

THE UNITED REPUBLIC OF TANZANIA



No. 2 OF 1981

I ASSENT,

.....
President

20TH FEBRUARY, 1981

An Act to amend the Regulation of Prices Act, 1973

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Regulation of Prices (Amendment) Act, 1981, and shall be read as one with the Regulation of Prices Act, 1973 (in this Act referred to as "the principal Act").

Short title and construction Acts, 1973 No. 19

2. (1) Section 2 (1) of the principal Act is amended in the definition -Assistant Price Commissioner" by deleting the semi-colon appearing immediately after the figures "7 (3)" in the last line and adding following: "and (4)".

Amendment of section 2 Acts, 1973 No. 19

3. Section 3 of the principal Act is amended in paragraph (b) by deleting the words "five" and "seven" and substituting for them respectively the words: "seven" and "ten"

Amendment of the section 3 Acts, 1973 No. 19

4. Section 7 of the principal Act is amended —

Amendment of section 7 Acts, 1973 No. 19

(a) by inserting, immediately after subsection (3), the following subsection:

"City, Municipal and Town Directors to be Assistant Price Commissioners

(4) Every city, Municipal or Town Director shall be the assistant price commissioner for the city, municipality or town, as the case may be, for which he is the Director."

(b) by renumbering subsection "(4)" and "(5)" as "(5)" and "(6)".

5. Section 12 of the Principal Act is amended by adding immediately after subsection (3) the following new subsections:

Amendment of section 12 Acts, 1973 No. 19

"80% Capacity utilization

(4) Notwithstanding the provisions of subsections (1), (2) (3), the capacity utilization that shall be taken into account in the course of fixing maximum prices shall not be below eighty per cent save in a situation of force majeure."

(5) Without prejudice to provisions of subsection (2), the margin in relation to the turnover and the capital employed which may be taken into account for the purpose of determining price structures shall be such margin as will provide for the firms concerned a return on investment not exceeding thirty per cent, save where the Price Commissioner has granted exemption.

Amendment
of section 13
Acts, 1973
No. 19

6. Section 13 of the Principal Act is amended-

(a) by adding immediately after subsection (2) the following new subsection:

"Notice to be served on employees and agents (3) Any notice authorized to be served under subsection (2) of this section on any person believed to be carrying on business in Tanganyika, shall be deemed to have been duly served if it is received by the agent or employee of such person."

(b) by renumbering subsection (3) as (4).

Addition of
a new
section 20A

7. The Principal Act is amended by adding immediately after section 20 the following new section:

"Conditional sale prohibited **20A.** Any trader, manufacturer, producer or commission agent to whom an offer to buy price controlled goods has been made, and who, except with the permission of the Price Commissioner or, as the case may be, the Assistant Price Commissioner, imposes any condition of sale other than a condition requiring immediate payment on delivery therefor or prescribing the term within which payments must be made, shall be guilty of an offence."

8. Section 26 of the Principal Act is amended by adding immediately after the word "fine" appearing in the second line the words: "not less than two thousand shillings and."

Amendment
of section 33
Acts, 1973
No. 19

9. The proviso of section 33 of the Principal Act is amended by deleting the words "-fifty shillings" appearing in the last line and substituting for them the words "one hundred shillings"

10. Paragraph I (a), of section 34 is amended by deleting the word "two" appearing in the second line and substituting for it the word "five"

Addition
of new
section 34A

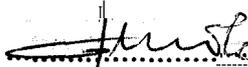
11. The Principal Act is amended by adding immediately after section 34 the following new section:

"Delegation of power to compound offences **34A.** The Price Commissioner or, as the case may be, an Assistant Price Commissioner, may, by writing under his hand, delegate his powers to compound offences under section 34 to such officers who in their ordinary course of employment deal with the enforcement of the provisions of this Act."

Amendment
of the
schedule

12. Paragraph 5 (1) of the Schedule to the principal Act (which specifies the quorum for meetings) is amended by deleting the word "three" where it appears and substituting for it the word "five"

Passed in the National Assembly on the twenty-first day of January, 1981.


Clerk of the National Assembly