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THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) (NO. 4)
ACT, 2021

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THE UNITED REPUBLIC OF TANZANIA



NO. 6 OF 2021

I ASSENT

SAMIA SULUHU HASSAN
President

[28th September, 2021]

An Act to amend certain written 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) (No. 4) Act, 2021.

Amendment of certain written 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 ELECTRONIC AND POSTAL COMMUNICATIONS ACT,
(CAP. 306)

Construction Cap. 306

3. This Part shall be read as one with the Electronic and Postal Communications Act, hereinafter referred to as the “principal Act.”

Amendment
of section 13

- 4.** The principal Act is amended in section 13-
- (a) by deleting the words “one year” appearing in subsection (2) and substituting for them the words “not more than two years”; and
 - (b) in subsection (3), by-
 - (i) deleting paragraphs (d), (e) and (f); and
 - (ii) renaming paragraph (g) as paragraph (d).

Amendment
of section 20

5. The principal Act is amended in section 20(1) by deleting the words “a licence” and substituting for them the words “licence conditions”.

Amendment
of section 23

6. The principal Act is amended in section 23(1),
by-

- (a) deleting paragraph (d); and
- (b) renaming paragraph (e) as paragraph (d).

Amendment
of section
116

7. The principal Act is amended in section 116(3) by deleting the words “imports, distributes, or sells” appearing in paragraph (c) and substituting for them the words “imports or distributes”.

Amendment
of section
137

8. The principal Act is amended in section 137, by-

- (a) deleting subsection (1) and substituting for it the following:
 - “(1) No person shall possess any radio communication equipment except in accordance with a licence issued under this Act.”; and
- (b) adding immediately after subsection (2) the following:
 - “(3) For the purpose of this section, the term “radio communication equipment” means-
 - (a) SIM Box;
 - (b) signal jarming equipment; or
 - (c) any other related equipment that is capable of facilitating-
 - (i) signal jarming; or
 - (ii) the passing of traffic.”.

PART III
AMENDMENT OF THE JUDGES (REMUNERATION AND
TERMINAL BENEFITS) ACT,
(CAP. 424)

Construction
Cap. 424 **9.** This Part shall be read as one with the Judges
(Remuneration and Terminal Benefits) Act, hereinafter
referred to as the “principal Act”.

Addition of
section 15A **10.** The principal Act is amended by adding
immediately after section 15 the following:

“Transmissi
on of
benefits **15A.** Without prejudice to the
powers of the Paymaster-General under
the Public Service Social Security Fund
Act and the Public Finance Act, the
benefits prescribed under this Act and
the Public Service Social Security Fund
Act to which a retired Chief Justice,
Justice of Appeal, Principal Judge or
Judge and their respective spouses are
entitled, shall be paid through the
Office of the Chief Court
Administrator.”.

Cap. 371
Cap. 348

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

Construction
Cap. 70 **11.** This Part shall be read as one with the Medical
Stores Department Act, hereinafter referred to as the
“principal Act”.

Amendment
of long title **12.** The principal Act is amended in the long title
by inserting the words “production and,” between the
words “the” and “procurement”.

General
amendment **13.** The principal Act is amended generally by
deleting the words “drugs and other medical supplies”,
“medical supplies” and “pharmaceutical and other medical
supplies” wherever they appear in the Act and substituting

for them the words “health commodities”.

Amendment
of section 2

- 14.** The principal Act is amended in section 2, by-
- (a) deleting the definition of the term “approved drugs”; and
 - (b) inserting in the appropriate alphabetical order the following new definition:

“health commodities” includes medicines, medical supplies, equipment or diagnostics approved by the regulatory authority for the time being responsible for approving health commodities;”.

Repeal and
replacement
of section 3

15. The principal Act is amended by repealing section 3 and replacing for it the following:

“Establish-
ment of
Department

3.(1) There shall continue to be a department known as the Medical Stores Department.

(2) The Department shall be a body corporate with perpetual succession and shall have a common seal and, in its own name, be capable of -

- (a) suing and being sued;
- (b) acquiring, holding and alienating movable and immovable property;
- (c) borrowing and lending;
- (d) entering into contract or other transaction; and
- (e) doing all such other acts which a body corporate may lawfully perform.”.

Amendment
of section 4

16. The principal Act is amended in section 4 by deleting the word “procurement” wherever it appears in subsection (2) and substituting for it the words “production, procurement.”

