

THE UNITED REPUBLIC OF TANZANIA



No. 17 OF 1983

I ASSENT,

Julius K. Nyerere

President

10th September, 1983.

An Act to Amend the Workmen's Compensation Ordinance

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ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Workmen's Compensation (Amendment) Act, 1983, shall be read as one with the Workmen's Compensation Ordinance hereinafter referred to as "the Ordinance", and shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint. Short title

2. Section 2 of the Ordinance is hereby amended in subsection (1) by deleting paragraph (a) and substituting for it the following new paragraph— Amendment of section 2

"(a) any person who is covered by any other compensation arrangement by virtue of his employment:

Provided that such person or his beneficiary may opt either for compensation arrangements under this Ordinance or for that other arrangement, but not both;"

3. Section 6 of the Ordinance is hereby amended by deleting the words "twenty-nine thousand shillings" wherever they occur in paragraph (a) and substituting therefor the words "eighty-three thousand shillings." Amendment of section 6

4. Section 7 of the Ordinance is hereby amended by deleting the words "thirty-eight thousand shillings" where they occur in the second line of the proviso and substituting therefor the words "one hundred and eight thousand shillings." Amendment of section 7

5. Section 8 of the Ordinance is hereby amended in subsection (1) by deleting the words "thirty-eight thousand shillings" where they occur in the second line of the proviso and substituting therefor the words "one hundred and eight thousand shillings." Amendment of section 8

Amendment of section 31

6. Section 31 of the Ordinance is hereby amended by deleting subsection (1) and substituting therefor the following—

“(1) The employer shall pay all reasonable expenses incurred by a workman within the United Republic or, with the approval of the Director of Medical Services, outside the United Republic, as the result of any accident which would entitle the workman to compensation under the provisions of this Ordinance:

Provided that where an employer is proved to be financially incapable to pay all the said expenses, he shall defray such expenses to the extent of his proved capabilities and where such payments are in respect of surgical and hospital treatment, nursing treatment, supply of medicine and supply, maintenance and repair of artificial appliances and reasonable transport charges.”.

Inserting of new section 42A

7. The Ordinance is hereby amended by inserting immediately after section 42 the following new section:—

42A.—(1) Any employer who fails to comply with any compensation order under this Ordinance without any reasonable cause shall be guilty of an offence and shall be liable on conviction to a fine not exceeding forty thousand shillings.

(2) Any Labour Officer above the rank of Labour Officer, Grade III may institute proceedings against any employer who violates the provisions of this section.”.

Repeal and replacement of section 45

8. The Ordinance is hereby amended by repealing section 45 and substituting or it the following section—

45. In the event an award under this Ordinance is made to any workman or beneficiaries resident or becoming resident outside the United Republic the sums shall be payable in local currency and if the said workman or his beneficiaries wish to convert the sums into another currency the transaction shall be subject to the Exchange Control Ordinance.”.

Repeal and replacement of Third Schedule

9. The Third Schedule to the Ordinance is hereby repealed and replaced by the following:—

“THIRD SCHEDULE

OCCUPATIONAL DISEASES		Section
<i>Description of Disease</i>	<i>Nature of Occupation</i>	
1. Pneumoconioses caused by sclerogenic mineral dust (silicosis, anthracesilicosis, provided that silicosis is an essential factor in causing the resultant incapacity or death	All work involving exposure to the risk concerned.	
2. Bronchopulmonary diseases caused by hard-metal dust	All work involving exposure to the risk concerned.	
3. Bronchopulmonary diseases caused by cotton dust (byssinosis), or flax, hemp or sisal dust	All work involving exposure to the risk concerned.	

THIRD SCHEDULE—(contd.)

OCCUPATIONAL DISEASES

<i>Description of Disease</i>	<i>Nature of Occupation</i>
4. Occupational asthma caused by sensitising agents or irritants both recognized in this regard and inherent in the work process	All work involving exposure to the risk concerned.
5. Extrinsic allergic alveolitis and its sequels caused by the inhalation of organic dusts, as prescribed by national legislation	All work involving exposure to the risk concerned.
6. Diseases caused by beryllium or its toxic compounds	All work involving exposure to the risk concerned.
7. Diseases caused by cadmium or its toxic compounds	All work involving exposure to the risk concerned.
8. Diseases caused by phosphorus or its toxic compounds	All work involving exposure to the risk concerned.
9. Diseases caused by chromium or its compounds	All work involving exposure to the risk concerned.
10. Diseases caused by manganese or its toxic compounds	All work involving exposure to the risk concerned.
11. Diseases caused by arsenic or its toxic compounds	All work involving exposure to the risk concerned.
12. Diseases caused by mercury or its toxic compounds	All work involving exposure to the risk concerned.
13. Diseases caused by lead or its toxic compounds	All work involving exposure to the risk concerned.
14. Diseases caused by flucrine or its toxic compounds	All work involving exposure to the risk concerned.
15. Diseases caused by carbon disulfide	All work involving exposure to the risk concerned.
16. Diseases caused by the toxic halogen derivatives of aliphatic or aromatic hydrocarbons	All work involving exposure to the risk concerned.
17. Diseases caused by benzene or its toxic haemologues	All work involving exposure to the risk concerned.
18. Diseases caused by toxic nitro and amino-derivatives of benzene or its homologues	All work involving exposure to the risk concerned.
19. Diseases caused by nitroglycerin or other nitric acidsesters	All work involving exposure to the risk concerned.
20. Diseases caused by alcohols, glycols or ketones	All work involving exposure to the risk concerned.
21. Diseases caused by asphyxiants, carbon monoxide, hydrogen cyanide or its toxic derivatives, hydrogen sulfide.	All work involving exposure to the risk concerned.
22. Hearing impairment caused by noise	All work involving exposure to the risk concerned.
23. Diseases caused by vibration (Disorders of muscles, tendons, bones, joints, peripheral blood vessels or peripheral nerves)	All work involving exposure to the risk concerned.
24. Diseases caused by work in compressed air	All work involving exposure to the risk concerned.
25. Diseases caused by ionising radiations	All work involving exposure to the action of ionising radiations.
26. Skin diseases caused by physical, chemical or biological agents not included under other items	All work involving exposure to the risk concerned.

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| 27. Prisces opitheliomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil anthracene, or the compounds, products or residues of these substances | All work involving exposure to the risk concerned. |
| 28. Lung cancer or mesotheliomas caused by asbestos | All work involving exposure to the risk concerned. |
| 29. Infections or parasitic diseases contracted in an occupation where there is a particular risk of contamination | (a) Health or laboratory work.
(b) Veterinary work.
(c) Works of handling animals, animal carcasses, parts of such carcasses, or merchandise which may have been contaminated by animals, animal carcasses, or parts of such carcasses.
(d) Other work carrying a particular risk of contamination. |
| 30. Diseases caused by hologens chlorine, bromide, iodine or their toxic compounds | All work involving exposure to the risk concerned. |
| 31. Diseases caused by nickel or its toxic compounds | All work involving exposure to the risk concerned. |
| 32. Diseases caused by pesticides | All work involving exposure to the risk concerned |
| 33. Diseases and injuries caused by non-ionising radiation (microwaves infrared or ultra violetrays) | All work involving exposure to the risk concerned. |
| 34. Cancer of the bladder caused by long contact with aromatic amines (aniline, benzidine, and Bnaphthilamine) | All work involving exposure to the risk concerned. |
| 35. Damage to meniscus of the knees and inter-vertebral diseases as a result of strained position of the body during work. | All work involving exposure to the risks concerned. |

Passed in the National Assembly on the sixteenth day of July, 1983.


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Clerk of the National Assembly