

Tanzania

## Road Frontage Premia Act

### Chapter 75

Legislation as at 31 July 2002

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# Tanzania

## Road Frontage Premia Act

### Chapter 75

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*[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]*

*[Act No. 4 of 1970]*

**An Act to empower the Commissioner for Lands to charge and levy road frontage premia on lands held otherwise than under rights of occupancy or Government leases.**

#### 1. Short title

This Act may be cited as the Road Frontage Premia Act.

#### 2. Interpretation

In this Act, unless the context otherwise requires—

"**Commissioner**" means the Commissioner for Lands;

"**Government lease**" has the meaning assigned to that term in the Freehold Titles (Conversion) and Government Lease Act, 1963 repealed by the Government Leaseholds (Conversion to Rights of Occupancy) Act, 1969;

"**Minister**" means the Minister responsible for lands;

"**occupier**" means any person who is in occupation of any parcel of land in an urban area otherwise than under a right of occupancy or a government lease and includes his personal representatives and other statutory assignees;

"**right of occupancy**" has the meaning assigned to that term in the Land Act<sup>1</sup>;

"**road**" means any road or street, square, court, alley or passage, bridge, lane, footpath, bridle path or driftway, and includes land reserved therefor, but does not include a highway as defined in the Highways Act<sup>2</sup> or a sanitary lane or any land reserved for a highway or a sanitary lane;

"**road frontage premium**" means the sum of money payable by an occupier under section 4 in respect of the construction of a road or execution of any road work;

"**road work**" means any work for the purpose of sewerage, levelling, paving, metalling, flagging, channelling or making good any road or part of a road;

<sup>1</sup>

[Cap. 113](#)

<sup>2</sup>

[Cap. 167](#)

"urban area" means an area which is within the boundaries of an urban authority established under the Local Government (Urban Authorities) Act<sup>3</sup>.

### 3. Apportionment of road frontage premia

(1) Where—

- (a) the Government or a local government Act authority has constructed a road in any urban area, or has caused to be executed in such area any road work; or
- (b) the Government or a local authority has prepared or approved a scheme for the construction of a road or execution of any road work in an urban area,

the Commissioner may, after ascertaining the cost or the estimated cost, as the case may be, of construction of such road or road work, from the Government department or the local authority concerned, apportion such cost or estimated cost on the lands, whether leased lands, lands held under rights of occupancy or lands held by occupiers, which front, adjoin or abut on such road or part thereof, in the opinion of the Commissioner, are or will be benefited by the road or the road work, as the case may be.

(2) In settling apportionment of the cost of construction of a road or execution of a road work in respect of any land held by an occupier, the Commissioner shall have regard to the following factors —

- (a) the frontage of the land;
- (b) the greater or lesser degree of benefit to be derived by such land from the road or road work; and
- (c) any other factor which the Commissioner may consider relevant.

### 4. Occupier required to pay road frontage premium

- (1) The sum of money apportioned in respect of land held by an occupier shall be the road frontage premium in respect of that land and shall be payable by such occupier.
- (2) The Commissioner shall, by notice in writing, require the occupier to make payment of the road frontage premium within such period and in such manner as may be specified in the notice:

Provided that no occupier shall be required to pay any road frontage premium until after the expiration of six weeks from the date on which the notice is served upon him.

- (3) The road frontage premium required to be paid by an occupier under this section shall be a debt due to the United Republic and may be recovered by a civil suit instituted by the Commissioner on behalf of the United Republic.

### 5. Appeals

Any occupier who is aggrieved by any decision of the Commissioner under this Act may appeal to the Minister in writing within four weeks of the receipt by him of a notice under section

### 6. Regulations

The Minister may make regulations for the better carrying out of the objects and purposes of this Act, and, without prejudice to the generality of the foregoing, may make regulations prescribing the manner in which an appeal under section 5 may be made.

7. \*\*\*

*[Omitted]*

8. \*\*\*

*[Omitted]*