

THE UNITED REPUBLIC OF TANZANIA



No. 2 OF 1974

I ASSENT,

Tulius K. Nyerere
President

...11... APRIL, 1974

An Act to amend the Prevention of Corruption Act, 1971

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Prevention of Corruption (Amend- Short title
ment) Act, 1974, shall be read as one with the Prevention of ^{and} Construction
Corruption Act, 1971 (hereinafter referred to as "the principal Act"), Acts, 1971
and shall come into operation on such date as the Prime Minister may, No. 16
by notice in the *Gazette*, appoint.

2. Section 2 of the principal Act is amended by adding in the ^{Section 2 of}
appropriate alphabetic order the following definitions: ^{principal Act}
^{amended}

"appropriate officer" means any member of the Anti Corruption
Squad, and includes the Director of the Squad;

"Director" means the Director of the Anti Corruption Squad;

"the Squad" means the Anti Corruption Squad established by section
2A".

3. The principal Act is amended by adding the following new section ^{New section}
immediately below section 2: ^{2A added}

"Anti
Corruption
Squad

2A.—(1) The President shall establish an Anti Corruption
Squad which shall consist of a Director and such number of
Assistant Directors and other officers as the President may
determine.

(2) The Squad shall be a public department under the
control and supervision of the Prime Minister.

(3) The functions of the Squad shall be—

(a) to take necessary measures for the prevention of
corruption in the public, parastatal and private sectors;

(b) to investigate and, subject to the directions of the
Director of Public Prosecutions, to prosecute for
offences under this Act and other offences involving
corrupt transactions;

- (c) to advise thhe Government, the Community, the corporations and institutions of the Community and other parastatal organizations on ways and means to prevent corruption.
- (4) In the performance of their functions the members of the Squad shall have all the powers of a police officer of or above the rank of an Assistant Superintendent of Police and the provisions of the Police Force Ordinance conferring upon police officers powers necessary or expedient for the prevention, investigation and prosecution of offences, whether such powers are conferred generally or to officers of certain rank only, shall apply in relation to the members of the Squad as if references in those provisions to police officers or to police officers of specified rank included references to the members of the Squad; and for the avoidance of doubts it is hereby declared that a member of the Squad shall have the power to arrest, enter premises, detain suspects and seize property where such member reasonably suspects that any offence involving corruption has been or is about to be committed by such person, in such premises or, as the case may be, in relation to such property, and such powers may be exercised to the same extent and subject to the same limitations as a police officer of or above the rank of Assistant Superintendent of Police may exercise them in relation to felonies.
- (5) The Director may assume the responsibility for any investigation or prosecution commenced by the police for an offence involving corruption.
- (6) The Prime Minister may, by regulations, provide for the organization and discipline of the Squad.”.

Section 8 of
principal Act
amended

4. Section 8 of the principal Act is amended—

- (a) in subsection (1) by deleting the words “Any police officer of or above the rank of Superintendent may, if he is authorized in writing in that behalf by the President or by the Attorney-General” which occur at the beginning and substituting therefor “Any appropriate officer or any police officer of or above the rank of the Superintendent authorized in writing in that behalf by the President, the Attorney-General or the Director may”;
- (b) in subsection (4), by deleting the words “by the President or, as the case may be, the Attorney-General” which occur at the end and substituting therefor the words “by the President, the Attorney-General or, as the case may be, the Director.”.

Section 12 of
the principal
Act amended

5. Section 12 of the principal Act is amended by deleting subsection (1) and substituting therefor the following:

“(1) Notwithstanding any provision in any other written law, the Director may, if he considers that any evidence of the commission of an offence against this Act by any person is likely to be found in any bank account relating to such person, his wife or child, or of any person reasonably believed by the Director to be a trustee or agent of such person, authorize in writing any appropriate officer or any named police officer of or above the rank of Superintendent, either alone or with any other person (hereinafter referred to as an authorized person), to investigate such bank account and such authorization shall be sufficient warrant for the production of such account for scrutiny by such officer or authorized person, and such officer or authorized person may take copies of any relevant entry in any such account.”.

6. Section 13 of the principal Act is amended—

Section 13 of
the principal
Act amended

- (a) in subsection (1) by deleting the words “The Director of Public Prosecutions may, by writing authorize any police officer of or above the rank of Superintendent” which occur at the beginning and by substituting therefor “The Director may, by writing, authorize any appropriate officer or any police officer of or above the rank of Superintendent”;
- (b) in subsection (2) by deleting the words “A police officer” which occur at the beginning and substituting therefor “The appropriate officer or the police officer.”.

Passed in the National Assembly on the twelfth day of March, 1974.

M. M. Windad
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Acting Clerk of the National Assembly