surveyor” and substituting for them the following:
 - ““graduate architect” means any person registered as such under this Act and includes a graduate interior designer, graduate landscape architect, graduate architectural technologist, graduate furniture architect, graduate conservation architect or graduate naval architect;
 - “graduate quantity surveyor” means any person registered as such under this Act and includes a graduate building surveyor, graduate construction economist, graduate

- construction manager or graduate building economist;” and
- (g) by adding in the appropriate alphabetical order the following definition:
- “services” means architectural or quantity surveying professional services that are provided by architects, quantity surveyors or firms referred to under section 36;”.

Amendment
of section 4

5. The principal Act is amended in section 4, by-
- (a) deleting subsection (1) and substituting for it the following:

“(1) The Board shall consist of nine members who shall be appointed by the Minister as follows:

- (a) a Chairman who shall be an architect or a quantity surveyor with at least ten years experience in the construction industry and proven tangible contribution to the sector;
- (b) one registered architect representing the Architects Association of Tanzania;
- (c) two representatives from architectural and quantity surveying training institutions, one being a registered architect and the other being a registered quantity surveyor;
- (d) one registered quantity surveyor appointed from the Tanzania Institute of Quantity Surveyors;
- (e) a Law Officer representing the Attorney General;
- (f) one senior officer from the Ministry responsible for local government who shall be either

an architect, quantity surveyor or town planner;

- (g) one senior officer from the Ministry responsible for construction; and
- (h) one senior officer from the Ministry responsible for lands who shall be a town planner with experience in the building industry.”.

(b) deleting subsection (2); and

(c) renumbering subsections (3) and (4) as subsections (2) and (3) respectively.

Amendment
of section 10

6. The principal Act is amended in section 10(1) by inserting the words “project managers” between the words “surveyors” and “architectural”.

Amendment
of section 12

7. The principal Act is amended in section 12, by-

(a) deleting subsection (1) and substituting for it the following:

“(1) A person shall be eligible for registration in the register if that person-

- (a) holds a degree or the equivalent qualification from an approved training institution in any of the following fields:

- (i) architecture;
- (ii) interior design;
- (iii) landscape architecture;
- (iv) furniture architecture;
- (v) conservation architecture;
- (vi) architectural technology;
- (vii) naval architecture;
- (viii) quantity survey;
- (ix) building economics;
- (x) construction

- economics;
- (xi) building survey;
- (xii) construction management; or
- (xiii) any other related field as the Board may determine;

- (b) has done a minimum of two years supervised work in a practising firm in Tanzania after graduating from a recognised college or university and passed the professional examination conducted by the Board; and
- (c) is a member of the Architects Association of Tanzania or Tanzania Institute of Quantity Surveyors, as the case may be.”;

(b) adding immediately after subsection (1) the following:

“(2) A person shall be eligible for registration in the sub-register if-

- (a) that person holds a degree or equivalent qualification from an approved training institution in any of the following fields:
 - (i) architecture;
 - (ii) interior design;
 - (iii) landscape architecture;
 - (iv) furniture architecture;
 - (v) conservation architecture;
 - (vi) architectural technology;
 - (vii) naval architecture;
 - (viii) quantity survey;

- (ix) building economics;
- (x) construction economics;
- (xi) building survey;
- (xii) construction management;
- (xiii) architectural drafting; or
- (xiv) any other related field as the Board may determine;

- (b) that person's general conduct is, in the opinion of the Board, sufficient to make him a proper person to be registered under this Act.”; and
- (c) renumbering subsections (2), (3) and (4) as subsections (3), (4) and (5) respectively.

Amendment
of section 13

8. The principal Act is amended in section 13(2) by deleting the words “entered into a joint venture agreement with a local firm” appearing in paragraph (e) and substituting for them the words “engaged a local registered person for the purpose of local capacity building”.

Amendment
of section 14

9. The principal Act is amended in section 14(2) by deleting the word “or” appearing in paragraph (a) and substituting for it the word “and”.

Amendment
of section 18

10. The principal Act is amended in section 18 by adding immediately after subsection (3) the following:

“(4) Notwithstanding subsections (1) and (2), a person registered by the Board under section 12(1) may offer the following services as an individual:

- (a) buildings or construction works as provided in paragraph 2 of the Second Schedule to this Act; or

- (b) consultancy services including technical audit, quality control, evaluation of bids, value engineering, probe teams, arbitration and other related services as may be determined by the Board.