Amendment
of section 6

17. The principal Act is amended in section 6, by-
(a) deleting a “fullstop” appearing at the end of subsection (1) and substituting for it the following:

“as follows:

- (a) one representative from the Ministry responsible for health matters;
- (b) one representative from the Ministry responsible for regional administration and local government;
- (c) one representative from the Ministry responsible for finance;
- (d) a law officer representing the Office of the Attorney General;
- (e) one representative from Tanzania Investment Centre;
- (f) one representative from primary health care facility of local government authorities;
- (g) one representative from Authority responsible for medical devices; and
- (h) a representative from an umbrella association from private health facilities in Tanzania.”;

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

“(2) In appointing members under subsection (1), the Minister shall have regards to at least the following requisite knowledge-

- (a) accountancy;
- (b) law;
- (c) pharmacy;
- (d) medicine or diagnostics;

- (e) supply chain management; and
(f) Information and Communication Technology.”;
- (c) renumbering subsections (2), (3) and (4) as subsections (3), (4) and (5) respectively;
- (d) adding the words “for one further term” immediately after the word “re-appointment” appearing in subsection (3) as renumbered; and
- (e) deleting the word “Act” appearing in subsection (5) as renumbered and substituting for it the words “Act, except that such persons shall not vote.”.
- Amendment of section 11
Cap. 370
- 18.** The principal Act is amended in section 11 by deleting the words “as the Minister may approve” and substituting for them the words “as may be determined pursuant to the Treasury Registrar (Powers and Functions) Act”.
- Repeal and replacement of section 16
- 19.** The principal Act is amended by repealing section 16 and replacing for it the following:
- “Procurement by Department
16. The Department shall procure health commodities in accordance with the law for the time being governing public procurement.”.
- Addition of section 16A
- 20.** The principal Act is amended by adding immediately after section 16, the following:
- “Powers to invest
16A. Subject to such directives as may be issued by the Treasury Registrar or any other relevant authority, the Board shall have powers to invest the funds of the Department subject to such conditions as may be prescribed under the Trustee Investments Act, in relation to investments of funds by trustees.”.
- Cap. 53
- Amendment of section 17
- 21.** The principal Act is amended in section 17, by-
- (a) designating the content of subsection (1) as section 17; and
- (b) deleting subsection (2).

PART V
AMENDMENT OF THE MINING ACT,
(CAP. 123)

Construction
Cap. 123

22. This Part shall be read as one with the Mining Act, hereinafter referred to as the “principal Act”.

Amendment
of section 4

23. The principal Act is amended in section 4 by adding in the appropriate alphabetical order the following definition:

“gross value” means the market value of mineral or, minerals at the point of refining or sale or, in the case of consumption within Tanzania, at the point of delivery within Tanzania;”.

Amendment
of section 10

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

“(4) Without prejudice to the provisions of subsection (1), the Government and a holder of a mining licence or special mining licence may, for the purposes of ensuring Government’s effective participation in the mining operations as contemplated in this section, establish a special arrangement in a manner prescribed in the regulations.”.

Amendment
of section 18

25. The principal Act is amended in section 18(4), by-

- (a) deleting the words “five” and “ten” appearing in paragraph (a) and substituting for them the words “ten” and “fifty” appearing in paragraph (b) respectively; and
- (b) deleting the words “twenty” and “fifty” and substituting for them the words “fifty” and “one hundred” respectively.

Amendment
of section 83

26. The principal Act is amended in section 83, by-
(a) adding immediately after subsection (1) the following:

“(2) A broker’s licence shall authorise the holder a right to buy or acquire

industrial minerals and building material in the manner prescribed in the regulations”;
and

(b) renumbering subsection (2) as subsection (3).

Amendment
of section
90A

by-

27. The principal Act is amended in section 90A,

- (a) deleting the word “clearance” appearing in subsections (1), (2) and (4) and substituting for it the word “inspection” respectively;
- (b) deleting the word “clearance” appearing in the first line of subsection (3) and substituting for it the word “inspection”; and
- (c) deleting subsection (5).

Addition of
section 132A

28. The principal Act is amended by adding immediately after section 132 the following:

“Compound
ding of
offences

132A.-(1) Notwithstanding the provisions of this Act relating to penalties, where a person admits in writing that he has committed an offence under this Act, the Executive Secretary or a person authorised by him in writing may, at any time prior to the commencement of the proceedings by a court of competent jurisdiction, compound such offence and order such person to pay a sum of money not exceeding two thirds of the amount of the fine to which such person would otherwise have been liable to pay if he had been convicted of such offence.

