

Tanzania

## African Chiefs Act Chapter 252

Legislation as at 31 July 2002

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# Tanzania

## African Chiefs Act

### Chapter 252

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*[This is the version of this document at 31 July 2002.]*

*[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. 53 of 1969]*

**An Act to provide that no former Chief shall exercise any function under customary law or otherwise.**

#### 1. Short title

This Act may be cited as the African Chiefs Act, and shall be read as one with the African Chiefs Ordinance (Repeal) Act <sup>1</sup>.

#### 2. Traditional and customary law functions of chiefs abolished

- (1) Any and every function, power or authority which, immediately prior to the date of the repeal of the African Chiefs Ordinance <sup>2</sup> by the African Chiefs Ordinance (Repeal) Act <sup>3</sup> could be lawfully exercised or performed by a chief within the meaning of that Ordinance by reason that it was—
- (a) a traditional function, power or authority of such chief; or
  - (b) a function, power or authority conferred upon such chief by customary law,
- is hereby abolished, and to the extent to which any customary law confers upon a chief any function, power or authority, such law shall be invalid.
- (2) Any person who exercised or performs or who attempts to exercise or perform any function, power or authority which has been abolished by subsection (1) commits an offence and is liable upon conviction to a fine not exceeding ten thousand shillings and, in the case of a second or subsequent offence, to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three months, or to both.

#### 3. Repeal of R.L. Cap. 331 and saving

- (1) *[Repeals the African Chiefs Ordinance <sup>4</sup>.]*

1

R.L. Cap. 517

2

R.L. [Cap. 331](#)

3

R.L. Cap. 517

4

- (2) Notwithstanding the provisions of subsection (1), whereby or under any written law it is provided that any chief within the meaning of the Ordinance hereby repealed shall, by virtue of his office as such, be, or be appointed, a member of any council, assembly, board or other body and, immediately prior to the date of coming into operation of this Act, any person is, pursuant to any such provision, a member of any such council, assembly, board or other body, the Minister for the time being responsible for local government may, by order, declare that such person shall not, by reason only of the repeal of the Ordinance hereby repealed, cease to be a member of such council, assembly, board or other body but that such person shall, for such period as is specified in the order or until the order is revoked, remain a member of such council, assembly, board of other body as if the Ordinance hereby repealed was still in operation, and where such order is made such person shall, for the period specified in the order or until the order is revoked, but subject to the provisions of the written law by or under which he became a member of such council, assembly, board or other body, remain a member of that council, assembly, board or other body.