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THE LOCAL GOVERNMENT ORDINANCE

(CAP. 333)

AMENDING INSTRUMENT

AMENDING THE INSTRUMENT ESTABLISHING THE  
MTWARA DISTRICT COUNCIL

Made under section 10

THE LOCAL GOVERNMENT (MTWARA DISTRICT COUNCIL) AMENDING  
INSTRUMENT, 1961

WHEREAS the Minister for Local Government and Administration in exercise of the powers conferred on him by section 4 of the Local Government Ordinance (hereinafter referred to as the Ordinance) and with the prior approval of the Legislative Council signified by resolution on the eighteenth day of February, 1958, made an Instrument establishing the Mtwara District Council called the Local Government (Mtwara District Council) Instrument:

G.N. 1958  
No. 131

AND WHEREAS it is considered desirable to amend the Local Government (Mtwara District Council) Instrument in the manner hereinafter appearing:

NOW, THEREFORE, I, JOB MARECELA LUSINDE, Minister for Local Government, in exercise of the powers conferred on me by section 10 of the Ordinance after consultation with the Mtwara District Council and with the prior approval of the National Assembly signified by resolution, do hereby make the following Amending Instrument: —

1. This Instrument may be cited as the Local Government (Mtwara District Council) Amending Instrument, 1961, and shall be read and construed as one with the Local Government (Mtwara District Council) Instrument, 1958 (hereinafter referred to as the principal Instrument).

Short title  
and construction

2. Clause 7 of the principal Instrument is hereby amended as follows: —

Clause 7  
of principal  
Instrument  
amended

(a) by re-numbering the same 7 (1); and

(b) by inserting immediately after paragraph (1) thereof the following new paragraph to be numbered (2): —

“(2) The provisions of paragraph (1) of this clause shall cease to have effect from the first day of July, 1961, and thereafter the Council shall consist of not less than twenty-nine and not more than thirty-two members appointed by the Minister.”

## G.N. No. 173 (contd.)

Insertion of  
new clauses  
7A and 7B  
in principal  
Instrument

3. The principal Instrument is hereby amended by inserting after clause 7 the following new clauses to be numbered 7A and 7B:—

“Wards

7A.—(1) The area under the jurisdiction of the Council is hereby divided into twenty-three Wards as described in the Second Schedule hereto.

(2) With effect from the first day of July, 1961, each Ward shall be represented in the Council by one member appointed by the Minister.

Co-opted  
additional  
members

7B.—(1) The Council may, if it so wishes, at any time co-opt to be additional members of the Council not more than three persons who shall hold office for such period not exceeding three years as the Council shall determine.

(2) Additional members co-opted under this section shall be eligible to be co-opted again at any time after the expiry of their term of office.”

Clause 10  
of principal  
Instrument  
amended

4. Clause 10 of the principal Instrument is hereby amended as follows:—

- (a) by re-numbering the same 10 (1); and
- (b) by inserting immediately after paragraph (1) thereof the following new paragraph to be numbered (2):—

“(2) The provisions of paragraph (1) of this clause shall cease to have effect from the first day of July, 1961, and thereafter the following provisions shall apply:—

- (a) the members of the Council shall hold office for three years from the date of their appointment and shall then retire:

Provided that—

- (i) those members appointed by the Minister to represent Wards I, II, III, IV, V, VI, VII and VIII in the Second Schedule hereto shall retire at the end of one year from the date of their appointment; and
  - (ii) those members appointed by the Minister to represent Wards IX, X, XI, XII, XIII, XIV, XV and XVI in the Second Schedule hereto shall retire at the end of two years from the date of their appointment;
- (b) the places of retiring members shall be filled by the members appointed to take their place;
  - (c) the retiring members of the Council shall be eligible for re-election, or re-appointment.

G.N. No. 173 (contd.)

5. Clause 12 of the principal Instrument is hereby amended by deleting sub-clause (vii) thereof and substituting therefor the following new sub-clause to be numbered (vii): —

Clause 12  
of principal  
Instrument  
amended

“(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), (89), (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).”

6. The principal Instrument is hereby amended by inserting immediately below the First Schedule, the following new Second Schedule: —

Second  
Schedule  
added to  
principal  
Instrument

“SECOND SCHEDULE

WARD I: Kitere.	WARD IX: Ngengwa.	WARD XVII: Msimbati.
WARD II: Ltbobe.	WARD X: Mibobo.	WARD XVIII: Mtawanya.
WARD III: Ndumbwe..	WARD XI: Malanje.	WARD XIX: Mbawala.
WARD IV: Mbuo.	WARD XII: Nyanamba.	WARD XX: Matihu.
WARD V: Luwawa.	WARD XIII: Mnongodi.	WARD XXI: Naumbu.
WARD VI: Dihimba.	WARD XIV: Kitaya.	WARD XXII: Mvita.
WARD VII: Nanuruwe.	WARD XV: Mahurunga.	WARD XXIII: Lwelu.
WARD VIII: Mango.	WARD XVI: Tangazo.	

7. Notwithstanding the provisions of the principal Instrument: —

Transitional

- (a) all members of the Council as constituted on the thirtieth day of June, 1961, shall retire together on the first day of July, 1961;
- (b) the members appointed in accordance with the principal Instrument, as amended by this Amending Instrument, shall come into office on the date of their appointment.

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

J. M. LUSINDE,  
Minister for Local Government

Approval of the making of the above Amending Instrument was signified by resolution of the National Assembly on the sixteenth day of May, 1961.

Dar es Salaam,  
19th May, 1961

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