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ACT SUPPLEMENT

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**THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS)
ACT, 2022**

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THE UNITED REPUBLIC OF TANZANIA



NO.1 OF 2022

I ASSENT

SAMIA SULUHU HASSAN
President

[23rd February, 2022]

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) Act, 2022.

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 COLLEGE OF WILDLIFE MANAGEMENT
ACT,
(CAP. 209)

Construction
Cap. 209

3. This Part shall be read as one with the College of Wildlife Management Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

4. The principal Act is amended in section 2, by-
- (a) deleting the definitions of the terms “decrees”, “financial year”, and “Principal”; and
 - (b) adding in the appropriate alphabetical order the following new definitions:
 - ““patron” means a person of honor committed to provide financial or resources support to the College;
 - “Rector” means the Rector of the College appointed under section 6;”.

General
amendment

5. The principal Act is amended generally by deleting the word “Principal” wherever it appears in the Act and substituting for it the word “Rector”.

Insertion of
new Heading

6. The principal Act is amended by inserting immediately after section 2 the following new Heading:

**“PART II
THE COLLEGE AND THE GOVERNING BODY”**

Amendment
of section 3

7. The principal Act is amended in section 3(2), by-
- (a) adding a comma and the word “degree” immediately after the word “Diploma” appearing in paragraph (a); and
 - (b) deleting paragraph (b) and substituting for it the following:
 - “(b) to provide research and consultancy services in applied wildlife management, tourism and other allied disciplines to individuals and organisations concerned with conservation, tourism and management of wildlife and hence enhancing the primary teaching role.”.

Deletion of
Heading to
Part II

8. The principal Act is amended by deleting the Heading to Part II.

Amendment
of section 4

- 9.** The principal Act is amended in section 4, by-
- (a) deleting the words “and incorporation” appearing in the marginal note;
 - (b) deleting the words “government, control and administration” appearing in subsection (1) and substituting for them the words “government and control”; and
 - (c) adding immediately after subsection (3), the following:
“(4) The Minister may, by Notice published in the *Gazette*, amend the Schedule, save for provisions relating to composition of the Governing Body.”.

Amendment
of section 5

- 10.** The principal Act is amended in section 5(1) by deleting paragraphs (d) and (e) and substituting for them the following:
- “(d) subject to the provisions of this Act and other relevant laws, the making of the rules relating to-
 - (i) the terms and conditions of service, including the appointment, dismissal, salary and other remunerations of members of the staff of the College; and
 - (ii) the academic management of the College, including the grant of scholarships and studentships, and the revocation of any such grant;
 - (e) the promotion of strategic initiatives for the amalgamation of the College with other wildlife training institutions in the United Republic;”.

Addition of
section 5A

- 11.** The principal Act is amended by adding immediately after section 5 the following:

“Establishment of faculties, departments, units etc.

5A. The Governing Body may, for better implementation of academic and administrative functions of the College and extension of its services, establish branches or campuses, as the case may be, and such

number of faculties, departments, units or sections within the College with prescribed functions as the Governing Body may determine.”.

Amendment
of section 6

12. The principal Act is amended in section 6, by-

- (a) inserting the words “and the accounting officer” between the words “officer” and “of” appearing in subsection (1);
- (b) deleting the word “The” appearing at the beginning of subsection (2) and substituting for it the words “Subject to subsection (4), the” ;
- (c) deleting subsection (3) and substituting for it the following:

“(3) Subject to subsection (4), the Governing Body may, on such terms and conditions of service as it may determine, appoint-

- (a) Deputy Rector responsible for academics, research and consultancy; and
- (b) Deputy Rector responsible for planning, finance and administration.”;
- (d) adding immediately after subsection (3) the following:

“(4) The Governing Body shall, in making appointments under this section, have regards to the criteria for appointment of Rector and Deputy Rectors as may be prescribed by the authority responsible for registration and accreditation of the College.”; and

- (e) renumbering subsection (4) as subsection (5).

Amendment
of section 7

13. The principal Act is amended in section 7, by-

- (a) deleting a full stop appearing at the end of paragraph (b) and substituting for it a colon; and
- (b) adding immediately after paragraph (b) the following proviso:

“Provided that, the Governing Body shall have regards to the criteria for appointment of academic staff as may be prescribed by the authority responsible for registration and accreditation of the College.”.