(2) Where the person fails to comply with the compounding order issued under this section within the prescribed period, the Executive Secretary or a person authorized by him may, in addition to the sum ordered, require the person to pay an

interest at the rate prescribed in the regulations.

(3) Where the person fails to comply with subsection (2), the Executive Secretary may enforce the compounding order and interest accrued thereof in the same manner as a decree of a court.

(4) The Executive Secretary shall submit quarterly reports of all compounded offences under this section to the Director of Public Prosecutions.

(5) The moneys charged under this section shall, unless otherwise directed by the Minister responsible for finance, be paid into the Consolidated Fund.

(6) Where an offence is compounded in accordance with subsection (1) and proceedings are brought against the offender for the same offence, it shall be a good defence for the offender to prove to the satisfaction of the court that the offence with which the offender is charged has been compounded under subsection (1).

(7) The sum to be charged for every compoundable offence and the forms and manner of compounding of such offences shall be as prescribed in the regulations made under this Act.”.

PART VI
AMENDMENT OF THE NATIONAL COUNCIL FOR TECHNICAL
EDUCATION ACT,
(CAP. 129)

Construction
Cap.129

29. This Part shall be read as one with the National Council for Technical Education Act, hereinafter referred to as the “principal Act”.

General
amendment

30. The principal Act is amended generally, by-

- (a) deleting the words “technical education” wherever they appear in the Act and substituting for them the words “technical and vocational education and training”;
- (b) redesignating the title “National Council for Technical Education” wherever it appears in the Act as “National Council for Technical and Vocational Education and Training”; and
- (c) deleting the words “technical institution” or “technical institutions”, as the case may be, wherever they appear in the Act and substituting for them the words “technical and vocational training institution and centre” or “technical and vocational training institutions and centres”, as the case may be, respectively.

Amendment
of section 2

31. The principal Act is amended in section 2 by inserting in their appropriate alphabetical order the following new definitions:

“recognition of prior learning” means the process of evaluating skills and knowledge acquired outside the classroom for the purpose of recognizing competence against a given set of standards, competence or learning outcomes;

“vocational education and training” means training leading to a skilled occupation;

“vocational training centre” means a place or institution registered by the Council to offer vocational education and training;”.

Amendment
of section 5

- 32.** The principal Act is amended in section 5(1)-
- (a) in paragraph (b) by inserting the words “and vocational” between the words “technical” and “teachers”;
 - (b) by deleting paragraph (c) and substituting for it the following:
 - “(c) to assist technical and vocational training institutions and centres in the transmission of knowledge, principles and training in the field of technical and vocational education and training for the benefit of the people of Tanzania;”;
 - (c) in paragraph (i) by inserting the words “and vocational” between the words “technical” and “education”;
 - (d) by adding immediately after paragraph (o) the following:
 - “(p) to establish zonal offices in various regions within Tanzania for proper performance of its functions and serving the community at large;
 - (q) to regulate vocational education and training including short tailor-made course programmes and in-service training; and”;
 - (e) by renaming paragraph (p) as paragraph (r).

Amendment
of section 6

- 33.** The principal Act is amended in section 6, by-
- (a) deleting subsection (1) and substituting for it the following:
 - “(1) The Minister may, after consultation with the Council and the parent Ministry having mandate over the institution established under this Act, and by order published in the *Gazette*, declare any institution accredited by the Council to be an autonomous institution.”;
 - (b) deleting subsection (3); and
 - (c) renumbering subsection (4) as subsection (3).

Addition of sections 23A and 23B

34. The principal Act is amended by adding immediately after section 23 the following:

“Constructi
on of
NACTE in
other
written laws

23A. Unless the context otherwise requires, any reference in any written law to “National Council for Technical Education” or by its acronym “NACTE” shall be construed as reference to “National Council for Technical and Vocational Education and Training” or by its acronym “NACTVET”.

General
penalty

23B. Any person who commits an offence under this Act in respect of which no penalty has been specifically provided shall be liable on conviction to a fine of not less than five hundred thousand shillings but not exceeding three million shillings or to imprisonment for a term of not less than six months but not exceeding three years or to both.”.

