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

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NOTICE

This Bill to be submitted to the National Assembly is published for general information to the public together with a statement of its objects and reasons.

Dodoma,
2nd June, 2021

HUSSEIN A. KATTANGA
Secretary to the Cabinet

A Bill

for

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 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.”.

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:

“Transmission of benefits

Cap. 371

Cap. 348

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.”.

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 word “production” 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:
 “Establishment of Department
(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 of 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:

“Procu
re
ment
by
Depart
ment

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:

“Power
s to
invest

Cap. 53

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.”.

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.”.

Amenment 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.

Amenment 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 license 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

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

- (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:

“Compounding
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 forms and manner of compounding of 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”;
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-

“Constructio
n 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 not exceeding three million shillings or to imprisonment for a term 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 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 words “Fourth” and substituting for them 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-

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 of
section 22

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

- 47.** The principal Act is amended in the Schedules, by-
- (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 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 definitions:
 ““Ministry” means the Ministry for the time being responsible for postal matters;
 “universal postal services” means basic postal services within the United Republic which include the acceptance, conveyance and delivery of letters weighing up to 500gm, parcel and packets weighing up to 10kg.”.
- 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) 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.”;

(b) by adding immediately after subsection (3) the following:

“(4) The Corporation shall have exclusive postal right to-

(a) issue stamps;

- (b) install private and posting letter boxes;
- (c) use of the words “post office”, “letter box” and “postage stamps”; and
- (d) provide universal postal services.

(5) 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 regulations

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).”; and

(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 18

68. The principal Act is amended in section 18(1) by deleting the phrase “all holders of communication licences” and substituting for it the phrase “a person licensed by the Authority to provide communication services and a holder of electronic money issuer certificate or license issued by the Bank of Tanzania”.

Amendment of section 20

69. 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 of not exceeding six months or to both.”.

Amendment of section 23

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

- (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

71. 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

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

Amendment of
section 2

- 73.** 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

- 74.** 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

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

Amendment of
section 6

76. 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-

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

(bb) deleting subparagraph (iii);

(cc) 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 (1) shall perform the functions of the Board upon such terms and conditions as the Board may determine.”.

Repeal of
sections 11 and
12

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

Amendment of
section 13

78. 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

79. 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 COMPANSATION ACT,
(CAP. 263)

Construction
Cap. 263

80. This Part shall be read as one with the Workers Compansation Act, hereinafter referred to as the principal Act.

Amendment of
Section 75

81. 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 assesment to an employer”.

OBJECTS AND REASONS

This Bill proposes to amend Thirteen Written laws, namely: the Electronic and Postal Communications Act, Cap 306, the Judges (Remuneration and Terminal Benefits) Act, Cap. 424, the Medical Stores Department Act, Cap. 70, the Mining Act, Cap. 123, the National Council for Technical Education Act, Cap. 129, the National Health Insurance Fund Act, Cap. 395, the Non-Citizens (Employment Regulation) Act, Cap. 436, the Political Service Retirement Benefits Act, Cap. 225, the Tanzania Extractive Industries (Transparency and Accountability) Act, Cap. 447, the Tanzania Posts Corporation Act, Cap. 303, the Universal Communications Service Access Act, Cap. 422, the Vocational Education and Training Act, Cap. 82 and the Workers Compensation Act, Cap. 263. The proposed amendments intend to keep the respective laws up to date with changes so far observed in their implementation.

The Bill is divided into Fourteen Parts.

Part I deals with Preliminary Provisions which include the title of the Bill and the manner in which the laws proposed to be amended, are amended in their respective Parts.

Part II of the Bill proposes to amend various provisions of the Electronic and Postal Communications Act, Cap 306. It is proposed to amend section 13 in order to extend the duration for construction permit from one year to two years. The practice has shown that the period of one year is too short to complete the intended construction. The amendments to this section are further intended to remove a non-commercial services category of licence as the practice has shown that this category of license has no users. It is further proposed to amend section 20 by replacing the concept “modification of license conditions” for “modification of license” as what is modified under the provisions of that section is conditions and not licence. The amendments on sections 23, 116 and 137 are intended to remove a license for sale of electronic equipment as the mischief for these sections can now be achieved through TTMS.

Parts III and IX of the Bill propose amendment to the Judges (Remuneration and Terminal Benefits) Act, Cap. 424 and the Political Service Retirement Benefits, Act Cap. 225 respectively. The objective of the amendments is to facilitate the transmission of prescribed benefits and services of retirees under those laws through their respective offices to which they served.

