

G.N. No. 441 (contd.)

WARD XXX:

The Nahukahuka, Kipimi, Kiheru, Mtumya and Kidoo Parishes of the Nyangamara Liwaliate.

WARD XXXI:

The Mungwe, Shuka, Miheu, and Nachunyu Parishes of the Sudi Liwaliate.

WARD XXXII:

The Sudi, Madangwa, and Mtengu Parishes of the Sudi Liwaliate.

Made by the Minister for Local Government at Dar es Salaam this second day of December, 1961.

J. M. LUSINDE,

Minister for Local Government

Approval of the making of the above Instrument was signified by resolution of the National Assembly on the first day of December, 1961.

Dar es Salaam,
2nd December, 1961

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

GOVERNMENT NOTICE No. 442 published on 15/12/61

12/29/62

THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

INSTRUMENT

ESTABLISHING THE KILWA DISTRICT COUNCIL

Made under section 4

THE LOCAL GOVERNMENT (KILWA DISTRICT COUNCIL) INSTRUMENT, 1961

WHEREAS, I, JOB MARECELA LUSINDE, Minister for Local Government, 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 (Kilwa Short title District Council) Instrument, 1961.

2. In this Instrument unless the context otherwise requires "the Inter-Council" means the Kilwa 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 January, 1962, a District Council to be known as "Kilwa District Council".

Establishment of the 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

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

Seal



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

7. The area under the jurisdiction of the Council for the purposes of this Instrument shall be deemed to be divided into 22 wards as described in the Second Schedule hereto.

Wards

8. The Council shall consist of—

Constitution

- (a) twenty-two members to be appointed by the Minister, each to represent one ward in the area under the jurisdiction of the Council;
- (b) not more than three other members to be appointed by the Minister; and
- (c) not more than three members co-opted by the Council under the provisions of clause 10 of this Instrument.

9. Members of the Council shall retire at the end of three years from the date of their appointment:

Term of office of members of the Council

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Provided that those members first appointed by the Minister to represent Wards I, II, III, IV, V, VI and VII, as described in the Second Schedule hereto shall retire at the end of one year from the date of their appointment, and those members first appointed by the Minister to represent Wards VIII, IX, X, XI, XII, XIII and XIV as described in the Second Schedule hereto shall retire at the end of two years from the date of their appointment:

And provided further that a member co-opted by the Council shall hold office for such period not exceeding three years as the Council shall determine.

Co-opted members

10. 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

11. The Chairman and Vice-Chairman shall be elected by the Council in accordance with the provisions of section 15 of the Ordinance and shall hold office for a period of one year.

12. The office of the Council shall be situated in the Kilwa Masoko Minor Settlement.

Functions

13. 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 1st day of January, 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 Kilwa District from funds provided in the annual estimates of these Authorities;
- (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, streets, bridges, culverts, drains and water courses appertaining thereto;
- (v) may 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 restrict and regulate the construction, alteration, alignment and elevation of all buildings and other structures and parts thereof and compel the demolition, removal, repair and rendering safe of any building, structure or part thereof which in the opinion of the Council is dangerous or unfit for occupation for structural or sanitary reasons, or which otherwise constitutes a nuisance and may provide for the doing of any such work as aforesaid at the cost of the owner or occupier and for the recovery of such cost;

(vii) may perform all or any of the functions specified in the following paragraphs of section 52 of the Ordinance:—

- (3), (4), (5), (7), (10), (11), (12), (13), (14), (15), (16), (17), (18), (21), (27), (31), (35), (36), (37), (40), (41), (42), (43), (44), (45), (46), (47), (50), (51), (52), (53), (55), (56), (57), (58), (61), (62), (64), (68), (70), (71), (72), (73), (77), (78), (79), (80), (81), (83), (84), (85), (87), (91), (92), (94), (95), (96), (97), (100), (101), (103), (104), (105), (110), (115), (116), (117), (121), (122), (124), (125), (129), (131), (134), (136), (137), (138), (139), (141), (142), (145), (146), (147), (148), (149) and (151);
- (viii) may regulate and control markets and trade therein and may regulate and control the fixing and collection of stallages, rents and tolls in markets;
- (ix) may promote, regulate or control the disposal or marketing of, or provide for the inspection of agricultural or animal produce in the area other than the produce of land held under rights of occupancy granted under the Land Ordinance, Cap. 113, or land held for an estate of freehold;
- (x) may regulate or control the storage of produce and provide for its inspection;
- (xi) may provide services for the improvement of agriculture and animal husbandry and may without prejudice to the generality of the foregoing, establish and maintain seed farms, plant nurseries, apiaries and fish ponds and animals at stud;
- (xii) may regulate and control the cultivation of poisonous or noxious plants;
- (xiii) may take measures for the prevention and abatement of nuisance;
- (xiv) 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;
- (xv) may establish, erect, equip and maintain social or welfare centres and public libraries;
- (xvi) 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;
- (xvii) 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;