(5) The Board shall issue guidelines for the better carrying out of the provisions of subsection (4).”.

Amendment
of section 33

11. The principal Act is amended in section 33 by deleting the word “register” appearing in the opening phrase to subsection (2) and substituting for it the word “sub-register”.

Amendment
of section 36

12. The principal Act is amended in section 36, by-

- (a) adding the words “or any other services as may be determined by the Board” immediately after the word “management” appearing at the end of subsection (2);
- (b) adding the words “or any other services as may be determined by the Board” immediately after the word “project” appearing at the end of subsection (3); and
- (c) inserting the words “or construction” between the words “building” and “works” appearing in subsection (4).

Amendment
of section 37

13. The principal Act is amended in section 37-
- (a) in subsection (1), by deleting the words “architectural or a quantity surveying firm” and substituting for them the words “architect and a quantity surveyor in all stages of the project”;
 - (b) by deleting subsections (5) and (6);
 - (c) in subsection (7) as renumbered by inserting the words “or construction” between the words “building” and “project”

- (d) by renumbering subsections (7), (8), (9) and (10) as subsections (5), (6), (7) and (8) respectively.

Amendment
of section 46

14. The principal Act is amended in section 46 by deleting the phrase “as the Board may determine in consultation with the Minister” and substituting for it the phrase “as may be determined by the relevant authority”.

Amendment
of section 53

15. The principal Act is amended in section 53(i) by deleting the words “students and candidates” and substituting for them the words “graduates and candidates for Board’s examinations”.

PART III
AMENDMENT OF THE MEDIA SERVICES ACT,
(CAP. 229)

Construction
Cap. 229

16. This Part shall be read as one with the Media Services Act, hereinafter referred to as the “principal Act”.

Amendment
of section 5

17. The principal Act is amended in section 5, by-
(a) deleting paragraph (l); and
(b) renaming paragraphs (m) and (n) as paragraphs (l) and (m) respectively.

Amendment
of section 38

18. The principal Act is amended in section 38 by deleting subsection (3).

Amendment
of section 50

19. The principal Act is amended in section 50-
(a) in subsection (1), by-
(i) deleting paragraph (a)(ii);
(ii) deleting paragraph (c)(ii);
(iii) deleting the phrase “commits an offence and upon conviction shall be liable to a fine of not less than five million shillings but not exceeding twenty million shillings or to imprisonment for a period of not less

than three years but not exceeding five years or to both” and substituting for it the phrase “commits an offence and shall, on conviction, be liable to a fine of not less than three million shillings but not exceeding ten million shillings or to imprisonment for a period of not less than two years but not exceeding five years or to both.”;

(iv) deleting the word “or” appearing at the end of paragraphs (a)(i) and (c)(i);

(v) designating the contents of paragraphs (a)(i) and (c)(i) as paragraphs (a) and (c) respectively; and

(b) in subsection (2), by deleting the phrase “commits an offence and upon conviction, shall be liable to a fine of not less than five million shillings but not exceeding twenty million shillings or to imprisonment for a period of not less than three years but not exceeding five years or to both” and substituting for it the phrase “commits an offence and shall, on conviction, be liable to a fine of not less than three million shillings but not exceeding ten million shillings or to imprisonment for a period of not less than two years but not exceeding five years or to both.”.

Amendment
of section 51

20. The principal Act is amended in section 51(1) by deleting the phrase “commits an offence and shall be liable upon conviction for the first offence to a fine of not less than five million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both, and for a subsequent offence, to a fine of not less than eight million shillings but not exceeding twenty million shillings or to imprisonment for a term of not less than five years but not exceeding ten years” and substituting for it the phrase “commits an offence and shall, on conviction, be liable-

- (a) in the case of the first offence to a fine of not less than two million shillings but not exceeding five million shillings or to imprisonment for a term of not less than one year but not exceeding three years or to both; and
- (b) in the case of a subsequent offence, to a fine of not less than five million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than one year but not exceeding three years.”.