Part IV of the Bill proposes amendments to the Medical Stores Department Act, Cap. 70. The amendments aim at allowing Medical Stores Department to engage in production of pharmaceuticals in order to improve availability of medical supplies, equipment and diagnostics in health facilities. The term “health commodities” which includes “medical supplies” has been preferred for usage in lieu of the word “drugs” which plainly connotes illicit drugs. Proposed amendments to section 3 intend to change the legal status of the Department to a legal entity. As a result of this change, the Department will be able to sue, be sued, own property and enter into contractual arrangements in its own capacity and hence, this will enhance its efficiency especially in the new engagement of production.

Further, several amendments are proposed regarding the Board, whereas amendments to section 6 aim at including skill-mix of its members and to limit their tenure to prevent monopoly and attract novelty and thus enhancing the performance of its functions as a whole. It is proposed to amend section 11 in order to align it with the provisions of the Treasury Registrar (Power and Functions) Act, Cap. 370 in relation to approval of allowances or fees payable to members of the Board. Further to that, the amendments propose to introduce a new section 16A with view to making better provisions relating to the mandate of the Department to invest.

It is further proposed that section 16 regarding procurement and section 17 regarding terminal benefits of employees of department be amended to align them with the provisions of the Public Procurement Act, Cap. 410.

Part V of the Bill proposes to amend the Mining Act, Cap. 123. Sections 4 and 90A are amended to provide for interpretation of the term “gross value” for all provisions within which the term applies. Section 10 is proposed to be amended by adding subsection (4) so as to strengthen the Government’s participation in the management of its

16% free carried interest shares in mining companies holding mining licences or special mining licences. Further, the amendments intend to facilitate establishment of special arrangements which entitle the Government to directly participate in the mining operations for the purposes of safeguarding the interests of the Government.

Section 18(4) is proposed to be amended by increasing the amount of fine to enhance deterrence against commission of the offence under that section. Section 83 is amended by introducing a provision to recognise under the broker's licence the right to buy or acquire industrial minerals and building materials other than the right to buy or acquire gemstone or gold as already provided in section 83(1). The objective of the amendment is to facilitate trade and collection of Government revenue.

This Part further proposes to introduce a new section 132A with a view to allow the compounding of certain offences under the Act. The objective is to ensure the expeditious resolution of those offences summarily against an offender who voluntarily admits.

Part VI proposes to amend the National Council for Technical Education Act, Cap. 129 to extend its regulatory mandate to cover vocational education and training as well. In that vein, the Council will now be referred to as the "National Council for Technical and Vocational Education and Training" or by its acronym "NACTVET". Amendment of section 6 aims to empower the Minister to declare any institution accredited by the Council to be an autonomous institution after consultation with the respective ministry. Further to that, the proposed amendments intend to provide for general penalty against a person who contravenes the provisions of the Act to which no specific penalty is prescribed.

Part VII of the Bill proposes to amend the National Health Insurance Fund Act, Cap. 395. This Part proposes to amend the definition of the terms "child" in order to increase the age under which a child shall continue to enjoy benefits provided by the Fund. The definition of the term "public servant" is also amended in order to widen the coverage of health insurance to public servants in public institutions, public corporations and parastatal organizations who are currently not clearly covered by the Act.

It is proposed to amend section 25 in order to make provision for all moneys paid to a public health facility to be deposited directly into the account of the health facility with a view to facilitating effective utilisation of its funds and enable the health facility to effectively discharge its financial obligations. It is further proposed to amend section 27 so as to introduce a new paragraph (e) with the view to monitoring fraudulent practices against the Fund by health facilities with whom the Fund enters into agreement.

Part VIII proposes for Amendment of the Non-Citizens (Employment Regulations) Act, Cap. 436 with a view to ensuring that there is a simplified and improved manner of issuing work permits to non-citizens worker as incentive to foreign and local investors who have decided to utilize non-citizen employees. It is proposed to amend section 12 in order to extend time limit for applicants willing to work in the Country from the current five years to eight years, which, the applications have to be done on renewal basis from each twenty-four months.

Further to that, the proposed amendments empower the Labour Commissioner to attach conditions to work permits with finality effect depending on a number of circumstances, one being the request by the applicant to stay in the country for a specific period of time.

