

TANGANYIKA



No. 25 OF 1962

I ASSENT,  
*R. J. M. M. M. M. M.*  
Governor-General

11TH JULY, 1962

**An Act to establish a National Tourist Board for Tanganyika and to provide for matters incidental thereto**

I.....I

ENACTED by the Parliament of Tanganyika.

1. This Act may be cited as the Tanganyika National Tourist Board Act, 1962, and shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint.

Short title and commencement Interpretation

2. In this Act, unless the context otherwise requires-

"Board" means the Tanganyika National Tourist Board established by section 3;

"financial year of the Board" means a year commencing on the first day of July and ending on the next following thirtieth day of June:

Provided that the first financial year of the Board shall commence on the date of coming into operation of this Act and end on the next following thirtieth day of June;

"member" means a member of the Board and includes the Chairman;

"Minister" means the Minister for the time being responsible for commercial and industrial matters in Tanganyika.

3.(1) There is hereby established a Board which shall-

Establishment of Board

- (a) be a body corporate to be known as the Tanganyika National Tourist Board with perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and being sued;
- (c) subject to the provisions of this Act, be capable of holding, purchasing and otherwise acquiring, and of alienating any moveable or immoveable property for the purposes or in the course of the carrying out of its functions.

(2) The provisions of the Schedule hereto shall have effect as to the constitution and proceedings of, and otherwise in relation to, the Board.

4.-(1) The functions of the Board shall be to promote and develop all aspects of the tourist industry in Tanganyika and, in particular, but without prejudice to the generality of the foregoing-

- (a) to adopt all such measures as it may consider necessary to advertise and publicise Tanganyika as a tourist attraction;

Functions of the Board

- (b) to encourage by such measures as it may think fit the development of such amenities in Tanganyika as may enhance the attractiveness of Tanganyika to tourists;
- (c) to undertake such research, experiments and operations as may appear to it to be necessary to improve the basis of the tourist industry;
- (d) to foster an understanding within Tanganyika of the importance and economic benefit of the tourist industry; and
- (e) to make all such inquiries and collect all such information as it may think necessary for the purpose of carrying out its functions.

(2) The Board shall have power for the purpose of carrying out its functions to do all such acts as appear to it to be requisite, advantageous or convenient for or in connection with the carrying out of its functions or to be incidental or conducive to their proper discharge, and may carry on any activities in that behalf either alone or in association with any other person or body (including the Government).

(3) For the avoidance of doubt it is hereby declared that the provisions of subsection (2) with respect to the powers of the Board relate only to its capacity as a body corporate and nothing in that subsection shall authorize the disregard by the Board of any enactment or rule of law.

Powers of  
Minister

**5.**-(1) The Minister may give directions in writing to the Board as to any matter relating to the exercise of its functions and the Board shall give effect to every such direction.

(2) The Board shall, within six months after the end of each financial year of the Board, make a full report to the Minister on the conduct of its business during that year, and the Minister shall lay a copy thereof before the National Assembly.

(3) A report made under subsection (2) shall set out every direction given by the Minister under this section during the year to which the report relates.

Appointment  
of General  
and other  
staff

**6.**-(1) Subject to subsection (2), the Board may appoint a General Manager who shall be the chief executive officer of the Board and who shall be entitled to be present and to speak (but not to vote) at meetings of the Board.

(2) The appointment of the General Manager and his terms and conditions of service shall be subject to the approval of the Minister.

(3) The Board may, from time to time, appoint on such terms and conditions as it shall think fit, such officers, clerks and servants as it may consider necessary for carrying out its functions under this Act.

Funds of  
the Board

**7.** The funds and resources of the Board shall consist of-

- (a) such sums as may be provided by Parliament for the purpose;
- (b) all other sums or property which may in any manner become payable to or vested in the Board in respect of any matter incidental to the carrying out of its functions.

Borrowing  
powers

**8.**-(1) The Board may, with the prior approval of the Minister and subject to such conditions as he may determine, borrow sums required by it for meeting any of its obligations or for the purpose of carrying out its functions.

(2) The powers of the Minister under this section shall be exercised with the concurrence of the Minister for the time being responsible for finance and shall extend to the amount, the nature and sources of the borrowing and the terms and conditions on which the borrowing may be effected and the Minister's approval may be either general or limited to a particular borrowing.

(3) A person lending money to the Board shall not be bound to inquire whether the borrowing of that money is within the power of the Board.

**9.** (1) The Board may, with the approval of the Minister, and subject to such conditions as he may determine, invest such part of its funds as are not required for the purposes of its business.