Amendment of section 24

35. The principal Act is amended in section 24(1)-
(a) by deleting paragraph (a) and substituting for it the following:

“(a) prescribing procedures for registration of technical and vocational training institutions and centres, qualified technicians and qualified technical and vocational teachers”;

(b) adding immediately after paragraph (j) the following:

“(k) prescribing procedures for operating autonomous technical and vocational training institutions and centres;

(l) prescribing procedures for running vocational education and training short courses;

- (m) prescribing procedures for recognition of prior learning; and”;
- (c) renaming paragraph (k) as paragraph (n).

PART VII
AMENDMENT OF THE NATIONAL HEALTH INSURANCE FUND
ACT,
(CAP. 395)

Construction
Cap. 395

36. This Part shall be read as one with the National Health Insurance Fund Act, hereinafter referred to as the “principal Act”.

Amendment
of section 3

- 37.** The principal Act is amended in section 3, by-
- (a) deleting the word “eighteen” appearing in the definition of the term “child” and substituting for it the words “twenty one”; and
 - (b) inserting the words “public institution, public corporation or parastatal” between the words “local government authority” and “but” appearing in the definition of the term “public servant”.

PART VIII
AMENDMENT OF THE NON-CITIZENS (EMPLOYMENT
REGULATION) ACT,
(CAP. 436)

Construction
Cap. 436

38. This Part shall be read as one with the Non-Citizens (Employment Regulation) Act, hereinafter referred to as the “principal Act”.

Amendment
of section 3

39. The principal Act is amended in section 3 by deleting the words “police officer” appearing in the definition of the term “authorised officer”.

Amendment
of section 4

40. The principal Act is amended in section 4(6) by deleting the word “Fourth” and substituting for it the word “Third”.

Amendment
of section 6

41. The principal Act is amended in section 6(1) by deleting the words “police officers”.

Amendment
of section 10

42. The principal Act is amended in section 10-

- (a) in subsection (2), by-
 - (i) adding the words “subject to subsection (4)” immediately after the words “shall” appearing in the opening phrase;
 - (ii) deleting the word “Sixth” appearing in paragraph (a) and substituting for it the word “Fifth”; and
- (b) by adding immediately after subsection (3) the following:

“(4) For purposes of facilitating application of permits under this section, the Labour Commissioner shall, subject to the prescribed regulations and after consultation with other relevant authorities, establish an electronic system for application and issuance of work permits.”.

Amendment
of section 12

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

- (a) deleting the words “set out in the Third Schedule to this Act” appearing in subsection (1) and substituting for them the words “and manner prescribed in the regulations”;
- (b) deleting the word “five” appearing in subsection (4) and substituting for it the word “eight”;
- (c) adding immediately after subsection (6) the following:

“(7) In the exercise of his powers under subsection (1) relating to attaching other conditions to the work permit, the Labour Commissioner may attach any condition regarding the finality of the permit where-

 - (a) the employer has requested the work permit for a limited duration;
 - (b) the non-citizen is about to complete his time of working in the country pursuant to section 12(4); or

(c) he considers it necessary for proper implementation of the provisions of this Act.”.

Amendment
of section 16

44. The principal Act is amended in section 16(1) by deleting the word “Fifth” and substituting for it the word “Fourth”.

Repeal and
replacement
section 19

45. The principal Act is amended by repealing section 19 and replacing for it the following:

“Incentives
to investors

19.-(1) An applicant registered with the Tanzania Investment Centre and Export Processing Zone Authority may, save for the requirement of payment prescribed fee, employ up to ten non-citizens without being subjected to the conditions prescribed under this Act.

(2) The provision of immigrant quota shall not preclude an applicant from employing other non-citizens provided that such employment complies to the employment ratio of one non-citizen to ten local employees and the applicant has satisfied the Labour Commissioner that the nature of his business demands such number of non-citizens.

(3) An applicant who is not registered with the Tanzania Investment Centre and Export Processing Zones Authority shall, unless where the nature of business of the applicant does not permit employment of local employees as per the required ratio be subjected to the requirement of creating employment opportunities at a ratio of one non-citizen to ten local employees.”.

Amendment

46. The principal Act is amended in section 22(2)-

of section 22

- (a) in paragraph (d), by inserting the words “of a non-citizen” between the words “arrival” and “in Tanzania” appearing in sub-paragraph (i);
- (b) by adding immediately after paragraph (d) as amended the following:
 - “(e) prescribing for the manner and procedure for issuing work permit; and
 - (f) prescribing for the manner of granting incentives to investors pursuant to section 19.”.