Amendment
of section 53

21. The principal Act is amended in section 53-

- (a) in subsection (1), by deleting the phrase “commits an offence and shall be liable upon conviction, in the case of the first offender to a fine of not less than five million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both, and for a subsequent offence, to a fine of not less than seven million shillings but not exceeding twenty million shillings or to imprisonment for a term of not less than five years but not exceeding ten years or to both” and substituting for it the phrase “commits an offence and shall, on conviction, be liable-
 - (a) in the case of the first offence, to a fine of not less than three million shillings but not exceeding five million shillings or to imprisonment for a term of not less than one year but not exceeding three years or to both; and
 - (b) in the case of a subsequent offence, to a fine of not less than five million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both.”;
- (b) in subsection (2), by deleting the phrase

“commits an offence and shall be liable upon conviction, in the case of first offender to a fine of not less than two million shillings but not exceeding five million shillings or to imprisonment for a term of not less than two years but not exceeding five years or to both, and for a subsequent offence to a fine of not less than three million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than three years but not exceeding ten years or to both” and substituting for it the phrase “commits an offence and shall, on conviction, be liable -

- (a) in the case of a first offence, to a fine of not less than two million shillings but not exceeding three million shillings or to imprisonment for a term of not less than one year but not exceeding three years or to both; and
- (b) in the case of a subsequent offence, to a fine of not less than three million shillings but not exceeding five million shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both.”;
- (c) by deleting subsections (4) and (5);
- (d) by deleting subsection (6) and substituting for it the following:

“(6) When the proprietor, publisher or editor of a newspaper is convicted of printing or publishing a seditious publication in a newspaper, the court may, in addition to any other penalty it may impose, make an order prohibiting any further publication of the newspaper for a period of not less than twelve months but not exceeding three years.”;
- (e) by deleting subsection (7);
- (f) in subsection (8), by deleting the phrase “commits an offence, and shall be liable upon conviction, to a fine of not less than five

million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than three years but not exceeding five years or to both” and substituting for it the phrase “commits an offence, and shall, on conviction, be liable, to a fine of not less than three million shillings but not exceeding five million shillings or to imprisonment for a term of not less than two years but not exceeding three years or to both.”; and

(g) by renumbering subsections (6) and (8) as subsections (4) and (5), respectively.

Amendment
of section 54

22. The principal Act is amended in section 54(1) by deleting the phrase “commits an offence and shall be liable upon conviction to a fine of not less than ten million shillings but not exceeding twenty million shillings or to imprisonment for a term of not less than four years but not exceeding six years or to both” and substituting for it the phrase “commits an offence and shall, on conviction, be liable, to a fine of not less than three million shillings but not exceeding five million shillings or to imprisonment for a term of not less than one year but not exceeding three years or to both”.

Amendment
of section 55

23. The principal Act is amended in section 55(2) by deleting the phrase “be liable to a fine of not less than fifteen million shillings but not exceeding twenty five million shillings”, and substituting for it the phrase “be liable to a fine of not less than ten million shillings but not exceeding fifteen million shillings”.

Amendment
of section 63

24. The principal Act is amended in section 63-
(a) in subsection (1), by deleting the phrase “commits an offence, and on conviction shall be liable to a fine of five million shillings or imprisonment for a term of one year, or to both”, and substituting for it the phrase “commits an offence and shall, on conviction, be liable to a fine of not less than two million

shillings but not exceeding five million shillings or to imprisonment for a term of not less than one year but not exceeding three years or to both.”; and

- (b) in subsection (2), by deleting the phrase “liable to a fine of ten million shillings or imprisonment for a term of seven years”, and substituting for it the phrase “liable to a fine of not less than five million shillings but not exceeding seven million shillings or to imprisonment for a term of not less than three years but not exceeding five years.”.

Amendment
of section 64

25. The principal Act is amended in section 64(2)-

- (a) in paragraph (a), by deleting the phrase “to a fine of not less than ten million shillings but not exceeding twenty million shillings or imprisonment for a term of not less than three years or to both” and substituting for it the phrase “to a fine of not less than five million shillings but not exceeding ten million shillings or imprisonment for a term of not less than three years but not exceeding five years or to both.”; and
- (b) in paragraph (b), by deleting the phrase “to a fine of not less than fifteen million shillings but not exceeding twenty five million shillings or imprisonment for a term of not less than three years or to both” and substituting for it the phrase “to a fine of not less than five million shillings but not exceeding ten million shillings or imprisonment for a term of not less than three years but not exceeding five years or to both”.