Amendment
of section 12

- 14.** The principal Act is amended in section 12, by-
- (a) inserting a new paragraph (a) as follows:
“ (a) such sums which may be appropriated to the College by Parliament;”;
 - (b) renaming paragraphs (a) to (d) as paragraphs (b) to (e) respectively;
 - (c) deleting the words “fees or gifts” appearing in paragraph (b) as renamed and substituting for them the words “fees, gifts or investment”.

Amendment
of section 15

- 15.** The principal Act is amended in section 15, by-
- (a) deleting subsection (1) and substituting for it the following:
“(1) At least three months before the commencement of any financial year, the Rector shall prepare or cause to be prepared for the approval of the Governing Body annual estimates of the revenue and expenditure of the College for the ensuing financial year.
(2) The Governing Body shall, subject to any modifications and amendments which it may consider appropriate, consider and approve the estimates prepared in accordance with subsection (1).”;
 - (b) renumbering subsections (2) and (3) as subsections (3) and (4) respectively; and
 - (c) deleting the words “Governing Body” appearing in the opening phrase of subsection (3) as renumbered and substituting for them the word “Rector”.

Amendment
of section 17

- 16.** The principal Act is amended in section 17, by-
- (a) deleting the marginal note and substituting for it the following:
“Regulations and rules”

(b) inserting a new subsection (1) as follows:

“(1) The Minister may make regulations for the better implementation of this Act.”;

(c) renumbering subsections (1), (2), (3) and (4) as subsections (2), (3), (4) and (5) respectively;

(d) deleting subsection (3) as renumbered and substituting for it the following:

“(3) Without prejudice to the generality of subsection (2), the Governing Body may make rules-

(a) prescribing conditions and terms upon which any specified facility or service within the scope of the functions of the College shall be provided to the public and other persons;

(b) providing for conduct of examinations and continuous assessment of students;

(c) for setting fees, rates and other charges for or in connection with the provision by the College of any facilities or services;

(d) providing for and regulating discipline and disciplinary proceedings amongst staff and other members of the College;

(e) providing for and regulating discipline and disciplinary proceedings amongst students;

(f) providing for convocation of the entire membership of the College, including current staff and students, and such rights and privileges as the College deems fit;

(g) providing for any matter which may be prescribed under this Act.”; and

(e) deleting subsections (4) and (5) as renumbered.

Amendment
of Schedule

17. The principal Act is amended in paragraph 2 of the Schedule, by-

(a) deleting item (b) appearing in subparagraph (1) and substituting for it the following:

“(b) eight other members appointed by the Minister as follows-

- (i) the Director of Wildlife;
- (ii) the Conservation Commissioner of Tanzania Wildlife Management Authority;
- (iii) the Conservation Commissioner of the Tanzania National Parks;
- (iv) the Conservation Commissioner of the Ngorongoro Conservation Area Authority;
- (v) the Conservation Commissioner of the Tanzania Forest Services Agency;
- (vi) a representative of conservation organisations registered as such in the United Republic;
- (vii) a representative of wildlife sector from the East African Community or Southern African Development Community member states; and
- (viii) a representative of private sector organisations engaged in wildlife conservation and tourism activities.”;

(b) deleting subparagraph (2); and

(c) renumbering subparagraphs (3) to (7) as subparagraphs (2) to (6) respectively.

PART III
AMENDMENT OF THE COPYRIGHT AND NEIGHBOURING RIGHTS
ACT,
(CAP. 218)

Amendment
of section
3

18. The principal Act is amended in section 3 by adding in the appropriate alphabetical order the definition of the following terms:

““accessible format copy” means a copy of a work in an alternative manner or form which affords a

beneficiary person ease of access to the work feasibly and comfortably, and includes braille, audio, digital format, large font or other appropriate technology;

"authorised entity" means an entity that is authorised or recognised by the Copyrights Society of Tanzania to provide education, instructional training, adaptive reading or information access to beneficiary persons on a non-profit basis, and includes a public institution or non-profit organisation that provides the same services to beneficiary persons as one of its primary activities or institutional obligations;