Amendment
of Schedules

- by-
- 47.** The principal Act is amended in the Schedules,
- (a) deleting the Third Schedule; and
 - (b) renaming the Fourth, Fifth and Sixth Schedules as Third, Fourth and Fifth Schedules respectively.

PART IX
AMENDMENT OF THE POLITICAL SERVICE RETIREMENT
BENEFITS ACT,
(CAP. 225)

Construction
Cap. 225

- 48.** This Part shall be read as one with the Political Service Retirement Benefits Act, hereinafter referred to as the “principal Act”.

Amendment
of section 8

- 49.** The principal Act is amended in section 8, by-
- (a) designating the contents of that section as subsection (1); and
 - (b) adding the following immediately after subsection (1) as designated:
 - “(2) Without prejudice to the powers of the appropriate authority under section 6(4) and for the purpose of facilitating transmission of benefits and services prescribed under this Act, the benefits or services to which a retired Speaker or retired Deputy Speaker and their respective spouses are entitled shall be paid through the Office of the Clerk of the National Assembly.”.

PART X
AMENDMENT OF THE TANZANIA EXTRACTIVE INDUSTRIES
(TRANSPARENCY AND ACCOUNTABILITY) ACT,
(CAP. 447)

Construction
Cap. 447

50. This Part shall be read as one with the Tanzania Extractive Industries (Transparency and Accountability) Act, hereinafter referred to as the “principal Act”.

Amendment
of section 5

- 51.** This principal Act is amended in section 5-
- (a) in subsection (1) by deleting the word “fifteen” and substituting for it the word “eight”;
 - (b) in subsection (2), by-
 - (i) deleting the word “fifteen” appearing in the opening phrase and substituting for it the word “eight”;
 - (ii) deleting the word “five” appearing in paragraph (a) and substituting for it the word “four”;
 - (iii) deleting the word “five” appearing in paragraph (b) and substituting for it the word “two”; and
 - (iv) deleting the word “five” appearing in paragraph (c) and substituting for it the word “two”.

PART XI
AMENDMENT OF THE TANZANIA POSTS CORPORATION ACT,
(CAP. 303)

Construction
Cap. 303

52. This Part shall be read as one with the Tanzania Posts Corporation Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

53. The principal Act is amended in section 2 by inserting in their appropriate alphabetical order the following definition:

““Ministry” means the Ministry for the time being responsible for postal matters;”.

Amendment
of section 4

54. The principal Act is amended in section 4(1),
by -

- (a) adding the words “of the Board of Directors” immediately after the word “Chairman” appearing in paragraph (f); and
- (b) deleting paragraph (h).

Amendment
of section 5

Cap.370

55. The principal Act is amended in section 5(5) by deleting the phrase “the Minister may, upon the recommendation of the Board determine” and substituting for it the words “as may be determined under the Treasury Registrar (Powers and Functions) Act”.

Amendment
of section 6

56. The principal Act is amended in section 6, by-
(a) deleting the words “and other employees” appearing in the marginal note; and
(b) deleting subsection (2) and substituting for it the following:

“(2) A person shall be eligible for appointment as Postmaster-General if such person-

- (a) is a holder of at least a masters degree from a recognised university or its equivalence in management, law, economics, finance or engineering; and
- (b) has experience of at least five years in senior managerial position in one or more of the fields referred to in paragraph (a) or other relevant sectors.

(3) The Postmaster-General shall hold office for a term of five years and may, subject to satisfactory performance, be eligible for reappointment for one further term.”.

Amendment
of section 7

- 57.** The principal Act is amended in section 7-
- (a) in subsection (2) by deleting paragraph (d) and substituting for it the following:
 - “(d) that the Corporation provides for all reasonable facilities for transaction, transmission and delivery of postal, logistic, electronic, agency, financial and other services as it may deem fit.”;
 - and
 - (b) in subsection (3), by-
 - (i) deleting paragraph (f); and
 - (ii) renaming paragraphs (g) to (l) as paragraphs (f) to (k) respectively.

