

## CHAPTER 262

# THE DAIRY INDUSTRY ACT

[PRINCIPAL LEGISLATION]

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## CHAPTER 262

### THE DAIRY INDUSTRY ACT

An Act to provide for the production, regulation and promotion of the dairy industry; establishment of the Tanzania Dairy Industry Board and repeal of the Dairy Industry Act, 1965 and for other related matters.

[1<sup>st</sup> July, 2005]

[GN. No. 228 of 2005]

Acts Nos.  
8 of 2004  
1 of 2008  
1 of 2020  
5 of 2022

#### PART I

#### PRELIMINARY PROVISIONS

- Short title      1.–(1) This Act may be cited as the Dairy Industry Act.  
                          (2) Omitted.
- Scope            2.–(1) This Act shall apply to all milk and milk products.  
                          (2) Without prejudice to subsection (1), this Act shall not apply to milk or milk products not intended for sale and those produced for consumption of the producer, members of his family, his employee or animals kept by him.
- Interpretation    3. In this Act unless the context otherwise requires-  
Act No.            “Annual Council” means a council established under section 4;  
1 of 2020 s.10    “Board” means the Tanzania Dairy Board established under section 8;  
                          “dairy” means any premises used for the production, processing or manufacturing of milk into milk products for sale;  
                          “designated milk” means milk of milch animals other than that of cows;  
                          “inspector” means a person appointed as such in terms of section 37 of this Act;

- “milk” means milk of cow and includes designated milk;
- “milk product” means any product prepared from milk by any approved process including heating, separation, fermentation, evaporation, drying and includes cultured sour milk, yoghurt, butter, ghee, cream, dairy ice cream and any other product manufactured wholly or mainly from milk;
- “milkshed area” means any part of Mainland Tanzania which has a recognised dairy industry stakeholder or organisation at district, regional or zonal level;
- “milk trader” means a person or entity that buys milk from a producer or a milk collection center and sells to a processor or consumer;
- “milk vendor” means a person who carries on business of selling milk or milk products by delivering it to the places of residence or business of a purchaser;
- “Minister” means the Minister responsible for livestock development;
- “pasteurised cream or milk” includes any kind of milk product classified as such;
- “processed milk” means a product prepared from milk through any approved process, including heating, separation, evaporation and drying;
- “processor” means any person who carries out the business of processing milk or milk products;
- “producer” means any person who keeps cattle or other milch animals for the production of milk, and includes a manager or a person who carries out the business of processing milk or milk products;
- “producer-processor” means a person who processes milk or milk products solely obtained from his own farm;
- “retailer” means a person who buys milk or milk products from a distributor for resale to consumers;
- “registered dealer” means a producer, processor, marketing agent, importer, exporter, dairy inputs supplier, manufacturer registered under section 17 of this Act; and

“stakeholder” means an individual, organisation or institution, private or public, interested in, concerned with, or involved in the development of the dairy industry in Mainland Tanzania, whether directly or indirectly.

## PART II

### ESTABLISHMENT OF THE ANNUAL COUNCIL

- Establishment of Annual Council
4. There is established an assembly to be known as the Annual Council or in its acronym “AC”.
- Composition of Annual Council Act No. 1 of 2020 s.11
- 5.-(1) The Annual Council shall consist of-
- (a) the Chairman who shall be appointed by the Minister;
  - (b) two members representing recognised stakeholder organisation in every region;
  - (c) one member from registered National Milk Producers’ Organisations;
  - (d) one member from registered National Milk Processors’ Organisations;
  - (e) one member from registered National Milk Consumers’ Organisations;
  - (f) one member from the ministry responsible for livestock development;
  - (g) one member from a public institution responsible for food quality control;
  - (h) one member from public university of agriculture;
  - (i) one member from the ministry responsible for local government;
  - (j) one member from the ministry responsible for co-operatives; and
  - (k) two members from Non Governmental Organizations active in dairy industry development.
- (2) The Secretariat of the Board shall be the Secretariat of the Annual Council.

