

Tanzania

Disabled Persons (Employment) Act

Disabled Persons (Employment) Regulations, 1985

Government Notice 464 of 1985

Legislation as at 31 July 2002

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Disabled Persons (Employment) Regulations, 1985

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Disabled Persons (Employment) Act

Disabled Persons (Employment) Regulations, 1985

Government Notice 464 of 1985

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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.]

[Sections 7, 8, 9, 10, 11 and 14]

1. Citation

These Regulations may be cited as the Disabled Persons (Employment) Regulations.

2. Application

- (1) Subject to subregulation (2), these regulations shall apply to towns in Tanzania Mainland regions and districts specified in the First Schedule to these Regulations.
- (2) Notwithstanding subregulation (1), these regulations shall apply to towns in other Tanzania Mainland Regions and Districts as and when a social welfare Office is established there.
- (3) These Regulations shall be carried into effect by departments of Government, local authorities, parastatal organisations and private enterprises as if they were employers within the meaning of the Act.

3. Interpretation

In these Regulations—

"**the Act**" means the Disabled Persons (Employment) Act ¹;

"**Commissioner**" means Commissioner for social welfare;

"**Committee**" means the Regional or District Committee established under section 5 of the Act;

"**Council**" means the Nationals Advisory Council established under section 3 of the Act;

"**medical officer**" means a medical officer in the service of Government, or a medical practitioner approved by the Commissioner for the purposes of these Regulations;

"**Minister**" means the Minister responsible for the welfare of disabled persons;

"**Registration Centre**" means a social welfare office of a Region or District.

4. Register of Disabled Persons

- (1) The Commissioner shall maintain a Disabled Persons Register in Form "A" prescribed in the Second Schedule to these Regulations.
- (2) A disabled person may apply in Form "B" prescribed in the Second Schedule to the District Committee for Registration in the Register of disabled persons.

5. Disabled persons to carry identity card

- (1) A registered disabled person shall carry an identity card of registration as prescribed in Form "C" of the Second Schedule signed by the Commissioner or a person authorised by him.
- (2) Every disabled person shall surrender his identity card to the Commissioner or a person authorised by him six months after obtaining suitable employment.

6. Conditions for registration

A person may be registered in the Disabled Persons Register if he is—

- (a) a disabled person within the meaning of the Act;
- (b) within working age;
- (c) willing to work; and
- (d) not currently in suitable employment for his upkeep and self-dependency.

7. Retention of name in register; renewal of registration

- (1) Subject to subregulation (2) the name of a disabled person shall remain in the register for a period of three years, but he may apply to the Commissioner for renewal of his registration within six months from the end of that period.
- (2) Notwithstanding subregulation (1), the name of a disabled person shall remain in the register if—
 - (a) he is not provided with or in a position to get a job commensurate with his qualification or experience; or
 - (b) he is rehabilitated vocationally; or
 - (c) the information furnished by him is not subsequently found to be wrong; or
 - (d) has failed to renew his registration within the period mentioned in subregulation (1).

8. Training of disabled persons

- (1) Subject to a certificate of fitness signed by a medical officer, a disabled person may be admitted for training in a vocational training centre in the private or public sector.
- (2) At least two percent of the vacancies in Vocational Training Centres shall be reserved for disabled persons.
- (3) On production of a certificate of fitness signed by medical officer, owners of industries covered by the Act, may be required to impart in plant requisite training to at least five disabled persons.

9. Employer's Register

- (1) An Employer's Register is hereby established.

- (2) The Commissioner shall maintain the Employer's Register in Form "D" prescribed in the Second Schedule.
- (3) An employer shall be registered in the Register if he has the capacity to employ fifty or more employees.

10. Vacancy of disabled person

- (1) Every registered employer shall employ registered disabled persons who shall constitute at least two percent of the number of employees in his establishment.
- (2) The vacancies for employment for disabled persons shall be notified by employer in form "E" prescribed in second schedule to the registration centre.

11. Register of particulars of disabled persons on half yearly return

- (1) Every registered employer shall—
 - (a) maintain a register showing the particulars of disabled persons employed; and
 - (b) within thirty days after half year, render half yearly return to the Regional and District social welfare officer in Form "F" prescribed in the Second Schedule showing the number of disabled persons employed by the establishment.
- (2) For the purposes of the registration, "half year" means the period ending on 30th June and 31st December.

First Schedule (Regulation 2(1))

List of regional offices/district offices, social welfare department

The United Republic of Tanzania Ministry of Labour and Manpower Development

	Name of Region	District	City/Town in which Regional or District Office is situated
	1	2	3
1.	Arusha	Arusha	Arusha.
		Mbulu	Mbulu.
2.	Dar es Salaam		Dar es Salaam.
		Ilala	Dar es Salaam.
		Kinondoni	Dar es Salaam.
		Temeke	Dar es Salaam.
3.	Dodoma		Dodoma.
4.	Iringa		Iringa.
		Njombe	Njombe.
5.	Kagera		Bukoba.
6.	Kigoma		Kigoma.
7.	Kilimanjaro		Moshi.
		Same	Same.
8.	Morogoro		Morogoro
		Kilosa	Kilosa.
9.	Lindi		Lindi.
10.	Mara		Musoma.

		Tarime	Tarime.
11.	Mwanza		Mwanza.
12.	Mbeya		Mbeya.
		Rungwe	Tukuyu.
13.	Mtwara		Mtwara.
14.	Rukwa		Sumbawanga.
15.	Ruvuma		Songea.
		Korogwe	Tunduru.
16.	Singida	Lushoto	Singida.
		Kibaha	Manyoni.
17.	Shinyanga	Kisarawe	Shinyanga.
18.	Tabora		Tabora.
19.	Tanga		Tanga.
			Korogwe.
			Lushoto.
20.	Pwani		Kibaha.
			Kisarawe.

Second Schedule

Forms

[Editorial note: The forms have not been reproduced.]