"beneficiary person" means a person who:

- (a) is blind;
- (b) has a visual impairment or a perceptual or reading disability which cannot be improved to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability; or
- (c) is otherwise unable, through physical disability, to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading; regardless of any other disabilities;"

Amendment
of section
12

19. The principal Act is amended in section 12(1) by adding immediately after paragraph (h) the following:

- “(i) the reproduction, by an authorised entity or a beneficiary person, of a published work for visually impaired persons in an accessible format including those available in digital form, museum, archives and libraries;
- (j) the distribution of a published work in an accessible format by an authorised entity or a beneficiary person, exclusively to visually impaired persons.”

Addition of
sections
12A and
12B

20. The principal Act is amended by adding immediately after section 12 the following:

“Limitations
for
accessible
format
copies

12A.-(1) For the purpose of paragraphs (i) and (j) of section 12(1), an authorised entity may, without the authorisation of the owner of copyright, reproduce an accessible format copy for the benefit of a person with disability, distribute that accessible format copy to a person with a disability by any means, including by non-commercial lending or by digital communication by wire or wireless means, and undertake any intermediate steps for the reproduction or distribution where the following conditions are met:

- (a) the person intending to undertake any activity under this subsection must have lawful access to the copyright work or a copy of that work;
- (b) the copyright work must be converted into an accessible format copy, which may include any means necessary to create such accessible format copy but which does not introduce changes other than those needed to make the work accessible to a person with a disability;
- (c) the accessible format copies are distributed exclusively for use by beneficiary persons; and
- (d) the activity under this subsection shall be undertaken on a non-profit basis.

(2) A beneficiary person or a person serving a beneficiary person may reproduce an accessible format copy of a work for the

personal use of the beneficiary person or otherwise may assist the beneficiary person to make and use accessible format copies where the beneficiary person has lawful access to that work or copy of that work.

Conditions
for import or
export of
accessible
format
copies

12B.-(1) A person with a disability or a person that serves persons with disabilities may, without the authorisation of the owner of copyright, export to or import from another country any work of an accessible format copy provided he undertakes such activity on a non-profit basis.

(2) A person who imports works in accessible format for reproduction or distribution shall ensure that the content of the imported work is in conformity with moral, values and culture of Tanzania.”.

PART IV

AMENDMENT OF THE CRIMINAL PROCEDURE ACT, (CAP. 20)

Construction
Cap. 20

21. This Part shall be read as one with the Criminal Procedure Act, hereinafter referred to as the “principal Act”.

Amendment
of section 2

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

““*amicus curiae*” means a person not party to criminal proceedings but has been requested by the court to assist it by providing information or advice regarding any questions of law or fact in the subject matter;”.

Amendment
of section 4

23. The principal Act is amended in section 4 by adding immediately after subsection (2) the following:

“(3) Notwithstanding subsection (2), where a matter is of a civil, administrative or criminal nature, as the case may be, exhaustion of the

remedies in civil or administrative domains shall be mandatory prior to the invocation of the criminal process in accordance with this Act.”.

Amendment
of section 91

24. The principal Act is amended in section 91 by adding immediately after subsection (2) the following:

“(3) Where the accused is discharged under subsection (1) he shall not be rearrested and charged on the same facts unless there is sufficient evidence and that the hearing proceedings shall commence on his first appearance before the court.”.

Amendment
of section 98

25. The principal Act is amended in section 98 by adding the words “provided that such arrest shall abide to the terms stipulated under section 131A of this Act” immediately after the word “facts” appearing at the end of paragraph (a).”.

Addition of
section 131A

26. The principal Act is amended by adding immediately after section 131 the following:

“Completi
on of
investigati
on

131A.-(1) Notwithstanding the provisions of this Act and any other written law for the time being in force relating to filing of charges in court, except for serious offences and offences triable by the High Court, no charge shall be filed in court before investigation is completed.

(2) Where investigation is not completed, a person suspected to have committed an offence other than that which is stipulated under subsection (1), shall be subjected to a police bond or bail in accordance with the provisions of this Act.