Tenure of office, meetings and proceedings of Annual Council

**6.** Tenure of office, meetings and proceedings of the Annual Council shall be as provided for in the First Schedule to this Act.

Functions of Annual Council  
Act No. 1 of 2020  
s.12

**7.** Functions of the Annual Council shall be-

- (a) to promote the development of a sustainable dairy industry in Tanzania;
- (b) to receive and scrutinise various reports from the Board;
- (c) to advise the Minister and the Board on issues concerning the dairy industry and matters arising from the implementation and operation of this Act; and
- (d) to carry out any other functions as may be necessary for effective implementation of this Act.

### PART III ESTABLISHMENT OF THE TANZANIA DAIRY BOARD

Establishment of Tanzania Dairy Board

**8.** There is established a Board to be known as the Tanzania Dairy Board, or in its acronym “TDB”.

Composition of Board  
Act No. 1 of 2020 s.13

**9.**-(1) The Tanzania Dairy Board shall be composed of the Chairman and other members appointed by the Minister as follows:

- (a) one member representing the ministry responsible for livestock development;
- (b) one member representing the ministry responsible for local government authorities;
- (c) a Law Officer from the Office of the Attorney General;
- (d) one member representing an institution responsible for food quality control; and
- (e) two members representing dairy industry stakeholders.

(2) In appointing members of the Board under subsection (1), the Minister shall have due regard to gender, but in any case, at least two members shall be female.

Functions of  
Board  
Act No.  
5 of 2022 s.30

**10. Functions of the Board shall be-**

- (a) to advise the Minister on matters concerning dairy development policies and strategies for promotion and development of the dairy industry;
- (b) to perform regulatory activities in the dairy industry in accordance with the provisions of this Act;
- (c) to search and develop markets;
- (d) to conduct market research;
- (e) to develop and monitor strategies and plans designed to achieve and maintain self sufficiency and efficiency in milk production, processing and marketing;
- (f) to ensure availability of appropriate technology for the industry;
- (g) to create and promote a competitive environment conducive to fair play among stakeholders in the dairy industry;
- (h) to monitor the execution of contracts and marketing arrangements between dairy producers and processors or other bodies related to dairy sector and reconcile the parties, when disputes arise;
- (i) to collect, analyse, maintain and disseminate data and information relating to dairy industry;
- (j) to promote and facilitate formation of associations or other bodies of stakeholders within the dairy (sub-sector) which shall form a consultative forum with the Board and monitor their activities;
- (k) to promote and co-ordinate the development of small, medium and large scale dairy keepers and processors;
- (l) to promote the training and improvement of skills in technological advancement in the dairy industry;
- (m) to promote advocacy on dairy industry;
- (n) to monitor trends for local dairy production, dairy export and import requirements;
- (o) to represent stakeholders in international fora relating to or dealing with the dairy industry;

- (p) to monitor the implementation of agreements governing sale of dairy factories and farms and submit the report to the Minister;
- (q) to register producers and processors of dairy and dairy products;
- (r) to liaise with the Tanzania Bureau of Standards on licensing;
- (s) to collaborate with the Tanzania Bureau of Standards in inspection of dairy facilities such as dairy farms, plants, kiosks, parlours and other similar facilities; and
- (t) to organise dairy shows and participation of stakeholders in such shows within and outside the country.

Tenure of office,  
meetings and  
proceedings of  
Board

**11.** Tenure of office, meetings and proceedings of the Board shall be as provided for in the Second Schedule to this Act.

Executive Officer  
of Board

**12.** The Registrar appointed under section 16 shall be-

- (a) the Chief Executive Officer of the Board and responsible for the day to day operation of the Board; and
- (b) the Secretary to the Board.

Seal of Board

**13.**-(1) There shall be a seal of the Board to be under the custody of the Secretary.

(2) The seal of the Board shall not be affixed to any instrument except in the presence of the Chairman or the Registrar.