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(xviii) 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.

FIRST SCHEDULE

The Kilwa District.

SECOND SCHEDULE

WARD I:

The parishes of Mahenga and Chemchem.

WARD II:

The parish of Mingumbi.

WARD III:

The parish of Mtandango.

WARD IV:

The parishes of Chumo, Mkongo and Nambondo.

WARD V:

The parishes of Kinjumbi, Somanga and Pungutini.

WARD VI:

The parishes of Ntumbei and Kibata.

WARD VII:

The parishes of Kandawale and Namatewa.

WARD VIII:

The parishes of Njinjo and Narumgombe.

WARD IX:

The parishes of Miguruwe, Kinyata "A" and Kinyata "B".

WARD X:

The parish of Nakingombe.

WARD XI:

The parishes of Kikole, Kimbarambera, Mitole, Ndende Maliwe and Mkoma

WARD XII:

The parishes of Masoko, Mpara and Kisiwani.

WARD XIII:

The parishes of Mzizima, Mtambuu, Kisangi Ugoga and Migoregere.

WARD XIV:

The parishes of Mgongeni, Magengeni and Songosongo.

WARD XV:

The parishes of Mbiringindi, Mtitimira, Mararani and Songo Mnara.

WARD XVI:

The parish of Nakimwera.

WARD XVII:

The parish of Lihimalyao.

WARD XVIII:

The parish of Mawe Mkondaji.

WARD XIX:

The parishes of Mtandi, Njenga, Kiswera and Makangaga.

WARD XX:

The parishes of Nanjirinji, Nawerenji and Nakiu.

WARD XXI:

The parishes of Nahungo and Mirui.

WARD XXII:

The parishes of Njenga, Kizimbani, Mnindi, Nangangachi, Nangware and Kihenje.

Made by the Minister for Local Government at Dar es Salaam this second day of December, 1961.

J. M. LUSINDE,

Minister for Local Government

Approval of the making of the above Instrument was signified by resolution of the National Assembly on the first day of December, 1961.

Dar es Salaam,

2nd December, 1961

G. W. Y. HUCKS,

Clerk of the National Assembly

GOVERNMENT NOTICE No. 443 published on 15/12/61

THE IMMUNITIES AND PRIVILEGES (EXTENSION AND MISCELLANEOUS PROVISIONS) ORDINANCE, 1961

(No. 54 of 1961)

REGULATIONS

Under section 9 (1) (b)

THE IMMUNITIES AND PRIVILEGES (CONSULAR OFFICERS AND CONSULAR EMPLOYEES) REGULATIONS, 1961

1. These Regulations may be cited as the Immunities and Privileges (Consular Officers and Consular Employees) Regulations, 1961, and shall come into operation on the ninth day of December, 1961.

2.—(1) A consular officer de carriere is hereby granted the immunities set out in Part I of the First Schedule hereto.

(2) The senior consular officer de carriere in post in Tanganyika of a foreign sovereign power which does not maintain a diplomatic mission in Tanganyika is hereby granted, in addition to the immunities set out in Part I of the First Schedule, immunity from the duties and fees set out in Part II thereof.

3. A consular employee in the permanent consular or foreign service of a foreign sovereign state is hereby granted the immunities set out in the Second Schedule hereto.

4. Nothing in these Regulations shall entitle any consular officer or consular employee to any immunity which the Minister, in exercise of the powers conferred by section 14 of the Ordinance, has declined to accord or has withdrawn, or where such officer or employee is otherwise not entitled to personal immunities.