(3) Notwithstanding subsection (2), where a police officer is of the opinion that an offence committed falls under the provisions of section 170(6) of this Act, he shall compound the offence accordingly.

(4) For the purposes of this section “serious offence” means an offence of causing grievous bodily harm, rape, divulging public security, armed robbery, human trafficking, unlawful possession of arms or ammunition, trafficking in drugs, unlawful possession of government trophy and any other offence triable by the High Court.”.

Repeal of
section 174

27. The principal Act is amended by repealing section 174.

Amendment
of section
194D

28. The principal Act is amended in section 194D by adding immediately after subsection (5) the following:

“(6) Where conviction is entered in accordance with subsection (5), the court shall proceed to sentence the accused person in accordance with the plea agreement notwithstanding the sentence specified by the provisions of the applicable law.”.

Amendment
of section
194F

29. The principal Act is amended in section 194F by deleting paragraph (c) and replacing for it the following:

“(c) possession or trafficking in narcotic drugs whose market value is above one hundred million shillings, and for the purpose of narcotic drugs which have not been valued-

- (i) narcotic drugs or psychotropic substances weighing more than one kilogram;
- (ii) precursor chemical and substance with drugs related weighing more than one hundred litres in liquid form or more than one hundred kilograms in solid form; and
- (iii) cannabis or khat weighing not more than one hundred kilograms.”.

Repeal and
replacement

30. The principal Act is amended by repealing section 265 and replacing for it the following:

of section
265

“Proceedi
ngs which
may
require
assessors

265.-(1) The High Court may, where it considers necessary for the interest of justice, sit with not less than two assessors provided that in deciding the matter, the judge shall not be bound by the opinions of the assessors.

(2) Notwithstanding subsection (1), the High Court may, in any criminal proceedings, use the assistance of *amicus curiae* to furnish it with information or advice regarding any questions of law or fact.

(3) The Chief Justice may make rules prescribing the procedure in matters involving *amicus curiae*.”.

Repeal and
replacement
of section
285

31. The principal Act is amended by repealing section 285 and replacing for it the following:

“Rules
regarding
selection
of
assessors

285.-(1) The Chief Justice may make rules prescribing the procedure of selection of assessors.

(2) The rules made under subsection (1) may prescribe-

- (a) qualification of assessors and their selection;
- (b) procedure for summing-up of evidence to the assessors; and
- (c) procedure for delivery of opinion by assessors.”.

Amendment
of section
299

32. The principal Act is amended in section 299 by deleting the phrase “in the case of a trial re-summon the witnesses and recommence the trial; save that in any trial the accused may, when the second judge commences his proceedings, demand that the witnesses or any of them be re-summoned and reheard and shall be informed of such right by the second judge when he commences proceedings” appearing at the end of subsection (1) and substituting for it the phrase “in the case of a trial, and if he considers it necessary, re-summon the witnesses and re-commence the trial”.

Repeal and
replacement

33. The principal Act is amended by repealing section 395 and replacing for it the following:

of section
395

“Powers of
Minister to
make
regulations

395.-(1) The Minister may make regulations for better carrying into effect of the provisions of this Act.

(2) Notwithstanding the generality of subsection (1), the regulations made under this Act may provide for-

- (a) expenses of any prosecution witness attending before the court for the purposes of an inquiry, trial or other proceedings under this Act;
- (b) costs and other payments relating to witness protection in accordance with Whistleblower and Witness Protection Act;
- (c) allowances and amount payable to any assessor, interpreter or *amicus curiae* appointed to assist the court in any matter under this Act; and
- (d) any other matter which is required to be prescribed under this Act.

(3) Subject to subsection (2), the Minister shall, in making the said regulations, consult relevant authorities in the justice chain.”.

Cap. 446

PART V
AMENDMENT OF THE ECONOMIC AND ORGANISED CRIMES
CONTROL ACT,
(CAP. 200)

Construction
Cap. 200

34. This Part shall be read as one with the Economic and Organised Crimes Control Act, hereinafter referred to as the “principal Act”.

Amendment
of section 29

35. The principal Act is amended in section 29(4) by deleting the words “ten million shillings” appearing in paragraph (a) and substituting for them the words “three hundred million shillings”.