Staff of Board

**14.** The Board may, on such terms and conditions, after approval of the Annual Council, employ such number of staff to hold appropriate offices under the supervision of the Registrar.

Indemnity for  
*Bona fide* acts

**15.** No matter or thing done by any member or officer of the Annual Council or Board shall, if done *bona fide* in the execution or purported execution of the functions of the Annual Council or Board, as the case may be, render such member or officer personally liable for such matter or thing.

## PART IV

### REGISTRATION PROVISIONS

Appointment of  
Registrar  
Act No.  
1 of 2020 s.14

**16.**—(1) There shall be a Registrar of the Board who shall be appointed by the Board.

(2) The Registrar shall have and perform all duties designated to him by the Board.

(3) The Registrar shall be-

(a) responsible for the management of funds, property and business of the Board;

(b) responsible for the administration, organisation and control of staff of the Board;

(c) responsible for keeping the Board and Annual Council informed on the progress of the business of the Board;

(d) taking minutes of the meetings and keeping records of activities of the Board; and

(e) perform any other function as may be directed by the Board.

(4) The Registrar shall hold office for such period and upon such terms and conditions as the Board may determine.

(5) Without prejudice to the generality of subsection (1) of this section, the Registrar shall-

(a) keep and maintain a register of-

(i) milk producers;

(ii) milk processors;

(iii) milk or milk products importer or exporter;

(iv) dairy inputs suppliers, manufacturers and importers;

(v) milk retailers;

(vi) milk collectors;

(vii) milk whole sellers;

(viii) milk distributors;

(ix) milk traders;

(x) projects implemented in the dairy industry; and

(xi) any other person as the Board may determine.

(b) publish periodically a register of persons under paragraph (a); and

- (c) issue certificate of registration in accordance with the provisions of this Part.

Registration  
Act No.  
1 of 2020 s.15

**17.**—(1) A person who deals with milk or milk products shall, with effect from the commencement of this Act, register with the Board under this Act.

(2) The Board may, on application by any person, register such person to undertake any or all of the following activities:

- (a) milk production;
- (b) milk processing;
- (c) dairy inputs suppliers, manufacturers or importation;
- (d) milk collection;
- (e) milk wholesale;
- (f) milk distribution;
- (g) milk retail;
- (h) milk trade;
- (i) projects implemented in the dairy industry; and
- (j) any other activity as the Board may determine.

Refusal to register

**18.** The Board may refuse to register an applicant under section 17 if the applicant does not meet the prescribed conditions.

Revocation of  
registration

**19.**—(1) The Board may, if the registered person fails to comply with the terms and conditions of the registration, revoke or suspend the registration.

(2) The revocation or suspension may be in addition to any other penalty to which the registered person may be liable under this Act.

Validity of  
registration

**20.**—(1) A registration issued under this Act shall be valid for one year and renewable on payment of the prescribed fee.

(2) The Minister may, by regulations and on the recommendation of the Board, prescribe the terms and conditions for registration, including-

- (a) the form and method of application under this section;

- (b) the fee payable on the issuing of the registration certificate; and
- (c) such other information as may be prescribed.

Certificate not to be transferable

**21.** The certificate issued under this Act shall not be transferable.

Replacement of lost or destroyed document

**22.**—(1) Where the registration certificate, licence or any other document issued under this Act is lost or destroyed, the holder of such document, may apply to the Board in that regard, and the Board shall, after being satisfied with proof of loss from the applicant and on payment of the prescribed fee, issue a certified copy of the certificate or document.

(2) The certified copy of the licence or document shall be effective as the original.

Appeals

**23.**—(1) A person who is aggrieved by the decision of the Board may, within thirty days from the date of the decision of the Board, appeal to the Minister.

(2) An appeal may be lodged to the Minister in respect of any refusal of the Board to issue or renew registration or licence provided under this Act or against the revocation or suspension of persons subject to this Act and the Minister's decision shall be final.