Investment

(2) The powers of the Minister under this section shall be exercised with the concurrence of the Minister for the time being responsible for finance and shall extend to the amount which may be invested, the nature of the investment and the terms and conditions thereof, and the Minister's approval may be either general or limited to a particular investment.

**10.**-(1) The Board shall keep proper accounts and other records in relation thereto and shall prepare in respect of each financial year of the Board a statement of accounts in such form as the Minister may direct, being a form which conforms with the best commercial standards.

Accounts and audit

(2) Subject to any resolution of the National Assembly under section 28 of the Exchequer and Audit Ordinance, 1961, the accounts of the Board shall be audited by auditors appointed annually by the Minister.

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(3) As soon as the accounts of the Board for any financial year thereof have been audited, it shall send a copy of the statement of accounts prepared in respect of that year to the Minister together with a copy of any report made by the auditors on the statement or on the accounts.

(4) The Minister shall, within a period of six months (or such longer period as the National Assembly may by resolution appoint) after the end of the financial year of the Board to which the accounts relate, lay a copy of every such statement and report before the National Assembly.

**11.**(1) All deeds, instruments, contracts and other documents shall be deemed to be duly executed by or on behalf of the Board-

Execution of documents

- (a) if sealed with the common seal of the Board and signed by two members thereof;
- (b) if executed in that behalf by one member of the Board appointed by the Board for that purpose and by the General Manager or any member of the staff of the Board acting in that office.

(2) A deed, instrument, contract or other document executed in accordance with subsection (1) shall, subject to any exception that may be taken thereto on any ground other than that of the competence of the party executing the same on behalf of the Board, be effectual in law to bind the Board and its successors and all other parties thereto and may be varied or discharged in like manner as that in which it was executed.

**12.** The Minister may make regulations for the better carrying out of the purposes of this Act.

Regulations

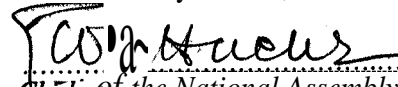
## SCHEDULE

(Section 3 (2))

## CONSTITUTION AND PROCEEDINGS OF THE BOARD

Constitution of Board	<p>1. (1) The Board shall consist of a Chairman and such number of other members, being not less than six and not more than twenty, as the Minister may from time to time determine.</p> <p>(2) The Chairman and the other members of the Board shall be appointed by the Minister.</p> <p>(3) A member of the Board shall, unless his appointment is sooner terminated by the Minister or he otherwise ceases to be a member, hold office for such period as the Minister may specify in his appointment or, if no period is specified, for a period of two years from the date of his appointment, and shall be eligible for re-appointment.</p> <p>(4) Any member of the Board may at any time resign by giving notice in writing to the Minister and from the date specified in the notice or, if no date is specified, from the date of the receipt by the Minister of the notice, he shall cease to be a member of the Board.</p>
Casual vacancies	<p>2. Where any member of the Board ceases to be a member before the normal expiration of his term of office, the Minister may appoint another person in his place to hold office until such first-named person's term of office would have expired had he not so ceased to be a member.</p>
Quorum and procedure	<p>3-4(1) The Board shall meet at such times as may be necessary or expedient for the transaction of business.</p> <p>(2) At any meeting of the Board not less than one half of the members of the Board shall constitute a quorum.</p> <p>(3) At any meeting of the Board the Chairman shall preside or, in the absence of the Chairman, the members present at the meeting shall elect one of their number to be chairman for that meeting.</p> <p>(4) <del>(~) in the event of an equality</del> of votes, the chairman of the meeting shall have a casting vote in addition to his</p> <p>(5) The Board may co-opt any one or more persons to attend any meeting of the Board for the purpose of assisting or advising the Board but no such person shall have the right to vote on any matter.</p> <p>(6) Minutes in proper form of each meeting shall be kept by such officer as the Board may appoint and shall be confirmed by the Board at the next meeting and signed by the chairman of that meeting.</p> <p>(7) Subject to the provisions of this paragraph and to any directions given by the Minister, the Board may regulate its own procedure.</p>
Vacancies, etc, not to invalidate proceedings	<p>4. Subject to the provisions of paragraph 3 relating to a quorum, the Board may act notwithstanding any vacancy in the membership thereof and no act or proceeding of the Board shall be invalid by reason only of some defect in the appointment of a person who purports to be a member thereof -</p>
Remuneration and expenses	<p>5. The members of the Board shall be paid out of the funds thereof such reasonable remuneration and expenses as the Minister may from time to time determine.</p>

Passed in the National Assembly on the sixth day of June, 1962.

  
Clerk of the National Assembly