

THE UNITED REPUBLIC OF TANZANIA



No. 13 OF 1972

I ASSENT,

*Julius K. Nyerere*  
President

11TH MAY, 1972

**An act to amend certain written Laws**

[12TH MAY, 1972]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Written Laws (Miscellaneous Amend-Short title  
ments) Act, 1972.

2. The laws set forth in the first and second columns of the Schedule  
hereto are amended in the manner specified in the third column. Amendment  
of certain  
laws

## SCHEDULE

COLUMN 1

COLUMN 2

COLUMN 3

Cap. 12

The Notaries Public and Commissioners for Oaths Ordinance

Section 10 is repealed and replaced by the following section:—

“Certain public officers to have powers of Notaries Public and Commissioners for Oaths Cap. 341 G.N. 1971 No. 3

10.—(1) Every officer to whom this section applies shall have the powers and duties of a Notary Public in respect of administering oaths, taking affidavits, attesting signatures and certifying copies of documents and shall also have all the powers and duties of a Commissioner for Oaths under this Ordinance.

(2) This section shall apply to—

- (a) any person employed by the Government of the United Republic and who, under the provisions of section 3 of the Advocates Ordinance, is entitled to practise as an advocate of the High Court;
- (b) any person employed by the Tanzania Legal Corporation established by the Tanzania Legal Corporation (Establishment) Order, 1970 and who, under the provisions of section 3 of the Advocates Ordinance, is entitled to practise as an advocate of the High Court;
- (c) the Registrar of the High Court and every Deputy Registrar;
- (d) a magistrate;
- (e) an Administrative Officer.

(3) Any fee taken by an officer to whom this section applies for any matter under this Ordinance shall be paid by such officer—

- (a) where such officer is an employee of the Tanzania Legal Corporation, into the general revenue of that Corporation;
- (b) in any other case, into the general revenue of the United Republic”.

Cap. 16

The Penal Code

Section 29 is amended by deleting the scale prescribed in paragraph (iv) and substituting therefor the following scale:—

“Not exceeding Shs. 50/-	... ..	14 days.
Exceeding Shs. 50/- but not exceeding Shs. 200/-	... ..	2 months.
Exceeding Shs. 200/- but not exceeding Shs. 2,000/-	... ..	6 months.
Exceeding Shs. 2,000/- but not exceeding Shs. 10,000/-	... ..	12 months
Exceeding Shs. 10,000/-	... ..	24 months”.

Cap. 20

The Criminal Procedure Code

The First Schedule is amended by deleting Part B and substituting therefor the following:—

"PART B OFFENCES UNDER LAWS OTHER THAN PENAL CODE				
1	2	3	4	5
Section	Offence	Whether a police officer may arrest without warrant or not	Punishment	Court (in addition to High Court) by which offence is triable
—	If punishable with death or imprisonment for more than fifteen years	May arrest without warrant	—	—
—	If punishable with imprisonment of two years or upwards but not more than 15 years	May arrest without warrant	—	A subordinate court
—	If punishable with imprisonment of less than two years or with fine only	May not arrest without warrant unless the written law creating the offence specifically provides otherwise	—	A subordinate court."

COLUMN 1  
Cap. 560

COLUMN 2

The Co-operative College Act,  
1964

The Schedule is amended by—

(a) deleting sub-paragraph (d) of paragraph 1 and substituting therefore the following sub-paragraphs,—

"(d) the Vice-Chancellor of the University of Dar es Salaam shall nominate one member;

(e) the Chairman of the Unified Co-operative Service".

(b) adding immediately below paragraph 1 the following:—

"1A. The Minister may, by order published in the Gazette, vary, amend or replace the provisions of paragraph 1."

Acts 1967  
No. 34

The Prisons Act, 1967

(a) In section 2—

(i) in the definition "adult prisoner" delete the words "twenty-one" and substitute therefor the word "eighteen";

(ii) delete the definition "Deputy Commissioner" and substitute therefor, in its appropriate alphabetical position, the following definition—

"Senior Assistant Commissioner" means the Senior Assistant Commissioner of Prisons;

(iii) in the definition "Service" delete the words "the Ordinance" and substitute therefor the words "this Act";

(iv) in the definition "unconvicted prisoner" delete the words "Immigration Act or" and substitute therefor the words "Immigration Act, 1963 or the Preventive Detention Act, 1962 or any written law repealing and replacing any of the said Acts and includes any person detained for safe custody";

COLUMN 3

COLUMN 1

COLUMN 2

COLUMN 3

- (b) The Act is amended by deleting the words "Deputy Commissioner" wheresoever they occur and substituting therefor the words "Senior Assistant Commissioner".
- (c) Section 13 is amended by adding immediately below subsection (2) the following subsection—
- “(3) The powers conferred upon a prison officer may be exercised by him, subject to the limitations prescribed in this section, against any person who, not being a prisoner, is engaged in any activity to assist a prisoner in breaking out or attempting to break out of any part of the prison or in inciting, or taking part in, any riotous behaviour in a prison or in inciting any person to commit any of the acts or in taking part in any of the activities specified in paragraph (d) of subsection (2).”
- (d) Section 18 is amended by deleting the word "of or" which occur in the first line.
- (e) Section 21 is amended in subsection (2) by deleting the words "on admission" which occur in the first two lines and substituting therefor the words "before or immediately after admission".
- (f) Section 22 is amended by renumbering it as subsection (1) of section 22 and by adding immediately below subsection (1) the following new subsection—
- “(2) Nothing in this section shall be construed as affecting the requirement for an inquest under section 6 of the Inquests Ordinance”.

Passed in the National Assembly on the eighteenth day of April, 1972.

  
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Clerk of the National Assembly