PART IV
AMENDMENT OF THE MEDICAL STORES DEPARTMENT ACT,
(CAP. 70)

Construction
Cap. 70

26. This Part shall be read as one with the Medical Stores Department Act, hereinafter referred to as the “principal Act”.

Amendment
of section 6

27. The principal Act is amended in section 6 by-
(a) deleting subsection (1) and substituting for it the following:

“(1) The Board shall be composed of the Chairman appointed by the President and eight other members appointed by the Minister as follows:

- (a) the Director responsible for primary health from the Ministry responsible for primary healthcare services;
- (b) the Commissioner for Budget or his representative from the Ministry responsible for finance;
- (c) the Director responsible for registration of medicine or medical devices or his representative from the authority responsible for medical devices;
- (d) the Director responsible for diagnostic services or his representative from the Ministry responsible for health;
- (e) a law officer representing the Attorney General; and
- (f) three other members with qualifications in any of the following fields:
 - (i) accountancy;
 - (ii) pharmacy;
 - (iii) medicine or diagnostics;
 - (iv) supply chain management; or

- (v) information and communication technology.”; and
- (b) deleting subsection (2) and substituting for it the following:
 - “(2) In appointing members under subsection (1)(f), the Minister shall ensure that at least one member is from the private sector.”

PART V
AMENDMENT OF THE NATIONAL LEADERS’ FUNERALS
ACT,
(CAP. 419)

Construction
Cap. 419

28. This Part shall be read as one with the National Leaders’ Funerals Act, hereinafter referred to as the “principal Act”.

Repeal and
replacement
of section 6

29. The principal Act is amended by repealing section 6 and replacing for it the following:

“Death
announcement

6.-(1) The President shall, immediately after the occurrence of death of a national leader or serving specified leader, announce death of such leader in accordance with the provisions of this Act.

(2) The serving specified leader shall, immediately after occurrence of death of the retired specified leader, announce such death in accordance with the provisions of this Act.

(3) Where death occurs while the President or serving specified leader is not in the United Republic or not in office for any reason, the person for the time being discharging functions of the-

- (a) President shall announce the death of a national leader or serving specified leader; and

(b) serving specified leader shall announce the death of a retired specified leader.

Cap. 35

(4) Subject to the Public Holidays Act, the President shall announce the burial date of the former President who died while in office to be a public holiday.”.

Amendment of section 9

30. The principal Act is amended in section 9 by deleting subsection (1) and substituting for it the following:

“(1) Subject to section 6, where a serving specified leader dies or a retired specified leader dies, the President or the serving specified leader shall, after receiving the death information from the family of the deceased, make an announcement thereof to the general public in such manner as may be considered appropriate.”.

Amendment of section 10

31. The principal Act is amended in section 10, by deleting the word “sections” and substituting for it the words “or cause the application of sections 6,”.

Amendment of section 11

32. The principal Act is amended in section 11(2), by-

(a) adding immediately after paragraph (i), the following:

“(j) the Minister responsible for coordination of Government business;

(k) the Minister responsible for legal affairs;

(l) the Minister responsible for retired leaders’ affairs;”;

(b) renaming paragraphs (j) to (q) as paragraphs (m) to (t), respectively.

Amendment
of section 12

33. The principal Act is amended in section 12-
- (a) by designating the contents of section 12 as subsection (1);
 - (b) in subsection (1) as designated, by deleting the words “advise and” appearing in paragraph (e); and
 - (c) adding immediately after subsection (1) as designated, the following:

“(2) The Chairman of the Committee may, for better implementation of the provisions of this Act, issue directives to the Executive Committee any time and in such manner as the Chairman considers fit.”.

Amendment
of section 13

34. The principal Act is amended in section 13-
- (a) in subsection (1), by-

- (i) adding immediately after paragraph (i) the following:

“(j) the Permanent Secretary-Ministry responsible for legal affairs;

(k) the Permanent Secretary-Ministry responsible for information;”;

- (ii) renaming paragraphs (j), (k) and (l) as paragraphs (l), (m) and (n), respectively;

- (iii) deleting the word “and” appearing at the end of paragraph (m) as renamed;

- (iv) deleting the full stop appearing at the end of paragraph (n) as renamed and substituting for it a semi colon; and

- (v) adding immediately after paragraph (n) as renamed, the following:

“(o) the Chief Court Administrator;

(p) the Clerk of the National Assembly;

(q) the Chief of Defence Forces;

- (r) the Director General of Intelligence and Security Service; and
- (s) the Inspector General of Police.”;
- (b) in subsection (3), by adding the words “or Secretary to the Executive Committee” immediately after the word “Minister” appearing at the end of paragraph (c); and
- (c) by adding immediately after subsection (3) the following:
 - “(4) The Executive Committee may meet at least once in a year to discuss matters related to the implementation of this Act.”.