It is proposed to repeal and replace section 19 of the Act in order to provided special incentives to investors. The proposed amendments extend the immigrant quota from the current five employees to ten employees who shall stay in the country working during the whole period of investment. Further to that the investor employing ten local employees shall also be entitled to employ one non-citizen employee. It is proposed to amend of section 22 of the Act to enable the Minister to make Regulations which shall regulate the manner and processes of issuing work permits and incentives to investors.

Part X proposes to amend section 5 of the Tanzania Extractive Industries (Transparency and Accountability) Act, Cap. 447 relating to the composition of the Committee in order to reduce the number of members of the Committee from fifteen to nine. This aims at reducing the administrative costs and enhancing efficiency of the Committee.

Part XI of the Bill proposes amendments to the Tanzania Posts Corporation Act, Cap. 303 in order to align the operations of the Corporation with the standards and practices of public corporations and align it with technological advancements in postal services. It is proposed to add under section 2 definition of new terminologies introduced in the Act by various proposed amendments. Further, the Bill proposes amendment of section 4 for consistency with the requirement of section 6(1). Section 5(5) is amended to align its provisions with laws governing public corporations especially in relation to determination of remuneration and allowances of Board members. Section 6 is proposed to be amended with the view to providing for criteria for appointment and tenure of office for Postmaster-General. Section 8 is proposed to be amended to afford the Corporation exclusive mandate on certain postal rights as provided for in the Postal Policy and the Universal Postal Union. It is also proposed to empower the Minister to make regulations for the better carrying out of the provisions of the Act.

Part XII of the Bill proposes amendments to the Universal Communications Service Access Act, Cap. 422. It is proposed to amend the Act generally in order to broaden the meaning of the term “communications services” to include its infrastructure for the purposes of incorporating other players providing infrastructure services within the communication services. Amendments are proposed to be made to section 5 for the purpose of enhancing access to universal communication by supporting widespread access in urban and rural areas along with the use of internet. It is further proposed to amend section 7 in order to reduce the number of Board members to seven; and to prescribe required qualifications and sectors from which such members will be appointed. This aims at reducing the administrative costs and enhancing efficiency of the Board. Proposed amendment of section 9(3) places a limit on the renewal of term in office of the Manager.

Amendments are proposed in section 18 (1) by removing ambiguity resulting from the words “holders of communication licence” and instead incorporating all categories of persons currently paying to TCRA for provision of communication services. The purposes of the amendment is to facilitate the payment of Universal Service Levy. In furtherance to that, subsection (4) is amended by improving the definition of the term “operator’s eligible revenue” specifically for

Mobile Network Operators for the purposes of progressive increase of Universal Service Levy.

Part XIII of the Bill proposes amendments to the Vocational Education and Training Act, Cap. 82 in order to transfer the regulatory role of the Vocational Education and Training Authority (VETA) to the National Council for Technical Education (NACTE). The proposed amendments will enable VETA to concentrate on provision of training and management of its centers and cease from regulating its own institutions. This Part further proposes amendment to sections 4, 6, 13 and 27 and to repeal section 11 and 12 so as to enable VETA to forgo its dual conflicting roles of provision of vocational education and training and regulation of vocational centers.

Part XIV of the Bill proposes to amend the Workers Compensation Act, Cap. 263. Section 75 is therefore amended with a view to increase voluntary compliance to employers in default and safeguard their business environment by protecting their capital.

MADHUMUNI NA SABABU

Muswada huu unapendekeza marekebisho katika Sheria Kumi na Tatu ambazo ni; Sheria ya Mawasiliano ya Kielektroniki na Posta, Sura ya 306, Sheria ya Stahili na Mafao ya Kustaafu ya Majaji, Sura ya 424, Sheria ya Idara ya Bohari ya Dawa, Sura ya 70, Sheria ya Madini, Sura ya 123, Sheria ya Baraza la Taifa la Elimu ya Ufundi, Sura ya 129, Sheria ya Mfuko wa Taifa wa Bima ya Afya, Sura ya 395, Sheria ya Uratibu wa Ajira za Wageni, Sura ya 436, Sheria ya Mafao ya Kustaafu ya Viongozi wa Kisiasa, Sura ya 225, Sheria ya Uwazi na Uwajibikaji katika Rasilimali za Madini, Mafuta na Gesi Asilia Sura ya 447, Sheria ya Shirika la Posta Tanzania, Sura ya 303, Sheria za Huduma za Mawasiliano kwa Wote, Sura ya 422, Sheria ya Elimu na Mafunzo ya Ufundi Stadi, Sura ya 82 na Sheria ya Fidia kwa Wafanyakazi, Sura ya 263. Mapendekezo ya marekebisho yanalenga kuondoa mapungufu ambayo yamejitokeza katika Sheria hizo wakati wa utekelezaji wa baadhi ya masharti katika Sheria hizo.

