

THE UNITED REPUBLIC OF TANZANIA



No. 5 OF 1989

I ASSENT,

President

12th June 1989

An Act to amend the National Provident Fund Act, 1964 and to make consequential amendment to the Board of Trustees of National Provident Fund (Establishment) Act, 1975

ENACTED by the Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the National Provident Fund Laws (Miscellaneous Amendments) Act, 1989. Citation

PART II

AMENDMENT OF THE NATIONAL PROVIDENT FUND ACT, 1964

2. This Part shall be read as one with the National Provident Fund Act, 1964 in this Part referred to as "the Act" Construction Acts, 1964 No. 36
3. Section 2 of the Act is amended by deleting the title "Director" and substituting for it the title "Director General". Amendment of section 2
4. The Act is amended by adding immediately after section 9 the following new sections: Amendment of section 9

"Voluntary contributions

9A.—(1) Notwithstanding section 8 of this Act, a self employed person may make voluntary contributions to the Fund.

(2) Where a self employed person becomes a member of the Fund in accordance with this section the provisions of the Second Schedule to this Act shall cease to apply to this employees.

Supplementary contributions

9B.—(1) Employers and Employees who are members of the Fund may in addition to the statutory contribution as required by law make supplementary contributions to the Fund.

(2) Any member of the Fund intending to make a supplementary contribution shall make an application to that effect to the Director General and if approved shall have his name registered."

Amendment of section 13

5. Section 13 of the Act is repealed.

Amendment of section 17

6. Section 17 of the Act is amended—

- (i) in subsection (4) by deleting the word "five" which appears in the first line and substituting the word "ten".
- (ii) in subsection (5) (b) by deleting the word "five" which appears in the third line and substituting the word "ten".

Amendment of section 18

7. The Act is amended by adding immediately after section 18 the following section—

"Payment by members of voluntary contributions

18A.—(1) An employed member of the Fund may, in addition to the statutory supplementary contribution make extra voluntary contribution to the Fund.

(2) Where an extra voluntary contribution is made to the Fund by an employer who is a member to the Fund, such employer shall make deductions from the salaries and wages of his employees for such extra voluntary contribution."

Repeal and replacement of section 32

8. Section 32 of the Act is repealed and replaced by the following section—

"Investment of moneys in the Fund

32. The Board shall invest up to twenty five per centum of the investible funds in the Fund Account in other viable ventures as it may consider appropriate, and the remaining seventy five per centum of the investible funds shall be invested in the purchase of government stocks."

9. The Act is amended by adding immediately after section 38 the following new section:—

Amend-
ment of
section 38

“Offence
for failure
to comply
with con-
dition

38A. Where any person is convicted of an offence under section 38, it shall be condition that he does not commit the same again, and if he does he shall be deemed not to have complied with the condition as required under this section, and if found guilty he shall be liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding four years or to both such fine and imprisonment”.

10. Section 39 of the Act is amended in subsection (1) by—

Amend-
ment of
section 39

(a) deleting the “colon” which appear after the word due in the seventh line and substituting for it a comma;

(b) deleting the proviso.

11. Section 40 of the Act is amended by deleting the title “Director” which appears in the second and fourth lines and substituting for it the title “Director General”.

Amend-
ment of
section 40

12. Section 44 of the Act is amended by deleting the titles “Director”, “Senior Deputy Director” and “Deputy Director (Finance)” which appear in the second and third lines and substituting for them the title “Director General”.

Amend-
ment of
section 44

13. The Third Schedule to this Act is repealed and replaced by the following Schedule—

Repeal
and re-
placement
of the
Third
Schedule

SCHEDULE

(Sections 2 and 15)

CONTRIBUTIONS

For employees other than temporary employees:—

<i>Contribution Period</i>	<i>Employee's share deductible from Wage by Employer</i>	<i>Statutory Contribution for each employee</i>
(a) One month	Ten cents for every complete shilling of wages	twenty cents for every complete shilling of wages.
(b) One fortnight	Ten cents for every complete shilling of wages	twenty cents for every complete shilling of wages.
(c) One week	Ten cents for every complete shilling of wages	twenty cents for every complete shilling of wages.
(d) One day	Ten cents for every complete shilling of wages	twenty cents for every complete shilling of wages.

**AMENDMENT OF THE BOARD OF TRUSTEES OF THE NATIONAL PROVIDENT
FUND (ESTABLISHMENT) ACT, 1975**

14. This Part shall be read as one with the Board of Trustees of the National Provident Fund Act, 1975 in this Part referred to as "the Act".

15. The Act is amended in section 7—

- (a) by deleting subsection (1);
- (b) in subsection (2) by deleting the title "Director" and substituting the title "Director General";
- (c) by repealing subsections (3) and (4).

16. Section 8 of the Act is repealed.

Passed in the National Assembly on the sixth day of February, 1989.

M. Munsif
Clerk of the National Assembly