PART VI
AMENDMENT OF THE NATIONAL PROSECUTIONS SERVICE ACT,
(CAP. 430)

Construction
Cap. 430

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

Amendment
of section 5

37. The principal Act is amended in section 5-

- (a) in subsection (1) by deleting the words “or employ” appearing immediately after the word “appoint”;
- (b) by deleting subsection (2) and substituting for it the following:

“(2) The Deputy Director of Public Prosecutions shall be-

- (a) responsible for recruitment of all employees of the Service in accordance with laws governing public service;
- (b) the accounting officer and responsible for managing day to day affairs within the Service;
- (c) the disciplinary authority of employees of the Service in accordance with the terms of this Act and laws governing public service.”; and
- (c) adding immediately after subsection (3) the following:

“(4) The Director of Public Prosecutions may, for better performance of his functions and where circumstances so require, establish zones or offices, as the case may be, regardless of geographical boundaries.”.

Amendment
of section
27C

38. The principal Act is amended in section 27C, by-

- (a) adding immediately after subsection (2) the following:

“(3) Subject to subsection (2), in Districts where there is no District Prosecutions Officer, the members of the District Criminal Justice Forum shall elect one amongst their number to be the Chairman, who shall, subject to his continuing to be a member, hold the position until when the District Prosecutions Officer is appointed.”; and

- (b) renumbering subsections (3), (4) and (5) as subsections (4), (5) and (6), respectively.

PART VII
AMENDMENT OF THE NATIONAL SPORTS COUNCIL OF TANZANIA
ACT,
(CAP. 49)

Construction
Cap.49

39. This Part shall be read as one with the National Sports Council of Tanzania Act, hereinafter referred to as the “principal Act”.

Addition of
section 6A

40. The principal Act is amended by adding immediately after section 6 the following:

“Establishment
of Sports
Development
Fund

6A.-(1) There is hereby established a Fund to be known as the Sports Development Fund or in its acronym “SDF”.

(2) The objectives of the Sports Development Fund shall be to-

- (a) facilitate and promote sports development by mobilising and receiving funds from various sources for financing sports activities;
- (b) facilitate construction, maintenance and service of sports tools, equipment and infrastructure;
- (c) support and maintain sports teams and sportsmen representing the United Republic in international competitions;
- (d) facilitate identification and development of talents of sportsmen;
- (e) enhance creation and growth of sports activities as means of employment and contribution to the national economy;
- (f) facilitate sports training to sportsmen.

(3) The sources of funds of the Fund shall consist of-

- (a) such sums of money as may be appropriated by the Parliament;

(b) five per centum of the gross gaming revenue from sports betting;

(c) any donation, bequest, gift or grant made or given to the Fund;

(d) any sum or property which may in any manner become payable into the Fund.

(4) Notwithstanding subsection (3), any sum received as grant made to the Fund shall be subject to the requirements of the Government Loans, Guarantees and Grants Act.

(5) The Secretary-General of the Council shall be the manager and accounting officer of the Fund.

(6) Every expenditure from the Sports Development Funds shall be made in accordance with the Public Finance Act, Budget Act, Public Procurement Act and any rules or regulations regarding administration of the Fund.

(7) The accounts of the Fund shall be audited by the Controller and Auditor General in accordance with the Public Audit Act.

(8) The Minister may, in consultation with the Minister responsible for finance, make regulations to provide for the management, functions and operations of the Fund.”.

PART VIII AMENDMENT OF THE PENAL CODE, (CAP. 16)

Construction
Cap. 16

41. This Part shall be read as one with the Penal Code, hereinafter referred to as “the principal Act”.

General
amendment

42. The principal Act is generally amended by-

- (a) deleting the phrase “two hundred shillings” wherever it appears and substituting for it the phrase “fifty thousand shillings”; and
- (b) deleting the phrase “five hundred shillings” wherever it appears and substituting for it the phrase “one hundred thousand shillings”.

Amendment
of section 35

43. The principal Act is amended in section 35 by deleting the words “two years” and substituting for them the words “five years”.

Amendment
of section 45

44. The principal Act is amended in section 45 by inserting the words “or any other law enforcement organ” immediately after the words “National Service” appearing in paragraph (a).