(3) The Minister may for any good reason extend the time for the lodging of an appeal.

(4) In determining an appeal under this section, the Minister may—

- (a) dismiss the appeal;
- (b) require the Board to issue registration or licence;
- (c) quash any revocation or suspension or substitute suspension for any revocation; or
- (d) order a person to make a fresh application for registration or licence.

(5) The Board shall give effect to any direction given by the Minister.

## PART V

### OFFENCES AND PENALTIES

Obstruction  
of officer

**24.** A person who, directly or indirectly, impedes or obstructs any officer or a member of the Board in performance of his duties under this Act, commits an offence and on conviction, shall be liable, to a fine of not less than one hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.

General penalty

**25.**—(1) A person who contravenes any provision of this Act or subsidiary legislation made under this Act, where no specific penalty has been provided, on conviction, shall be liable, to a fine of not less than fifty thousand shillings or to imprisonment for a term not exceeding four months or to both.

(2) Where a person is convicted of an offence under this Act, the court may order that any milk or milk product in respect of which the offence has been committed be forfeited.

(3) Where, in case of a subsequent offence, the court may order, in addition to penalties provided for under this Part, withdrawal of any licence, certificate, permit or any other right held by the offender under this Act.

Compounding of  
offences  
Act No.  
1 of 2020 s.16

**26.**—(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 or regulations made thereunder, the Registrar, 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 one half 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 Registrar or person authorised 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 Registrar may enforce the compounding order and interest accrued thereof in the same manner as a decree of a court.

(4) The Registrar 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.

[s. 25A]

## PART VI FINANCIAL PROVISIONS

Establishment of Fund **27.**—(1) There is established a Fund to be known as the Dairy Industry Development Fund into which all moneys received by the Board shall be paid into and out of which all payments required to be made by it shall be made.

(2) The Board shall manage the Fund.

[s. 26]

Functions of Fund **28.** The functions of the Fund shall be—

(a) to finance the activities of the Board and Annual Council;

(b) to support various dairy development activities including dairy extension, dairy breeding, dairy research, dairy training, dairy market research, development and promotion of milk and milk products consumption as well as export; and

(c) to cover the cost of any other activities as may be required in the furtherance of the objectives of this Act.

[s. 27]

- Sources of Fund **29.** The sources of the Fund shall be-
- (a) such sums of money as may be appropriated by Parliament for the purpose of this Act;
  - (b) all fees and other charges payable under this Act;
  - (c) such donations, grants and bequeaths as the Board may, receive from stakeholders or organisations;
  - (d) income derived from investments;
  - (e) proceeds derived from sale of assets;
  - (f) contribution from fees collected on importation of milk and milk products; and
  - (g) any other source of income identified by the Board and legally acquired.

[s. 28]

- Management of Fund **30.** The Fund shall be managed in accordance with sound financial accounting procedures.

[s. 29]

- Proper accounting **31.**-(1) The Board shall prepare accounts and records of its transactions and affairs, and ensure that all moneys received are properly accounted for, and all payments are properly authorised and correctly made and that adequate control is maintained over its property and the incurring liabilities.

(2) The Secretary to the Board shall, within three months after the end of each financial year, submit to the Board an annual report in respect of that year containing-

- (a) audited accounts;
- (b) general information relating to the activities and operations of the Board and the dairy industry during the preceding financial year; and
- (c) other information as the Board may, prior to the completion of the annual report or any supplementary to the report, request in writing.

(3) The Board shall thereafter table the annual report to the Annual Council.

[s. 30]

Auditing

**32.**—(1) The annual accounts of the Board shall be audited within ninety days by any qualified firm of auditors appointed by the Board and approved by the Controller and Auditor-General.

(2) The firm of auditors appointed under subsection (1) of this section, shall audit the accounts of the Board within two months of the receipt of the accounts and present its opinion to the Board.