Amendment
of section 8

- 58.** The principal Act is amended in section 8-
- (a) in subsection (1), by-
 - (i) deleting paragraph (c) and substituting for it the following:
 - “(c) to provide financial and agency services by means of electronic money transfer, currency exchange or such other means as may be appropriate to the Corporation;”;
 - (ii) deleting a “full stop” appearing at the end of paragraph (d) and substituting for it a “semicolon”; and
 - (iii) adding immediately after paragraph (d) the following:
 - “(e) to perform any function relating to the operations and provision of universal postal services in the United Republic.”; and
 - (b) by adding immediately after subsection (3) the following:
 - “(4) In the performance of its functions, the Corporation may employ new digitally-powered strategies where there is a connected

network in order to deliver services to the end customers through digital channels.”.

Amendment
of section 11

59. The principal Act is amended in section 11 by deleting the words “Minister responsible for finance and the Minister responsible for communications” wherever they appear in subsections (2) and (3) and substituting for them the words “Treasury Registrar and the Minister”.

Amendment
of section 14

60. The principal Act is amended in section 14 by deleting subsection (1) and substituting for it the following:

“(1) The Corporation may, upon consultation with the Minister, declare a dividend of such amount as shall be recommended by the Board of Directors and approved by the Treasury Registrar.”.

Repeal and
replacement
of sections
16 and 17

61. The principal Act is amended by repealing sections 16 and 17 and replacing for them the following:

“Budget
approval
Cap. 439

16. Subject to provisions of the Budget Act, the Postmaster-General shall, in not less than three months before the end of each financial year, prepare and submit to the Board of Directors a budget estimate of income and expenditure for the following year.

Accounts
and audit

17.-(1) The Corporation shall maintain accounting records as are required to comply with the requirements of this Act.

Cap. 257

(2) The provisions of the Public Corporations Act shall apply to the Corporation with respect to annual reports, accounts, audit, financial supervision and laying of reports before the National Assembly.”.

Addition of
section 18

62. The principal Act is amended by adding immediately after section 17 the following:

“Powers
to make
Regula-
tions

18.-(1) The Minister may make regulations for the better carrying out of any of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations for the better carrying out of postal digital services.”.

PART XII

AMENDMENT OF THE UNIVERSAL COMMUNICATIONS SERVICE ACCESS ACT, (CAP. 422)

Construction
Cap. 422

63. This Part shall be read as one with the Universal Communications Service Access Act, hereinafter referred to as the “principal Act”.

Amendment
of section 3

64. The principal Act is amended in section 3 by adding the words “and its infrastructure” at the end of the definition of the term “communication services”.

Amendment
of section 5

65. The principal Act is amended in section 5, by-

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

“(b) to support widespread access and use of internet;”;

and

(b) renaming paragraphs (b) to (f) as paragraphs (c) to (g) respectively.

Amendment
of section 7

66. The principal Act is amended in section 7-

(a) in subsection (2), by-

(i) deleting the word “ten” appearing in the opening phrase and substituting for it the word “seven”; and

(ii) deleting the word “eight” appearing in paragraph (b) and substituting for it the word “five”;

(b) in subsection (3), by-

(i) adding the word “and” at the end of paragraph (d);

(ii) deleting paragraph (e) and substituting for it the following:

“(e) one representative from the private sector.”;

(iii) deleting paragraph (f);

(c) by deleting subsection (4) and substituting for it the following:

“(4) The member referred to in paragraph (e) of subsection (3) shall be appointed from any of the following:

(a) broadcasting subsector;

(b) telecommunication subsector;

(c) postal subsector; or

(d) a local association which has its membership in either one of the subsectors referred to in paragraphs (a) to (c).”;

(d) in subsection (5) by deleting the words “by the Minister upon recommendation of the Fund” and substituting for them the phrase “pursuant to the Treasury Registrar (Powers and Functions) Act”.

Cap. 370

Amendment
of section 9

67. The principal Act is amended in section 9 by deleting subsection (3) and substituting for it the following:

“(3) The Manager shall, on such terms and conditions of service, be appointed to serve for a term of five years which may be renewed for one further term.”.

Amendment
of section 20

68. The principal Act is amended in section 20, by-

(a) designating the content of section 20 as subsection (1);

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

“(2) Any person who, upon request of the Fund-

(a) fails without reasonable cause to provide any information requested;

(b) obstructs the Fund from obtaining information requested;
or

(c) provides information that is false or misleading, commits an offence and is liable on conviction to a fine of not less than one million shillings but not exceeding ten million shillings or to imprisonment for a term not exceeding six months or to both.”.