Amendment
of section 46

45. The principal Act is amended in section 46 by inserting the words “or any other law enforcement organ” immediately after the words “National Service” appearing in paragraphs (a) and (b).

Amendment
of section 47

46. The principal Act is amended in section 47 by inserting the words “or any other law enforcement organ” immediately after the words “National Service” appearing in paragraph (c).

Amendment
of section 48

47. The principal Act is amended in section 48 by deleting the word “and” between the words “negligently” and “unlawfully” appearing in paragraph (b) and substituting for it the word “or”.

Amendment
of section 61

48. The principal Act is amended in section 61 by inserting the words “or any other law enforcement organ” immediately after the words “Police Force”.

Amendment
of section 62

49. The principal Act is amended in section 62 by deleting the words “seven years” appearing in the closing phrase and substituting for them the words “fourteen years” appearing in subsection (1).

Amendment
of section 98

50. The principal Act is amended in section 98 by inserting the words “to a fine not exceeding five million shillings or” between the words “is liable” and the words “to imprisonment”.

Amendment
of section
114

51. The principal Act is amended in section 114(2) by deleting the words “one month” and substituting for them the words “six months”.

Amendment
of section
138C

52. The principal Act is amended in section 138C(1) by deleting the word “male” appearing in paragraph (d”).

Amendment
of section
141

53. The principal Act is amended in section 141 by inserting the words “under the age of fifteen years” between the word “woman” and the words “to resort”.

Amendment
of section
144

54. The principal Act is amended in section 144(3) by deleting the words “eighteen years” appearing in paragraphs (a) and (b) and substituting for them the words “sixteen years”.

Amendment
of section
169A

55. The principal Act is amended in section 169A(2) by deleting the words “three hundred thousand shillings” and substituting for them the words “one million shillings”.

Amendment
of section
171A

56. The principal Act is amended in section 171A(7) by deleting the words “The Minister may” and substituting for them the words “The Minister responsible for legal affairs may, in consultation with the Minister responsible for finance”.

Amendment
of section
176A

57. The principal Act is amended in section 176A by deleting the words “five hundred shillings or, in the case of a second or subsequent offence, to a fine not exceeding fifty thousand shillings” and substituting for them the words “fifty thousand shillings or, in the case of a second or subsequent offence, to a fine not exceeding five hundred thousand shillings”.

Amendment
of section
178

58. The principal Act is amended in section 178(1) by inserting the words “or any law enforcement organ” immediately after the words “police force”.

Amendment
of section
207

59. The principal Act is amended in section 207 by deleting the words “fourteen years” and substituting for them the words “eighteen years”.

Amendment
of section
208

60. The principal Act is amended in section 208 by deleting the words “sixteen years” and substituting for them the words “eighteen years”.

Amendment
of section
283

61. The principal Act is amended in section 283 by inserting the words “a fine of not less than five hundred thousand

shillings but not exceeding one million shillings or to” between the word “to” and the word “imprisonment”.

Amendment
of section
284

62. The principal Act is amended in section 284 by deleting the words “fifty thousand shillings” and substituting for them the words “one hundred thousand shillings”.

Amendment
of section
310

63. The principal Act is amended in section 310 by deleting the words “is guilty of an offence” and substituting for them the words “commits an offence and shall, on conviction, be liable to a fine of not less than one million shillings but not exceeding five million shillings or to imprisonment for a term of not less than two years but not exceeding five years or to both”.

Amendment
of section
319

64. The principal Act is amended in section 319, by-

- (a) deleting paragraph (c);
- (b) renaming paragraph (d) as paragraph (c); and
- (c) deleting the words “imprisonment for life” appearing in the closing phrase and substituting for them the words “thirty years imprisonment”.

Amendment
of section
321

65. The principal Act is amended in section 321, by-

- (a) inserting immediately after paragraph (a) the following:
 - “(b) any stack of cultivated vegetable produces or of mineral or vegetable fuel;”;
- (b) renaming paragraphs (b) and (c) as paragraphs (c) and (d), respectively.

