

THE UNITED REPUBLIC OF TANZANIA



No. 2 OF 1968

I ASSENT,

*Julius K. Nyerere*  
President

15<sup>TH</sup> FEBRUARY, 1968

**An Act to amend the Permanent Commission of Enquiry Act, 1966**

[7<sup>TH</sup> MARCH, 1966]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Permanent Commission of Enquiry (Amendment) Act, 1968, shall be read as one with the Permanent Commission of Enquiry Act, 1966 and shall be deemed to have come into operation on the 7th March, 1966.

Short title,  
construction  
and  
commence-  
ment  
Acts 1966  
No. 25

2. Section 4 of the Permanent Commission of Enquiry Act, 1966 is amended by deleting subsection (2) and substituting therefor the following subsections:—

Section 4  
of Act 25  
of 1966  
amended

“(2) Where a person has been appointed a Commissioner and has, in accordance with subsection (1), vacated any of the offices specified therein, other than an office the occupier of which is required by any written law to be elected by any body of persons, such person may, upon his ceasing to be a Commissioner, be reappointed to such office by the appropriate appointing authority and where such person is so reappointed, his service in such office subsequent to such reappointment shall, if the appointing authority so directs and notwithstanding the provisions of any written law or of any contract of service affecting such person to the contrary, be deemed to be continuous with his service in that office prior to his appointment as a Commissioner.

(3) Where a person is reappointed to any office in accordance with subsection (2) and the appointing authority has directed that his service in such office subsequent to such reappointment should be deemed to be continuous with his service therein prior to his having vacated the office under subsection (1)—

- (a) the period between his having vacated the office and his reappointment thereto shall not be taken into account for the purposes of computing the amount of any pension, gratuity or other retirement allowances payable to him upon his retirement from such office;
- (b) the period during which he actually served as a Commissioner shall be taken into account for the purposes of computing the length of service in such office for determining whether such person is eligible for any pension, gratuity or other retirement allowance as if such person had not vacated the office during such period.

(4) In this section—

“appropriate appointing authority” in relation to any office means the person or authority having the power to make appointments to that office;

“Civil Service Office” and “judicial officer” have the meanings ascribed to those terms in section 2 of the Civil Service Act, 1962 and the Judicial Service Act, 1962 respectively.”

Cap. 509  
Cap. 508

Passed in the National Assembly on the fifteenth day of January, 1968.

  
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Clerk of the National Assembly