

TANGANYIKA



No. 30 OF 1962

I ASSENT,
R. J. M. M. M.
Governor-General

11TH JULY, 1962

An Act to amend the Itinerant Traders Ordinance

[.....]

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Itinerant Traders Ordinance (Amendment) Act, 1962, shall be read as one with the Itinerant Traders Ordinance (hereinafter called the Ordinance) and shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint.

Short title construction and commencement cap 207

2. The Ordinance is hereby amended by inserting immediately after section 1 thereof the following new section to be numbered 1A:-

New section 1A inserted in cap 207

"Ordinance not to apply in urban areas **1A.**-(1) This Ordinance shall not apply within any urban area.

(2) In this section 'urban area' means the area of jurisdiction of a city or municipal council established under the Municipalities Ordinance and of a town council established under the Local Government Ordinance."

Cap. 105
Cap. 333

3. Section 2 of the Ordinance is hereby amended as follows:-

Section 2 of Cap. 207 amended

(a) by deleting the definition "declared area" contained therein;

(b) by inserting in the appropriate alphabetical position the following new definition:-

"Minister' means the Minister for the time being responsible for finance;"; and

(c) by deleting the definition "specified native produce" contained therein.

4. Section 3 of the Ordinance is hereby amended by deleting the words "two hundred shillings" in subsection (3) thereof and substituting therefor the words "four hundred shillings"

Sections 3 of cap 207 amendment

5. Section 4 of the Ordinance is hereby amended by deleting subsection (2) thereof and substituting there for the following new subsection;—

Section 4 of cap 207 amended

"(2) The fee for the licence shall be fifty shillings, or, if it is issued after the thirtieth day of September in any year, twenty-five shillings:

Provided that where in accordance with section 7A the licence permits the holder thereof to trade in livestock the fee payable for the licence shall be one hundred shillings, or, if the licence is issued after the thirtieth day of September in any year, fifty shillings."

Section 6 of
Cap. 207
amended

6. Section 6 of the Ordinance is hereby amended-

- (a) by deleting the words "A licence" in the first line of subsection (1) thereof and substituting there for the words and symbols "Subject to the provisions of subsection (2) of this section and of sections 7 and 7A, a licence"; and
- (b) by deleting the words "two hundred shillings" in subsection (4) thereof and substituting there for the words "four hundred shillings"

Section 7
of cap 207
repealed
and
replaced

7. Section 7 of the Ordinance is hereby repealed and replaced by the following new sections to be numbered 7 and 7A: -

"Restriction on issue of licences and imposition of conditions

7.(1) A licensing authority may, if he considers it desirable, restrict the number of licences which may be issued within or the operation of which may be extended to the district for which he is the licensing authority and may further, in accordance with subsection (2), prescribe conditions subject to or upon which any such licence may be issued or extended.

(2) Any conditions prescribed under subsection (1) shall be endorsed on the licence and the power to prescribe conditions shall include the power to restrict the area or areas within which the licence shall be operative and the goods, wares or merchandise in which the holder thereof may be permitted to trade.

Licences not to permit trading in livestock unless endorsed to that effect

7A. Without prejudice to the provisions of section 7, no licence issued under this Ordinance shall permit the holder thereof to trade in livestock unless the licence is specifically endorsed with the words 'Livestock Permitted'."

Section 8 of
Cap. 207
amended

8. Section 8 of the Ordinance is hereby amended by deleting the words "twenty shillings" in the last line thereof and substituting there for the words "forty shillings"

Section 9 of
Cap. 207
amended

9. Section 9 of the Ordinance is hereby amended by deleting the words "twenty shillings" in the last line thereof and substituting there for the words "forty shillings"

Section 11
of Cap. 207
amended

10. Section 11 of the Ordinance is hereby amended by deleting the word "Governor" in paragraph (c) of subsection (1) thereof and substituting therefor the words "Permanent Secretary to the Treasury"

General
amendment
of Cap. 207

11. The Ordinance is hereby amended by deleting the words "Governor" and "Governor in Council" wherever they appear therein, save where the word "Governor" appears in paragraph (c) of subsection (1) of section 11, and substituting therefor in each case the word "Minister"

12.-(1) Notwithstanding the provisions of section IA of the Ordinance as contained in section 2 of this Act, any licence issued under the Ordinance and on the coming into operation of this Act in force within, whether by being issued within or by being extended to by endorsement, the area of jurisdiction of a city, municipal or town council shall, subject to any conditions endorsed thereon, remain in force within such area until the thirty-first day of March next following the date of issue of the licence and where any by-laws made by such council under paragraph (17) or paragraph (39) of section 70 of the Municipalities Ordinance or under paragraph (128) of subsection (1) of section 52 of the Local Government Ordinance, as the case may be, for the control of hawkers or street traders within such area require that such hawkers or street traders be in possession of a licence issued under such by-laws the licence under the Ordinance shall so long as it remains in force be deemed to be a licence issued under such by-laws.

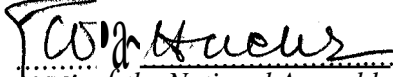
Transitional

Cap.105

cap 333

(2) Notwithstanding the provisions of section 7A of the Ordinance as contained in section 7 of this Act, any person who, immediately before the coming into operation of this Act, is the holder of a valid licence issued under the Ordinance and entitling him to trade in livestock shall so long as such licence remains in force be entitled so to trade in accordance with such licence.

Passed in the National Assembly on the twenty-sixth day of June, 1962


Clerk of the National Assembly