Muswada huu umegawanywa katika Sehemu Kumi na Nne.

Sehemu ya Kwanza inahusu Masharti ya Utangulizi ambayo yanajumuisha Jina la Muswada na namna ambavyo Sheria zinazopendekezwa kurekebisha, zilivyorekebisha katika Sehemu husika.

Sehemu ya Pili ya Muswada inapendekeza marekebisho katika vifungu mbalimbali vya Sheria ya Mawasiliano ya Kielektroniki na Posta, Sura ya 306. Inapendekezwa kufanya marekebisho katika kifungu cha 13 ili kuongeza muda wa kibali cha ujenzi wa minara kutoka mwaka mmoja hadi miaka miwili. Hatua hii inatokana na uzoefu uliopatikana katika utekelezaji wa masharti hayo ambapo imebainika kuwa kipindi cha miezi 12 ni kidogo kuweza kukamilisha ujenzi huo. Marekebisho mengine katika kifungu hicho yanalenga kufuta leseni ya huduma zisizo za kibiashara kwa kuwa uzoefu unaonesha kuwa leseni hii haitumiki na haina waombaji kwa kuwa kwa mazingira ya Sekta ya Mawasiliano leseni zinazotumika ni zile za kibiashara tu. Aidha, inapendekezwa kurekebisha kifungu cha 20 ili kufuta dhana ya kurekebisha leseni na badala yake kuweka dhana iliyokusudiwa ambayo ni kuboresha masharti ya leseni kwa kuwa kinachoboreshwa ni masharti ya leseni na siyo leseni.

Marekebisho katika vifungu vya 23, 116 na 137 yanakusudia kufuta leseni ya uuzaji wa vifaa vya kielektroniki vya simu. Lengo la leseni hii ilikuwa kudhibiti uuzaji wa simu za kughushi hata hivyo kwa sasa Mamlaka ya Mawasiliano imeweka mfumo mwingine wa kielektroniki wa udhibiti huo. Marekebisho mengine yanapendekezwa katika vifungu vya 73 na 81 ili kurahisisha utaratibu wa kuingia na kutoka katika soko la masafa kwa kuweka masharti yatakayoruhusu uhamishaji kwa njia ya kielektroniki wa namba na anwani za masafa.

Sehemu za Tatu na Tisa za Muswada zinapendekeza marekebisho ya Sheria ya Stahili na Mafao ya Kustaafu ya Majaji, Sura ya 424 na Sheria ya Mafao ya Kustaafu ya Viongozi wa Kisiasa, Sura ya 225. Madhumuni ya marekebisho katika Sheria hizo ni kuwezesha utolewaji wa mafao na stahili za Wastaafu katika Sheria hizo kufanyika kupitia Ofisi walizokuwa wakihudumu.

Sehemu ya Nne ya Muswada inapendekeza marekebisho kwenye Sheria ya Bohari ya Dawa, Sura ya 70. Marekebisho yanalenga

kuiwezesha Idara ya Bohari ya Dawa kufanya uzalishaji wa dawa ili kuboresha upatikanaji wa dawa, vifaa tiba, mitambo na uchunguzi katika shughuli za afya. Kifungu cha 3 kinarekebishwa ili kuipa Idara hadhi ya utu wa kisheria na hivyo kuiwezesha Idara hiyo kushtaki, kushtakiwa, kumiliki mali na kuingia katika makubaliano ya kibiashara. Hatua hii itaongeza tija na ufanisi wa Idara hiyo hususan wakati huu ambapo inakusudia kuingia katika uzalishaji na uwekezaji.

Kifungu cha 6 kinarekebishwa kwa kuweka sifa zinazopaswa kuzingatiwa wakati wa kuteua wajumbe wa Bodi. Kifungu cha 11 kinapendekezwa kurekebishwa ili malipo au ada zinazolipwa kwa Wajumbe wa Bodi zilipwe kwa mujibu wa Sheria ya Mamlaka na Majukumu ya Msajili wa Hazina, Sura ya 370.