Amendment
of section
331

66. The principal Act is amended in section 331 by deleting the words “is liable to imprisonment for three months or to a fine of four hundred shillings” and substituting for them the words “is liable to a fine of not less than five million shillings but not exceeding ten million shillings or to imprisonment for a term of not less than two years but not exceeding five years or to both”.

PART IX
AMENDMENT OF THE UNIVERSAL COMMUNICATIONS SERVICES
ACCESS ACT,
(CAP. 422)

Construction
Cap. 422

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

Amendment
of section 7

68. The principal Act is amended in section 7(2) by adding the words “who shall be the Secretary” immediately after the word “Manager” appearing in paragraph (c).

Amendment
of section 9

69. The principal Act is amended in section 9 by deleting subsections (8) and (9).

Amendment
of Schedule

70. The principal Act is amended in the Schedule, by-
(a) deleting paragraph 3; and
(b) renumbering paragraphs 4 to 10 as paragraphs 3 to 9 respectively.

PART X
AMENDMENT OF THE VETERINARY ACT,
(CAP. 319)

Construction
Cap. 319

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

Amendment
of section 2

72. The principal Act is amended in section 2, by-
(a) adding the following definitions in the appropriate alphabetical order:
 ““veterinary drugs” means drugs intended for use in the diagnosis, cure, mitigation, treatment or prevention of diseases in animals;
 “veterinary outlet” means a shop where veterinary medicinal drugs are prepared and sold;”;
(b) inserting a comma and the words “retail veterinary outlet” between the words “structure” and “or

ambulatory” appearing in the definition of the term “facility”.

Repeal and replacement of section 10

73. The principal Act is amended by repealing section 10 and replacing for it the following

“Designation of zones and appointment of Assistant Registrars

10. The Council may, for better implementation of the provisions of this Act, designate zones and shall, for each zone, appoint a registered veterinarian to be an Assistant Registrar who shall perform specific duties as may be delegated to him by the Registrar.”.

Amendment of section 15

74. The principal Act is amended in section 15, by-

- (a) inserting the words “or veterinary specialist” between the words “veterinarian” and “if” appearing in the opening phrase to subsection (1); and
- (b) inserting the words “or veterinary specialist” between the words “veterinarian” and “unless” appearing in subsection (3).

Amendment of section 16

75. The principal Act is amended in section 16-

- (a) by designating the contents of section 16 as subsection (1); and
- (b) in subsection (1) as designated, by-
 - (i) deleting the word “or” appearing at the end of paragraph (c);
 - (ii) deleting the full stop appearing at the end of paragraph (d) and substituting for it a semicolon and the word “or”; and
 - (iii) adding immediately after paragraph (d) the following:
 - “(e) the academic certificate has been nullified or withdrawn by the issuing institution.”.

Amendment of section 21

76. The principal Act is amended in section 21 by inserting the words “and perform specific functions” between the words “specific period” and the words “as may be”.

Amendment
of section 29

77. The principal Act is amended in section 29(1) by adding the words “undergone internship training for a period of not less than six months” immediately after the word “Council” appearing at the end of paragraph (a).

Amendment
of section 38

78. The principal Act is amended in section 38 by adding immediately after subsection (4) the following:

“(5) Technical support staff working in a facility shall be paraprofessionals or paraprofessional assistants.”.

Amendment
of section 40

79. The principal Act is amended in section 40(2) by adding the words “and type” immediately after the word “location” appearing in paragraph (c).

Addition of
section 50A

80. The principal Act is amended by adding immediately after section 50 the following:

“General
penalty

50A. Any person who contravenes any provision of this Act or subsidiary legislation made hereunder to which no specific penalty is provided commits an offence and shall, upon conviction, be liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.”.

Amendment
of section 52

81. The principal Act is amended in section 52(2), by-

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

“(k) operation of retail veterinary outlets and storage, distribution and dispensing of veterinary drugs;”; and

(b) renaming paragraphs (k) and (l) as paragraphs (l) and (m) respectively.

Amendment
of Schedule

82. The principal Act is amended in paragraph 1 of the Schedule by deleting item (c) and substituting for it the following:
“(c) a representative from a college, school or faculty of veterinary medicine;”.

Passed by the National Assembly on the 7th February, 2022

NENELWA J. MWIHAMBI
Clerk of the National Assembly