(3) The Chairman of the Board shall cause copies of each annual report together with a copy of opinion of the auditors or firm of auditors to be laid before the Annual Council, three months after receipt.

(4) The Board may order any audit in addition to the one prescribed under subsection (1) of this section.

(5) As soon as the accounts of the Board have been audited and in any case not later than four months after the close of the financial year, the Board shall submit to the Minister a copy of the audited statements of accounts together with a copy of the report made by the auditor on the statement of accounts.

[s. 31]

Power of Board to invest

**33.** The Board may, where it sees fit invest any monies not required for immediate use.

[s. 31A]

## PART VII

### MISCELLANEOUS PROVISIONS

Powers of Minister to make regulations

**34.** The Minister may, upon advise of the Board, make regulations—

- (a) prescribing standards for the construction, lighting, ventilation, cleanliness, drainage and water supplies of dairies;
- (b) prescribing types and standards of equipment to be used in the production or manufacture of milk and milk products;

- (c) prescribing minimum standards of milk and milk products and prohibiting the sale of any milk or milk product which does not conform to any such minimum standard;
- (d) prescribing methods of treatment and disposal of any waste product or effluent resulting from the production or processing of milk and milk products;
- (e) prescribing methods of processing milk and manufacturing milk products;
- (f) prescribing methods and conditions of use, limitations on the use of preservatives, coloring or other substances added to milk or milk products;
- (g) providing for the cleanliness of vehicles and vessels used for the transport of milk and milk products;
- (h) prescribing methods of packaging any milk or milk products;
- (i) prescribing methods for cooling, aerating, storing, conveying and distributing milk and milk products;
- (j) providing for the grading of milk or milk products, labeling and description to be used to distinguish any grade of milk or milk product and prohibiting the sale or delivery for sale of any milk or milk product under any description or distinguished by any marking other than that appropriate to the grade or type thereof;
- (k) prescribing methods for grading milk or milk products;
- (l) providing for the issue of grading certificates to producers or manufacturers and for cancellation of such certificates;
- (m) prescribing precautions to be taken for the protection of milk or milk products from infection or contamination;
- (n) providing for the disposal of infected or contaminated milk or milk products;
- (o) providing for the inspection of dairies and persons in or about dairies who have access to milk or milk products or to any vessels or containers used therein;

- (p) providing for the inspection, sampling, examination and analysis of milk and milk products at any time before retail sale;
- (q) prescribing the duties of inspectors, graders, sampling officers and analysts;
- (r) providing for the sampling, examination and analysis of any article or substance found within a dairy;
- (s) authorising any person authorised by the Board to seize and detain milk or any milk product and any vehicle carrying such milk or milk product;
- (t) prescribing forms required in the implementation of the Act and regulations;
- (u) prescribing conditions under which milk or milk products may be imported into or exported from Tanzania; and
- (v) prescribing anything which may be prescribed under this Act, or which may be required for the better carrying into effect of the provisions of this Act.

[s. 32]

Minister may  
amend Schedules

**35.** The Minister may, from time, to time amend any of the Schedules under this Act.

[s. 33]

Diary laboratory  
Act No.  
1 of 2020 s.17

**36.** The Minister may, upon consultation with the Chief Government Chemist, make regulations for the establishment of a dairy laboratory which shall, among other things, undertake research for the purpose of assisting dairy industry stakeholders in the improvement of milk quality and generally, the promotion of dairy industry in accordance with the requirement of this Act.

[s. 33A]

Appointment of  
inspectors  
Act No.  
1 of 2020 s.17

**37.**-(1) Subject to section 34(o), the Board may for the purpose of implementing its functions in relation to inspection, delegate to local government authorities or other relevant authorities powers to carry out inspection and such other related activities under this Act.

(2) For purposes of exercising of delegated functions under subsection (1), the Director of a local government authority or, as the case may be, the head of relevant authority shall, upon request and guidance of the Board, submit to the Board a list of eligible persons for appointment as inspectors.