Amendment of section 17

35. The principal Act is amended in section 17 by adding immediately after subsection (2) the following:

“(3) The structure of the cemetery of a national leader or specified leader shall be determined by the National Funeral Committee upon consultation with the family of the national or specified leader in accordance with the regulations prescribed by the Minister.”.

Amendment of section 18

36. The principal Act is amended in section 18(1) by deleting the words “at the National Stadium at Dar es Salaam” and substituting for them the words “at a designated place in Dodoma”.

Amendment of section 23

37. The principal Act is amended in section 23(3) by deleting the words “Public Safety and Security” and substituting for them the words “home affairs”.

PART VI
AMENDMENT OF THE RAILWAYS ACT,
(CAP. 170)

Construction

38. This Part shall be read as one with the

Cap. 170 Railways Act, hereinafter referred to as the “principal Act”.

General amendment

39. The principal Act is amended generally by-
- (a) deleting the words “authorised employee” wherever they appear in the Act and substituting for them the words “authorised officer”; and
 - (b) deleting the words “Railway Infrastructure Fund” wherever they appear in the Act and substituting for them the words “Railway Fund”.

Amendment of section 3

40. The principal Act is amended in section 3 by adding in their appropriate alphabetical order the following definitions:

““compartment” means a specified chamber or section in a wagon established for carrying passengers or goods from the place of carriage to the destination;

“open access” means an arrangement whereby an independent train operator uses rail infrastructure owned by the Corporation for the purposes of providing rail transport services to optimise the use of rail network and improve rail performance by paying agreed access fees;

“open access operator” means a person issued with a license by the Regulator to provide rail transport services through open access;

“railway reserve” means any area of land owned by the Corporation whether or not surveyed or demarcated for railways works including railway strips, station yards, garage, access road, quarries, borrow pit, dump

sites, houses or any building owned by the Corporation for commercial or residential purposes;

“wagon ferry” means a vessel connected to the railway line used to convey wagons from one point to another in inland waterways;”.

Amendment of section 6

41. The principal Act is amended in section 6(1)(n), by-

(a) adding immediately after subparagraph (iii) the following:

“(iv) development of any real estate owned by the Corporation;”;

(b) renaming subparagraphs (iv) and (v) as subparagraphs (v) and (vi), respectively.

Addition of sections 9A, 9B and 9C

42. The principal Act is amended by adding immediately after section 9 the following:

“Open access

9A.-(1) A person who intends to provide rail transport services through open access shall apply to the Corporation for a permit in a prescribed manner.

(2) An applicant who has obtained a permit under subsection (1) shall apply to the Regulator to be issued with a license.

(3) Subject to subsection (2), the applicant shall, after being issued with a license, enter into open access agreement with the Corporation.

(4) A person who contravenes the provisions of this section commits an offence.

Register

9B. The Corporation shall keep and maintain a register of open access operators who have been issued with permits under section 9A.

- Non-transferability of permit
- 9C. The permit issued under section 9A(1) shall not be transferrable.”.
- Amendment of section 21
43. The principal Act is amended in section 21(1), by-
- (a) adding immediately after paragraph (l) the following:
- “(m) exercise disciplinary powers to officers, staff and employees of the Corporation who are within the Director General’s mandate;”;
- and
- (b) renaming paragraphs (m) and (n) as paragraphs (n) and (o), respectively.
- Amendment of section 22
44. The principal Act is amended in section 22, by-
- (a) deleting subsection (3); and
- (b) renumbering subsections (4) to (6) as subsections (3) to (5) respectively.
- Amendment of section 24
45. The principal Act is amended in section 24(1) by adding the words “railway station or railway premises” immediately after the words “railway strip”.
- Addition of section 24A
46. The principal Act is amended by adding immediately after section 24 the following:
- “Permit to use railway strip, etc.
- 24A. A person who intends to use any part of the railway strip, railway station or railway premises shall, subject to payment of prescribed fees and other costs associated with the use, apply to the Corporation for a permit.”.
- Amendment of section 29
47. The principal Act is amended in section 29(2) by inserting the words “upon application to the Corporation” between the words “may” and “inspect”.
- Amendment of section 51
48. The principal Act is amended in section

51(2)(b) by inserting the words “under section 52” between the words “goods” and “shall”.