Inapendekezwa kuongeza kifungu kipya cha 16A kwa lengo la kuboresha na kuimarisha masharti kuhusu uwekezaji unaofanywa na Idara ili kuiwezesha Idara kuwekeza kwa tija. Vifungu vya 16 na 17 vinarekebishwa ili kukidhi matakwa ya Sheria ya Ununuzi wa Umma, Sura ya 410.

Sehemu ya Tano ya Muswada inapendekeza kurekebisha Sheria ya Madini, Sura ya 123. Vifungu vya 4 na 90A vinarekebishwa kwa kuweka tafsiri ya neno “thamani ghafi” liweze kutumika popote katika Sheria ambapo neno limetumika ili kuweka maana iliyokusudiwa. Inapendekezwa kurekebisha kifungu cha 10 kwa kuongeza kifungu kidogo cha (4) cha Sheria hiyo ili kuimarisha mfumo wa ushiriki wa Serikali katika kusimamia hisa za Serikali zinazotolewa na Makampuni ya Madini yanayomiliki Leseni kubwa na za Kati. Aidha, marekebisho haya yanakusudia kutambua kisheria utaratibu ambao umekuwa ukitumiwa na Serikali kwa sasa wa kushiriki moja kwa moja katika shughuli za uendeshaji wa kampuni ambazo Serikali inamiliki hisa asilimia 16 kwa mujibu wa kifungu cha 10 cha Sheria hiyo kwa lengo la kulinda maslahi ya Serikali. Kifungu cha 18(4) kinarekebishwa kwa kuongeza adhabu chini ya kifungu hicho kwa lengo la kudhibiti ukiukwaji. Kifungu cha 83 kinarekebishwa ili kutambua, katika leseni ya madalali wa madini (Broker’s license), haki ya madalali kununua madini ya ujenzi na madini ya viwandani kwa lengo la kukuza biashara ya madini na ongezeko la mapato ya Serikali.

Sehemu hii pia inapendekeza kuongeza kifungu cha 132A kuruhusu ufililishaji wa makosa mbalimbali ili kuwezesha utatuzi wa haraka wa migogoro dhidi ya ukiukwaji.

Sehemu ya Sita ya Muswada inapendekeza kurekebisha Sheria ya Baraza la Taifa la Elimu ya Ufundi, Sura ya 129 ili kulipa Baraza la Taifa la Elimu ya Ufundi jukumu la udhibiti wa elimu na mafunzo ya ufundi stadi. Kutokana na mabadiliko hayo, Baraza la Taifa la Elimu ya Ufundi litaitwa “Baraza la Taifa la Elimu ya Ufundi na Ufundi Stadi” au kwa kifupi chake “NACTVET”. Kifungu cha 6 kinarekebishwa kwa lengo la kumpa Waziri mamlaka, baada ya kushauriana na Wizara zinazohusika na taasisi, kuitangaza taasisi iliyopewa ithibati na Baraza kuwa chombo kinachojitegemea. Vilevile, marekebisho yanayopendekezwa yanakusudia kuweka adhabu ya jumla kwa mtu anayekiuka masharti ya Sheria kwa makosa ambayo hayana adhabu mahsusili iliyoainishwa.

Sehemu ya Saba ya Muswada inapendekeza marekebisho kwenye Sheria ya Mfuko wa Bima ya Afya, Sura 395. Katika kifungu cha 3 inapendekezwa kurekebisha tafsiri ya msamiati wa “mtoto” ili kuongeza umri wa mtoto kufikia miaka 21 kwa lengo la kuongeza muda wa mtoto kuendelea kunufaika na huduma za bima ya afya zitolewazo na mfuko. Hali kadhalika, inapendekezwa kufanya marekebisho katika msamiati wa “mtumishi wa umma” ili kuongeza wigo wa wanufaika kwa kujumuisha watumishi katika mashirika na taasisi za umma.

Kifungu cha 25 kinarekebishwa kwa lengo la kuweka utaratibu ambao fedha zote zinazolipwa na Mfuko kwa vituo vya umma vya kutolea huduma za afya zitaingizwa moja kwa moja katika akaunti ya vituo hivyo ili kuwezesha matumizi sahihi ya fedha zake na kuwezesha kutimiza wajibu wake wa kifedha kwa wakati. Sehemu hii inapendekeza kurekebisha kifungu cha 27 kwa lengo la kuboresha utaratibu wa ufuatiliaji wa vitendo vya udanganyifu vinavyofanywa na vituo vya kutolea huduma za afya vilivyoingia makubaliano na Mfuko kutoa huduma.