(3) A person shall be deemed to be an inspector under this Act upon receipt of a letter of appointment from the Registrar and shall have powers to perform functions specified in the regulations.

[s. 33B]

Exemption

**38.** The Minister may, by notice published in the *Gazette*, exempt any class of persons from all or any of the provisions of this Act.

[s. 34]

Repeal  
Act No.  
32 of 1965

**39.**—(1) [Repeals the Dairy Industry Act].

(2) Any applicable regulations, rules, orders or notices made under the Dairy Industry Act and in force, shall remain in force, so far as may be, as if they have been made as regulations, rules, notices or orders under this Act until such time as they are amended or revoked by regulations, rules, orders, or notices made under this Act.

[s. 35]

## FIRST SCHEDULE

(Made under section 6)

### TENURE OF OFFICE, MEETINGS AND PROCEEDINGS OF THE ANNUAL COUNCIL

Vice Chairman

**1.** The members shall elect one amongst their number to be Vice Chairman of the Annual Council.

Tenure of office of  
members

**2.**—(1) The members of the Annual Council shall hold office for a period of three years and shall be eligible for re-appointment for a further period of three years.

(2) A member of the Annual Council may, at any time, resign his office by giving notice in writing addressed to the Minister, and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the Minister, he shall cease to be a member.

(3) In the case of a member who is a member by virtue of his holding some other office, he shall cease to be a member upon his ceasing to hold that office.

Proxy  
representation

3. Where a member of the Annual Council who is a member by virtue of his holding some other office is unable for any reason to attend any meeting of the Annual Council, another person from his organisation may attend the meeting in his place.

Casual vacancy

4. Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

Meeting of  
Annual Council

5.-(1) The Annual Council shall ordinarily meet once every year for the transaction of its business at the times and at the places determined by it.

(2) The Chairman, or in his absence the Vice Chairman, shall preside at every meeting of the Annual Council and in the absence of both the Chairman and the Vice Chairman, the members present shall appoint one of their number to preside over the meeting.

(3) The Chairman, or in his absence the Vice Chairman, may at any time call a special meeting of the Annual Council and shall call a special meeting upon a written request by a majority of the members in office.

(4) The Chairman, or in his absence the Vice Chairman, may invite any person who is not a member to participate in the deliberations at any meeting of the Annual Council, but any person so invited shall not be entitled to vote.

Quorum

6. The Quorum at any meeting of the Annual Council shall be half of the members in office.

Decisions of  
Annual Council

7.-(1) Matters proposed at a meeting of the Annual Council shall be decided by majority of votes of the members present and vote, in the event of equality of votes, the person presiding shall have a second or casting vote in addition to his original or deliberative vote.

(2) A decision may be made by the Annual Council without a meeting by circulation of the relevant papers amongst the members and the expression of the views of the majority of the members in writing be honoured, but any member may require that the decision be deferred and the subject matter be considered at a meeting of the Annual Council.

Minutes of Meetings	<p><b>8.</b>—(1) The Annual Council shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings, and the minutes of each meeting of the Annual Council shall be read and confirmed, or amended and confirmed, at the next meeting of the Annual Council and signed by the person presiding at the meeting.</p> <p>(2) Any minutes purporting to be signed by the person presiding at a meeting of the Annual Council shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.</p>
Vacancies, etc., not to invalidate proceedings	<p><b>9.</b> The validity of any act or proceeding of the Annual Council shall not be affected by any vacancy among its members or by any defect proceedings in the appointment of any of them.</p>
Orders, directions, etc. of Annual Council	<p><b>10.</b> All orders, directions, notices or other documents made or issued on behalf of the Annual Council shall be signed by—</p> <p>(a) the Chairman or Vice Chairman of the Annual Council; and</p> <p>(b) the Secretary.</p>
Proof of Documents	<p><b>11.</b> Any document purporting to be under hand of the Chairman, Vice Chairman, Secretary as to any resolution of Annual Council or as having been issued on behalf of the Annual Council, shall be receivable in all court or tribunals or other bodies authorised to receive evidence and shall, unless the contrary is shown, be deemed, without further proof, to be sufficient evidence of what is contained in the document.</p>
Annual Council may regulate its own proceeding	<p><b>12.</b> Subject to the provisions of this Schedule, the Annual Council may regulate its own proceedings.</p>