Amendment
of section 68

49. The principal Act is amended in section 68,
by-

- (a) deleting the word “infrastructure” appearing at the end of subsection (2) and substituting for it the words “infrastructure; purchase new and maintain existing rolling stock”;
- (b) adding the words “and rolling stock” immediately after the words “infrastructure” appearing in subsection (7); and
- (c) deleting subsection (9) and substituting for it the following:

“(9) Expenditure from the Railway Fund shall be limited to-

- (a) administrative overheads directly attributable to its operation and management;
- (b) funding of the renewal and development of existing and the provision of new rail infrastructure; and
- (c) purchase of new rolling stock and funding the maintenance of existing rolling stock.”.

Addition of
section 77A

50. The principal Act is amended by adding immediately after section 77 the following:

“Operation
in open
access
without
permission

77A. A person who provides transport services through open access without permission commits an offence and shall, on conviction, be liable to a fine of not less than ten million shillings but not exceeding one hundred million shillings or to imprisonment for a term of not less than six months but not exceeding two years or to both.”.

Addition of

51. The principal Act is amended by adding

section 103A immediately after section 103 the following:

“Recovery of damages 103A. Where an accident occurs in a level crossing that involves a road vehicle or any other object and a rolling stock, the Regulator shall determine and cause the Corporation to recover damages caused to the rolling stock or railway track from the owner of the road vehicle or any other object as the case may be.”.

Amendment of section 108 52. The principal Act is amended in section 108 by adding immediately after subsection (4) the following:

“(5) Where a person requests the Corporation to construct a level crossing for private or public use, such person shall bear the cost of construction and maintenance as prescribed under the Tariff Book.”.

PART VII
AMENDMENT OF THE TANZANIA FORESTRY RESEARCH
INSTITUTE ACT,
(CAP. 277)

Construction Cap. 277 53. This Part shall be read as one with the Tanzania Forestry Research Institute Act, hereinafter referred to as the “principal Act”.

Amendment of long title 54. The principal Act is amended in the long title by adding the words “and beekeeping” immediately after the words “promotion of forestry”.

Amendment of section 2 55. The principal Act is amended in section 2, by-

(a) adding in their appropriate alphabetical order the following definitions:

““beekeeping” means an art and science of managing honeybees for production of honey, beeswax and other bee products for domestic consumption or commercial purpose;

- “apiary” has the meaning ascribed to it under the Beekeeping Act;
- Cap. 224 “bee reserve” means an area of land declared as such under the Beekeeping Act;”;
- (b) deleting the definition of the term “timber” and substituting for it the following:
- Cap. 323 ““timber” has the meaning ascribed to it under the Forest Act;”.

Amendment
of section 4

56. The principal Act is amended in section 4-
(a) in subsection (1)-

- (i) by adding the words “and beekeeping” immediately after the word “forestry” appearing in paragraphs (a), (b), (e), (f), (j), (k) and (l);
- (ii) by adding the words “and beekeeping” immediately after the word “forests” appearing in paragraphs (h);
- (iii) by deleting the words “and for the management of forests” appearing in paragraph (i) and substituting for them the words “and beekeeping research and for the management of forests and apiaries”;
- (iv) in paragraph (l) by adding immediately after subparagraph (iii) the following:
 - “(iv) the establishment of trial apiaries, queen rearing centres and bee reserves in such areas as the Board may determine;
 - (v) harvesting, processing, packaging and marketing of forest and bee products;”;
- (v) by adding immediately after paragraph (r) the following:
 - “(s) carry out and promote the carrying out of experiments and research relating to beekeeping;”;

- (vi) by renaming paragraphs (r) and (s) as paragraphs (s) and (t) respectively;
 - (vii) by deleting the word “credit” appearing in paragraph (s) as renamed and substituting for it the word “credibility”; and
- (b) in subsection (2) by deleting the phrase “Tanzania Wood Industry Corporation established by the Tanzania Wood Industry Corporation (Establishment) Order” and substituting for it the words “Director responsible for beekeeping”.

