

GOVERNMENT NOTICE No. 129 published on 30/3/62

LG. 12/27/09

THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

INSTRUMENT

ESTABLISHING THE SHINYANGA DISTRICT COUNCIL

Made under section 4 of the Local Government Ordinance

THE LOCAL GOVERNMENT (SHINYANGA DISTRICT COUNCIL)
INSTRUMENT, 1962

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government and Administration, am satisfied from inquiries I have made and caused to be made that there is among the inhabitants of and residents in the area set out in the First Schedule to this Instrument a general wish that the District Council established by this Instrument should be established:

NOW, THEREFORE, I, the said JOB MARECELA LUSINDE, in exercise of the powers conferred upon me by section 4 of the Local Government Ordinance, and with the prior approval of the National Assembly signified by resolution do hereby make the following Instrument:—

1. This Instrument may be cited as the Local Government (Shinyanga Short title District Council) Instrument, 1962.

2. In this Instrument unless the context otherwise requires— Interpretation
“the Council” means the Shinyanga District Council established by clause 3 of this Instrument;
“the Ordinance” means the Local Government Ordinance.

3. There is hereby established, as from the first day of April, 1962, Establishment of the Council
a District Council to be known as “Shinyanga District Council”.

4. The area under the jurisdiction of the Council is the area set out in the First Schedule hereto. Area under the jurisdiction of the Council

5. The functions of the Council shall be exercisable in respect of all persons in the area under its jurisdiction. Persons in respect of whom functions exercisable

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Seal

6. The seal of the Council shall be the following device:—



Provided that until such time as a seal capable of reproducing such device can be procured, a rubber stamp bearing the inscription "Shinyanga District Council" may be used in lieu of such seal.

Constitution

7. The Council shall consist of:—

- (a) not less than forty and not more than forty-three members to be appointed by the Minister;
- (b) four persons holding the office of Chief in any Chiefdom within the area of jurisdiction of the Council to be appointed by the Council:

Provided that for the purpose of appointing such persons only, the Council shall be deemed to be properly constituted notwithstanding that no such persons are at that time appointed; and

- (c) not more than three members co-opted by the Council under the provisions of clause 9 of this Instrument.

Deleted
277/64

277/64
Term of office of members of the Council
Substituted
277/64

8. Members of the Council shall retire at the end of ^{three} one year from the date of their appointment:

Provided that a member co-opted by the Council shall hold office for such period not exceeding one year as the Council shall determine.

Co-opted members

9. The Council may, in its discretion, at any time co-opt to be additional members of the Council not more than three persons.

Chairman and Vice-Chairman

10. The Chairman and Vice-Chairman shall be elected by the Council in accordance with the provisions of section 15 of the Ordinance, shall hold office for a period of one year and shall be eligible for re-election to such office.

Council's office and meetings

11.—(i) The office of the Council shall be situated at such place as the Minister may direct.

(ii) The Council shall meet not less than four times in any one year.

Functions

12. In addition to those functions conferred upon the Council by the Ordinance or by any other law for the time being in force, the Council—

- (i) shall maintain as from the first day of July, 1962, all highways from time to time classified under the provisions of section 13 of the Highways Ordinance as District Roads in the area of jurisdiction of the Council, and the bridges, culverts, drains and water-courses appertaining thereto;

- (ii) may maintain all those roads and the bridges, culverts, drains and water-courses appertaining thereto formerly maintained in whole or in part by the Native Authorities of Shinyanga District from funds provided in the annual estimates of these Authorities;

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- (iii) shall take measures for the prevention or removal of damage or obstruction to roads which the Council is empowered to maintain;
- (iv) may make new roads and streets, and bridges, culverts, drains and water-courses appertaining thereto;
- (v) may alter, divert or close any road, street or footpath which it is empowered to maintain either permanently or for such period as may be necessary to enable the maintenance or repair thereof to be carried out;
- (vi) may perform all or any of the functions specified in the following paragraphs of section 52 of the Ordinance:—
- (1), (3), (4), (5), (10), (11), (12), (13), (16), (17), (18), (20), (21), (28), (31), (34), (35), (36), (37), (38), (39), (40), (41), (42), (43), (44), (45), (46), (47), (48), (49), (50), (51), (52), (53), (54), (55), (56), (57), (58), (59), (61), (62), (64), (65), (67), (68), (70), (71), (72), (73), (74), (75), (76), (77), (78), (79), (80), (81), (82), (83), (84), (85), (91), (95), (96), (97), (98), (100), (101), (102), (103), (104), (105), (107), (109), (110), (113), (115), (116), (117), (122), (125), (128), (129), (131), (132), (133), (134), (136), (137), (138), (139), (140), (141), (142), (145), (146), (147), (148), (149), (151), (153);
- (vii) may prepare schemes for consideration by Government for the irrigation of land, the reconditioning of land or the preservation of land and the regulation or control of the use of land whether for agricultural, grazing, forestry or any other purpose whether of a like nature to the foregoing or not and may carry out or promote and control any such schemes that may have been approved by Government;
- (viii) may build, equip and let dwelling houses for occupation by the employees of the Council;
- (ix) may regulate and control the cultivation of poisonous or noxious plants;
- (x) may take measures for the prevention and abatement of nuisances;
- (xi) may provide for the control, regulation, inspection, supervision and licensing of—
- (a) social halls, dance halls and places of entertainment;
- (b) lodging and eating houses;
- (xii) may establish, erect, equip and maintain social or welfare centres and public libraries;
- (xiii) may establish, erect, equip and maintain communal feeding centres for the supply of food and drink;
- (xiv) may take measures for the prevention of the pollution of water in any river, stream, water-course, well or other water supply in the area;
- (xv) may make payments in accordance with the Local Authorities (Expenses) Regulations, to the Chairman, Vice-Chairman or any member of the Council in respect of expenses incurred by them in the performance of their duties as Chairman, Vice-Chairman or members, as the case may be;

Substituted
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Substituted
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(xvi) shall maintain, repair and equip and engage and employ such staff as may be necessary for any Local Court, office, lock-up, or other building required for or used in connection with the establishment and running of such court which is situated within its area and set aside or provide land for and build any such court, office, lock-up or other building when required to do so by the Provincial Commissioner of the Province to the satisfaction of the said Provincial Commissioner and pay such sitting fees to any member of a Local Court which is situated within its area as are specified from time to time by the Provincial Commissioner.

(xvii) --- to --- (xx) --- [277/64]

FIRST SCHEDULE

The Shinyanga District.

Made by the Minister for Local Government and Administration at Dar es Salaam this nineteenth day of February, 1962.

J. M. LUSINDE,
Minister for Local Government
and Administration

Approval of the making of the above Instrument was signified by resolution of the National Assembly on the fifteenth day of February, 1962.

G. W. Y. HUCKS,
Clerk of the National Assembly

GOVERNMENT NOTICE NO. 130 published on 30/3/62

LG. 12/27/06

THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

INSTRUMENT

ESTABLISHING THE MWANZA DISTRICT COUNCIL

Made under section 4 of the Local Government Ordinance

THE LOCAL GOVERNMENT (MWANZA DISTRICT COUNCIL)
INSTRUMENT, 1962

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government and Administration, am satisfied from inquiries I have made and caused to be made that there is among the inhabitants of and residents in the area set out in the First Schedule to this Instrument a general wish that the District Council established by this Instrument should be established:

NOW, THEREFORE, I, the said JOB MARECELA LUSINDE, in exercise of the powers conferred upon me by section 4 of the Local Government Ordinance, and with the prior approval of the National Assembly signified by resolution do hereby make the following Instrument:—