## SECOND SCHEDULE

*(Made under section 11)*

### TENURE OF OFFICE, MEETINGS AND PROCEEDINGS OF THE BOARD

Vice Chairman	<p><b>1.</b> The members shall elect one amongst their number to be Vice Chairman of the Board.</p>
Tenure of office of members	<p><b>2.</b>—(1) The members of the Board shall hold office for a period of three years and shall be eligible for re-appointment for a further period of three years.</p> <p>(2) A member of the Board may at any time resign his office by giving notice in writing addressed to the Minister, and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the Minister, he shall cease to be a member.</p>

(3) In the case of a member who is a member by virtue of his holding some other office, he shall cease to be a member upon ceasing to hold that office.

Proxy representation

3. Where a member of the Board who is a member by virtue of his holding some other office is unable for any reason to attend any meeting of the Board, he may nominate another person from his organisation to attend the meeting in his place.

Casual vacancy

4. Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor

Meeting of Board

5.-(1) The Board shall ordinarily meet for the transaction of its business at the times and at the places determined by it, but shall meet at least once in every three months.

(2) The Chairman, or in his absence the Vice Chairman, shall preside at every meeting of the Board and in the absence of both, the members present shall appoint one of their number to preside over the meeting.

(3) The Chairman, or in his absence the Vice Chairman, may at any time call a special meeting of the Board and shall call a special meeting upon a written request by a majority of the members in office.

(4) The Chairman or in his absence the Vice Chairman, may invite any person who is not a member to participate in the deliberations at any meeting of the Board, but any persons invited shall not be entitled to vote.

Quorum

6. The Quorum at any meeting of the Board shall be half of the members in office.

Decisions of Board

7.-(1) Matters proposed at a meeting of the Board shall be decided by a majority of the votes of the members present and vote, in the event of equality of votes the person presiding shall have a second or casting vote in addition to his original or deliberative vote.

(2) A decision may be made by the Board without a meeting by circulation of the relevant papers amongst the members and the expression of the views of the majority of the members in writing be honoured, but any member may require that the decision be deferred and the subject matter be considered at a meeting of the Board.

Minutes of Meetings

8.-(1) The Board shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings, and the minutes of each meeting of the Board shall be read and confirmed, or amended and confirmed, at the next meeting of the Board and signed by the person presiding at the meeting.

(2) Any minutes purporting to be signed by the person presiding at a meeting of the Board shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.

Vacancies, etc.  
not to invalid at  
proceedings

**9.** The validity of any act or proceeding of the Board shall not be affected by any vacancy among its members or by any defect proceedings in the appointment of any of them.

Orders,  
directions, etc. of  
Board

**10.** All orders, directions, notices or other documents made or issued on behalf of the Board shall be signed by-

- (a) the Chairman or Vice Chairman of the Board; and
- (b) the Registrar.

Proof of  
Documents

**11.** Any document purporting to be under hand of the Chairman, Vice Chairman, Registrars to any resolution of the Board or as having been issued on behalf of the Board, shall be receivable in all court or tribunals or other bodies authorised to receive evidence and shall, unless the contrary is shown, be deemed, without further proof, to be sufficient evidence of what is contained in the document.

Remuneration  
of members of  
Board

**12.** A member of the Board shall be entitled to such remuneration, fees or allowances for expenses as the Minister may, upon recommendations of the Board, prescribe.

Board may  
regulate its own  
proceeding

**13.** Subject to the provisions of this Schedule, the Board, may regulate its own proceedings.