Amendment
of section 23

- by-
- 69.** The principal Act is amended in section 23(1),
- (a) adding immediately after paragraph (c) the following:
“(d) such sum of money obtained from investments by the Fund;” and
- (b) renaming paragraphs (d) and (e) as paragraphs (e) and (f) respectively.

PART XIII
AMENDMENT OF THE VOCATIONAL EDUCATION AND TRAINING ACT,
(CAP. 82)

Construction
Cap. 82

70. This Part shall be read as one with the Vocational Education and Training Act, hereinafter referred to as the “principal Act”.

Amendment
of Long Title

71. The principal Act is amended in the Long Title by deleting the words “for the regulation”.

Amendment
of section 2

- 72.** The principal Act is amended in section 2-
- (a) in the definition of the term “apprentice” by deleting the word “Board” and substituting for it the phrase “regulatory authority responsible for vocational education and training”;
- (b) in the definition of the term “Director” by deleting the words “Vocational Education and Training” and substituting for them the words “the Authority”;
- (c) by deleting the definition of the terms “inspector”, “Regional Board” and “trade test”;
- (d) in the definition of the term “Vocation Training

Centre” by deleting the words “including a trade school”; and

(e) by inserting in its appropriate alphabetical order, the following new definition:

““district vocational training centre” means a vocational training centre designated or established to provide vocational skills at district level;”.

Amendment
of section 4

73. The principal Act is amended in section 4-

(a) in subsection (1), by-

(i) deleting paragraph (i); and

(ii) renaming paragraphs (j) to (n) as paragraphs (i) to (m) respectively; and

(b) by deleting the words “and Vocational Training Centre” appearing in subsection (2) and substituting for them a “comma” and the words “vocational training centre and district vocational training centre.”.

Amendment
of Part III

74. The principal Act is amended in the heading to Part III by deleting the words “AND REGIONAL BOARDS”.

Amendment
of section 6

75. The principal Act is amended in section 6-

(a) in subsection (2)-

(i) by deleting the words “Regional Boards and Trade Advisory Committees” appearing in paragraph (e) and substituting for them the phrase “Trade Advisory Committees and any committee established under subsection (3)”;

(ii) by deleting paragraph (f) and substituting for it the following:

“(f) designate any training centre of the Authority to be vocational teachers training college, regional vocational training and service centre, vocational training centre or district vocational training centre; and”;

(iii) in paragraph (g), by-

(a) deleting the words “the trade testing system” and a “comma” appearing in subparagraph (ii);

(b) deleting subparagraph (iii);

(c) renaming subparagraphs (iv) to (vii) as subparagraphs (iii) to (vi) respectively; and

(b) by adding immediately after subsection (2), the following:

“(3) The Board shall, for the purpose of facilitation of performance of its functions under this Act, establish such number of committees to perform specific functions as the Board may determine.

(4) The committees established under subsection (3) shall perform the functions of the Board upon such terms and conditions as the Board may determine.”.

Repeal of sections 11 and 12

76. The principal Act is amended by repealing sections 11 and 12.

Amendment of section 13

77. The principal Act is amended in section 13(2), by-

(a) deleting the words “Regional Board” appearing in paragraph (c) and substituting for them the words “regulatory authority responsible for vocational education and training”;

(b) deleting the words “to conduct trade test” appearing in paragraph (d) and substituting for them the words “to conduct examinations”; and

(c) deleting the words “to support the development” appearing in paragraph (h) and substituting for them the words “provide training on”.

Amendment of section 27

78. The principal Act is amended in section 27(2) by deleting the words “Regional Boards and of a” and substituting for them the word “the”.

PART XIV
AMENDMENT OF THE WORKERS COMPENSATION ACT,
(CAP. 263)

Construction
Cap. 263

79. This Part shall be read as one with the Workers Compensation Act, hereinafter referred to as the “principal Act.”

Amendment
of Section 75

80. The principal Act is amended in section 75 by adding immediately after subsection (4) the following:

“(5) Notwithstanding the provisions of subsection (2), the Minister may, upon recommendation of the Board, waive partially or wholly the accrued interest on overdue assessment to an employer.”.

Passed by the National Assembly on the 2nd September, 2021.

NENELWA J. MWIHAMBI
Clerk of the National Assembly