Sehemu ya Nane inapendekeza marekebisho katika Sheria ya Uratibu wa Ajira za Wageni, Sura ya 436 ili kuhakikisha kuwa utaratibu wa utoaji wa vibali vya kufanya kazi kwa wageni nchini unaboreshwa ili kuwafanya wawekezaji wa ndani na nje ya nchi kutumia wajuzi wa kigeni ambao huacha ujuzi huo nchini.

Marekebisho katika kifungu cha 12 yanakusudia kuongeza muda wa mfanyakazi wa kigeni kufanya kazi nchini kutoka miaka mitano ya sasa mpaka miaka nane akiwa na uwezo wa kuhuisha maombi ya kibali hicho kila baada ya miezi ishirini na nne. Mapendekezo haya yanakusudia kumwezesha Kamishna wa Kazi kuweka masharti mahususi ya ukomo wa vibali kwa kuzingatia mazingira halisi ya maombi husika, mfano kutoa kibali kwa muda maalum kutokana na mahitaji ya mwombaji wa kibali husika.

Inapendekezwa kufuta na kuandika upya kifungu cha 19 cha Sheria hii kwa lengo la kuongeza vivutio vya uwekezaji kwa kuongeza idadi ya wafanyakazi wa kigeni wanaokusudiwa kuajiriwa nchini kutoka wafanyakazi watano hadi kufikia wafanyakazi kumi kulingana na kiasi cha uwekezaji husika. Pamoja na wafanyakazi kumi kama kivutio, wawekezaji pia watawezesha kuajiri mfanyakazi mmoja wa kigeni kwa kila wafanyakazi kumi raia wa Tanzania ambao wataajiriwa katika uwekezaji huo. Kifungu hiki pia kinafafanua wazi kuwa wafanyakazi wa kigeni watakoajiriwa kwa mujibu wa kifungu hicho wataendelea kuwepo nchini wakifanya kazi katika kipindi chote cha uwekezaji husika.

Marekebisho ya kifungu cha 22 yanakusudia kumwezesha Waziri kutunga Kanuni (Regulations) ambazo zitaruhusu maombi ya vibali kwa njia ya kielektroniki.

Sehemu ya Kumi inapendekeza marekebisho katika Sheria ya Uwazi na Uwajibikaji katika Rasilimali za Madini, Mafuta na Gesi Asilia, Sura ya 447 ambapo kifungu cha 5 kinachohusu muundo wa Kamati kinarekebishwa. Marekebisho yaliyopendekezwa ni kupunguza idadi ya wajumbe wa Kamati kutoka wajumbe kumi na tano hadi kufikia tisa kwa lengo la kupunguza gharama za uendeshaji na kuwa sanjari na msimamo wa Serikali kuhusiana na vyombo kwa na wajumbe wasiozidi tisa isipokuwa wasipungue watano.

Sehemu ya Kumi na Moja inapendekeza marekebisho kwenye Sheria ya Shirika la Posta Tanzania, Sura ya 303 ili kuliwezesha Shirika la Posta kufanya shughuli zake kwa kuzingatia viwango na taratibu za uendeshaji wa mashirika ya umma na kulifanya Shirika hilo liendane na maendeleo na mabadiliko ya kiteknolojia katika utoaji wa huduma za posta. Kifungu cha 2 kinarekebishwa kwa kuongeza misamiati mipya

iliyotumika katika Sheria kwa kuzingatia marekebisho yanayopendekezwa. Vilevile, kifungu cha 4 kinapendekezwa kurekebisha ili masharti yake yaendane na matakwa ya kifungu cha 6(1) kinachohusu mamlaka ya uteuzi wa Mkuu wa Posta. Kifungu cha 5(5) kinapendekezwa kurekebisha ili kuianisha masharti ya kifungu hicho na masharti ya Sheria nyingine zinazosimamia mashirika ya umma hususan katika eneo la malipo na posho kwa wajumbe wa Bodi.

