

GOVERNMENT NOTICE No. 73 published on 8/2/63

AG/ORD/140

THE GOVERNMENT SUITS ORDINANCE

(CAP. 5)

ORDER

Under section 2 (2)

THE GOVERNMENT SUITS ORDER, 1963

1. This Order may be cited as the Government Suits Order, 1963, and shall come into operation on the fifteenth day of February, 1963.

2. Any of the suits set out in Column I of the First Schedule hereto may be instituted by the public officer designated opposite thereto in Column II of the said Schedule or by any receiver of revenue, accounting officer or internal revenue officer, instead of by the Attorney-General.

3. Any of the suits set out in the Second Schedule hereto, the subject matter of which is situated in the area of jurisdiction of any of the authorities set out in Column I of the Third Schedule hereto may be instituted by the public officer designated in Column II of that Schedule opposite the name of the authority concerned in Column I thereof, instead of by the Attorney-General.

4. The Government Suits Order and all amendments thereto, and the Government Suits (Loan Funds) Order, 1959 are hereby revoked without prejudice to anything done thereunder.

Supp. 58
Cap. 5
pp. 6 to 9,
Supp. 59
pp. 1 and 2,
Supp. 60
p. 1

FIRST SCHEDULE

COLUMN I

1. For the recovery of royalty payable under the Mining Ordinance (Cap. 123) and regulations thereunder.
2. For the recovery of payment for medical attendance, supply of medicines and medical comforts and hospital fees.

COLUMN II

Any officer of the Mines Division of or above the rank of Mining Warden or Mines Statistical Assistant.

Any officer of the Health Division of the Ministry of Health of or above the rank of Hospital Administrative Assistant.

COLUMN I

COLUMN II

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| <p>3. In any Subordinate Court for the recovery of arrears of any tax recoverable under the repealed Native Tax Ordinance (Cap. 183) or of any municipal house tax recoverable under the Municipal House Tax Ordinance (Cap. 183) or of any tax or duty on industries, business and trades.</p> <p>4. In any Subordinate Court for the recovery of the arrears of rent due in respect of any public land or Government property or concession.</p> <p>5. For the recovery of money due to the Government in respect of rates, charges, meter rents and other revenue payable under the Water-works Ordinance (Cap. 281) in respect of water supplied by the Dar es Salaam Water Supply of the Public Works Division.</p> <p>6. For the recovery of royalties payable on forest produce under the Forest Rules, 1959 (Supp. 59, Cap. 389, p. 5) and for the recovery of fees due under licences, other than licences for forest produce, issued under the said Rules.</p> <p>7. For the recovery of fees due to the Government in respect of the survey of land.</p> <p>8. For the recovery of arrears of rent due to the Government in respect of any land, property or concession.</p> <p>9. Under section 23 of the Land Ordinance (Cap. 113) in cases of unlawful occupation of public land.</p> <p>10. For the recovery of money due to the Government in respect of rates, charges, meter rents and other revenue payable under the Water-works Ordinance (Cap. 281) in respect of water supplied in townships and other places, other than the City of Dar es Salaam.</p> <p>11. For the recovery of school fees or other money due to Government in respect of Government schools or other services provided by the Ministry of Education.</p> <p>12. Under regulation 5 of the Land (Fees) Regulations (Supp. 57, Cap. 115, p. 12) in respect of fees payable upon revocation or other termination of a right of occupancy.</p> <p>13. In the West Lake and Lake Regions, for the recovery of sums loaned by the Government through the 42nd</p> | <p>In City, Municipal and Town Council areas, the Town Clerk; in District Council areas the Executive Officer.</p> <p>Any Senior Land Assistant or Land Assistant appointed to act as Land Office Agent.</p> <p>Any Executive Engineer or other Officer of the Ministry of Communications, Power and Works of or above the rank of Inspector or Assistant Accountant.</p> <p>Any Forest Officer.</p> <p>Any officer of the Survey Division of or above the rank of Assistant Surveyor.</p> <p>The Commissioner for Lands or any Land Officer.</p> <p>The Commissioner for Lands, any Land Officer, Senior Land Assistant or Land Assistant appointed to act as Land Office Agent.</p> <p>Any Executive Engineer or other officer of the Ministry of Communications, Power and Works of or above the rank of Inspector or Assistant Accountant.</p> <p>Any officer of the Ministry of Education of or above the rank of Education Officer.</p> <p>The Commissioner for Lands or any Land Officer.</p> <p>The Commercial Officer of the Ministry of Commerce and Industry for the time</p> |
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G.N. No. 73 (contd.)

COLUMN I

COLUMN II

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| 14. For the recovery of money due to the Government in respect of rates, charges, meter rents and other revenue payable in respect of electrical energy supplied by the Public Works Division. | Any Executive Engineer or other officer of the Ministry of Communications, Power and Works of or above the rank of Inspector or Assistant Accountant. |
| 15. For the recovery of fees due to the Government in respect of aircraft landing. | Any Executive Engineer or other officer of the Ministry of Communications, Power and Works of or above the rank of Inspector or Assistant Accountant. |
| 16. For the recovery of arrears of rent due to the Government in respect of Government offices and quarters. | Any Executive Engineer or other officer of the Ministry of Communications, Power and Works of or above the rank of Inspector or Assistant Accountant; the Commissioner for Lands or any Land Officer. |
| 17. For the recovery of fees due to the Government for testing materials at laboratories of the Ministry of Communications, Power and Works. | Any Executive Engineer or other officer of the Ministry of Communications, Power and Works of or above the rank of Inspector or Assistant Accountant. |
| 18. For the recovery of money due to the Ministry of Agriculture. | The accounting officer or any other officer of the Ministry of Agriculture, on a salary of £444 or above per annum. |

subst.
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SECOND SCHEDULE

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Suits in relation to any lease, right of occupancy or licence granted on a month-to-month basis or for a term not exceeding one month where such suit is—

- (a) for the recovery of land, rent or any moneys due under any such lease, right of occupancy or licence;
- (b) for the enforcement, or of any covenant contained in any such lease, right of occupancy or licence.

THIRD SCHEDULE

COLUMN I

COLUMN II

Area of jurisdiction of
City, Municipal or Town Council
District Council

Designation of Officers

The Town Clerk.
The Executive Officer.

Dar es Salaam,
1st February, 19

A. S. FUNDIK
Minister for Jus