

Tanzania

# Co-operative and Rural Development Bank (Repeal and Transitional Provisions) Act

## Chapter 88

Legislation as at 31 July 2002

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# Tanzania

## Co-operative and Rural Development Bank (Repeal and Transitional Provisions) Act

### Chapter 88

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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.]*

*[s.1; Act No. 5 of 1996]*

**An Act to repeal the Co-operative and Rural Development Bank and to provide for a transitional period and related matters.**

#### 1. Short title

This Act may be cited as the Co-operative and Rural Development Bank (Repeal and Transitional Provisions) Act.

#### 2. Interpretation

In this Act, unless the context requires otherwise—

"**assets**" means real and personal property of every kind including—

- (a) rights under contract and agreement;
- (b) books, books of accounts and records;
- (c) all other rights, interest and claims in or to, real or personal property, whether liquidated or unliquidated, certain or contingent, accrued or accruing;

"**Bank**" means the Co-operative and Rural Development Bank, Act [No. 7 of 1971](#);

"**Company**" means the company incorporated under the provisions of section 3;

"**liabilities**" means all obligations under contract or agreement including savings and deposits of all kinds;

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

"**transitional period**" means a period of not less than six months commencing from the effective date.

#### 3. Establishment of the Company

- (1) The Minister shall not later than the 1st day of July, 1996, cause to be incorporated subject to this Act, a company to be known as the Co-operative and Rural Development Bank (1996) Limited or CRDB 1996 Limited.
- (2) The Company shall be a body corporate and shall—
  - (a) have perpetual succession and a common seal;
  - (b) in its corporate name be capable of suing and being sued;

- (c) be capable of purchasing and otherwise acquiring or alienating any movable or immovable property;
  - (d) have power from time to time exercise and perform any other powers and functions which are conferred by or under this Act or other written law.
- (3) The Company shall, with effect the the 1st day of July, 1996 subject to this Act, take over the assets, liabilities and business of the Bank in relation to co-operative and rural development banking services.
- (4) The assets, rights and liabilities in respect of banking services to which the Bank was entitled or subject to shall, with effect from the effective date, be vested into the company in accordance with the provisions of this Act.

#### 4. Objects and functions of the Bank

The objects of the bank shall be–

- (a) to make available long and medium term finance for rural development;
- (b) to provide technical assistance and advice the for the purpose of promoting rural development;
- (c) to undertake such other activities as may be necessary or advantageous for the purpose of furthering the foregoing objects.

#### 5. Transitional period

There shall be a transitional period of not more than six months within which, subject to this Act, all necessary measures shall be taken to facilitate the winding up of the affairs and business of the Bank and the effectual transfer and vesting of its assets and liabilities.

#### 6. Provisions regarding the former Bank Employees

- (1) Subject to this Act, the employees of the Bank shall with effect from the effective date be transferred to and be employed by the company.
- (2) With effect from the effective date every employee transferred from the Bank shall be employed by the new employer on terms not less favourable than those applicable to him before his transfer.
- (3) Until such time as new schemes and terms and conditions of service are drawn up by the company the schemes and terms and conditions of service in the Bank shall continue to apply to every person transferred under subsection (1) to the service of the company as if they were still in the service of the Bank.
- (4) Where any person who is transferred to the service of the Company under subsection (1) is a member of any statutory or voluntary pension scheme or provident fund he shall for the purposes of this Act continue to be governed by the same regulations under those schemes or funds as if he had not been transferred to the service of the company and for the purposes of the regulations governing those schemes, his or her service with the company shall be deemed to be service of the Bank.
- (5) The Company shall continue to be liable to former employees of the Bank or its predecessors, who have retired on or before the first day of July, 1996 for any pension benefits payable which they are entitled to under the regulations of those pension schemes.

#### 7. Repeal of Act **No. 7 of 1971**

*[Repeals the Co-operative and Rural Development Bank Act]*