Sehemu hii pia inapendekeza kurekebisha kifungu cha 6 kwa lengo la kuweka vigezo vya uteuzi na muda wa kuwa madarakani wa Mkuu wa Posta. Kifungu cha 8 kinapendekezwa kurekebisha ili kulipa Shirika haki za kipekee za huduma mbalimbali za posta ili kuendana na masharti ya Sera ya Posta na Jumuiya ya Umoja wa Posta. Vilevile, inapendekezwa kuongeza kifungu kipa cha 18 ili kumpa Waziri mwenye dhamana mamlaka ya kutunga kanuni kwa madhumuni ya utekelezaji bora wa masharti ya Sheria hii.

Sehemu ya Kumi na Mbili ya Muswada inapendekeza kufanya marekebisho kwenye Sheria ya Huduma ya Mawasiliano kwa Wote, Sura ya 422. Istilahi “huduma za mawasiliano” katika kifungu cha 3 inarekebisha kwa lengo la kupanua wigo wa maneno hayo kujumuisha huduma za miundombinu ili kuwajumuisha wadau wengine wanaotoa miundombinu ya mawasiliano katika huduma za mawasiliano. Aidha, marekebisho yanapendekezwa katika kifungu cha 5 kwa lengo la kuboresha upatikanaji wa huduma ya mawasiliano kwa maeneo mengi zaidi mjini na vijijini pamoja na matumizi ya intaneti (mtandao).

Sehemu hii pia inapendekeza marekebisho ya kifungu cha 7 ili kupunguza idadi ya wajumbe wa Bodi mpaka kufikia saba na kuianisha sifa za wajumbe wa Bodi na maeneo wanakotakiwa kutoka. Hatua hii inalenga kupunguza gharama za uendeshaji na kuboresha utendaji wa Bodi kwa ujumla. Marekebisho ya kifungu cha 9(3) yanalenga kuweka ukomo wa muda wa kushika madaraka ya Meneja.

Marekebisho yanapendekezwa katika kifungu 18(1) kwa kuondoa utata unaotokana na maneno “wamiliki wa leseni za mawasiliano” na badala yake kujumuisha madaraja yote ya watu wanaolipia huduma ya mawasiliano TCRA. Madhumuni ya marekebisho ni kuwezesha ulipaji wa tozo ijulikanayo kama “Univeral Service Levy”. Kufuatia hayo, kifungu kidogo cha (4) kinarekebisha kwa kuboresha tafsiri ya istilahi “operator’s eligible revenue” hususani kwa Waendeshaji wa Mitandao

ya Simu za Mikononi kwa lengo la ongezeko endelevu la tozo tajwa. Aidha, inapendekezwa kuongeza kifungu kidogo kipya katika kifungu cha 20 kinacholenga kuweka makosa na adhabu kwa ukiukwaji wa kifungu hiki kuhusiana na utoaji taarifa.

Sehemu ya Kumi na Tatu ya Muswada inapendekeza kufanya marekebisho katika Sheria ya Elimu na Mafunzo ya Ufundi Stadi, Sura ya 82. Marekebisho ya jumla yanapendekezwa ili kuhamisha jukumu la elimu ya ufundi stadi na mafunzo kwa Baraza la Taifa la Elimu ya Ufundi (NACTE). Lengo la marekebisho haya ni kuiwezesha VETA kujikita katika jukumu lake la msingi la utoaji wa mafunzo ya ufundi stadi ili kuongeza ufanisi.

Kifungu cha 2 kinapendekezwa kurekebisha kwa lengo la kuboresha tafsiri ya baadhi ya misamiati ambayo tafsiri zake zina mapungufu na kufuta tafsiri ya baadhi ya misamiati ambayo haitumiki tena kutokana na marekebisho mengine yanayopendekezwa katika Sheria. Sehemu hii pia inapendekeza kufanya marekebisho katika vifungu vya 4, 6, 13 na 27 na kufuta vifungu vya 11 na 12 ili kuondoa jukumu la usimamizi na udhibiti wa elimu na mafunzo ya ufundi stadi kutoka kwa VETA kwa kuwa sasa jukumu hilo linapendekezwa kuhamishiwa NACTE.

Sehemu ya Kumi na Nne ya Muswada inapendekeza marekebisho ya Sheria ya Fidia kwa Wafanyakazi, Sura ya 263 ambapo kifungu cha 75 kinarekebisha ili kuwezesha uzingatiaji wa Sheria kwa hiari hususani kwa waajiri waliochelewa kujisajili kwa hofu ya kutozwa riba. Marekebisho haya yanatarajia kuboresha mazingira ya biashara kwa waajiri na kulinda mitaji yao.

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