Amendment
of section 5

57. The principal Act is amended in section 5 by deleting subsection (3) and substituting for it the following:

“(3) The Minister may, upon recommendations of the Board, by order published in the *Gazette*, declare any forest, forest reserve or bee reserve to be a Centre for the purposes of forestry or beekeeping research under this Act, and vest in the Institute the control and management of that Centre.”.

Amendment
of section 8

58. The principal Act is amended in section 8(4), by-

- (a) adding the words “or beekeeping” immediately after the word “forestry” appearing in paragraph (a); and
- (b) adding the words “and beekeeping” immediately after the word “forestry” appearing in paragraph (d).

Amendment
of section 9

59. The principal Act is amended in section 9, by-

- (a) adding the words “or beekeeping” immediately after the word “forestry” appearing in subsection (1);
- (b) deleting subsection (2) and substituting for it the following:

“(2) Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine of not less than two million shillings but not exceeding five million shillings or to imprisonment for a term of not less than three months but not exceeding six months or to both.”.

Repeal of section 10

60. The principal Act is amended by repealing section 10.

Amendment of section 11

61. The principal Act is amended in section 11 by adding the word “beekeeping” immediately after the word “forestry”.

Amendment of section 12

62. The principal Act is amended in section 12-

- (a) by deleting the words “after consultation with” appearing in subsection (1) and substituting for them the words “upon recommendations by”; and
- (b) in subsection (2), by-
 - (i) adding the word “beekeeping” immediately after the word “forestry” appearing in paragraph (a);
 - (ii) adding the words “or beekeeping” immediately after the word “forestry” appearing in paragraph (c); and
 - (iii) adding the words “or bee” immediately after the word “forest” appearing in paragraph (e).

Repeal and replacement of section 14

63. The principal Act is amended by repealing section 14 and replacing for it the following:

“Remuneration of members of Board

14. The members of the Board shall be entitled to such remuneration, fees or allowances as may be determined by the relevant authority.”.

Repeal of
section 15

64. The principal Act is amended by repealing section 15.

Amendment
of Second
Schedule

65. The principal Act is amended in the Second Schedule by deleting paragraph 1 and substituting for it the following:

“Composition
of Board

- 1.-(1) The Board shall consist of-
- (a) a Chairman who shall be appointed by the President; and
 - (b) eight other members who shall be appointed by the Minister as follows:
 - (i) the Director of the Forestry and Beekeeping Division;
 - (ii) the Conservation Commissioner of the Tanzania Forest Services Agency;
 - (iii) the Director General of the Tanzania Commission for Science and Technology;
 - (iv) a Law Officer representing the Attorney General;
 - (v) a representative from a higher learning institution who possesses qualifications relating to forestry or beekeeping management;
 - (vi) a member from a registered association dealing with forestry or beekeeping;
 - (vii) Administrative Secretary of the

Tanzania Forest Fund;
and

(viii) one person with
financial or human
resources expertise.

(2) The Director General shall be
the Secretary to the Board.”.

PART VIII
AMENDMENT OF THE TREASURY REGISTRAR
(POWERS AND FUNCTIONS) ACT,
(CAP. 370)

Construction
Cap. 370

66. This Part shall be read as one with the
Treasury Registrar (Powers and Functions) Act,
hereinafter referred to as the “principal Act”.

Amendment
of section 2

67. The principal Act is amended in section 2 by
deleting the word “finance” appearing in the definition of
the term “Minister” and substituting for it the words
“public investments”.

PART IX
AMENDMENT OF THE VALUE ADDED TAX ACT,
(CAP. 148)

Construction
Cap. 148

68. This Part shall be read as one with the Value
Added Tax Act, hereinafter referred to as the “principal
Act”.

Amendment
of Schedule

69. The principal Act is amended in the Schedule
by deleting the words “30th December, 2022” appearing
in item 22 and substituting for them the words “30th June,
2026”.

Passed by the National Assembly on the 13th June, 2023

NENELWA J. MWIHAMBI
Clerk of the National Assembly