

Tanzania

Public Corporations Act

Public Corporations (The National Development Corporation Act) (Repeal and Consequential Provisions) Order, 1969 Government Notice 250 of 1969

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Public Corporations (The National Development Corporation Act) (Repeal and Consequential Provisions)
Order, 1969

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Public Corporations Act

Public Corporations (The National Development Corporation Act) (Repeal and Consequential Provisions) Order, 1969

Government Notice 250 of 1969

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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.]

[G.N. No. 250 of 1969]

1. Citation

This Order may be cited as the Public Corporations (The National Development Corporation Act) (Repeal and Consequential Provisions) Order.

2. Interpretation

In this Order, unless the context requires otherwise—

"**effective date**" means the 1st October, 1969;

"**instrument**" means any contract, guarantee, agreement (including agreement concluded by exchange of letters), bond, authority, mortgage, charge, bill of exchange, promissory note, bank draft, bank cheque, letter of credit and any other security or instrument whatsoever;

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

"**N.D.C.**" means the National Development Corporation established by the National Development Corporation Act¹;

"**National Development Corporation**" means the National Development Corporation established by the National Development Corporation (Establishment) Order² made under the Public Corporations Act³.

3. Assets and liabilities to rest in the National Development Corporation

- (1) As from the effective date all the assets and liabilities of the N.D.C. shall vest in the National Development Corporation by virtue of this Order and without further assurance, and the N.D.C. shall be discharged from its obligation in respect of every such liability.

1

R.L. Cap. 468

2

G.N. No. 90 of 1969

3

[Cap. 257](#)

- (2) For the purposes of this paragraph "assets and liabilities of the N.D.C." mean the assets and liabilities of the N.D.C. existing or, as the case may be, subsisting immediately before the coming into operation of this Order, that is to say, not including any asset or liability which has been transferred to the National Agricultural and Food Corporation or the Tanzania Tourist Corporation pursuant to the Orders made under the Public Corporations Act and published as [Government Notice No. 184 of 1969](#) and [Government Notice No. 185 of 1969](#) respectively.

4. Instruments to continue in full force and effect

- (1) All instruments to which the N.D.C. is a party shall, with effect from the effective date and by virtue of this Order, continue in full force and effect as if the National Development Corporation were substituted for the N.D.C., and all the rights and liabilities of the N.D.C. under that instrument shall vest in the National Development Corporation.
- (2) Where in any instrument to which the N.D.C. is not a party, reference is made to the N.D.C., and in the opinion of the Minister that reference should be made to the National Development Corporation, the Minister may, by notice in writing to all the parties to the instrument, notify the parties that the reference to the N.D.C. in that instrument shall be construed as references to the National Development Corporation, and upon that notice being issued the instrument shall take effect as if reference in it to the N.D.C. were references to the National Development Corporation.
- (3) Where in any written law a reference is made to the N.D.C., that reference shall be deemed to be a reference to the National Development Corporation.

5. Repeal of the National Development Corporation Act

- (1) *[Repeals the National Development Corporation Act⁴.]*
- (2) For the avoidance of doubts it is hereby declared that notwithstanding the repeal of the National Development Corporation Act⁵, and the consequent dissolution of the N.D.C., it shall be lawful for the National Development Corporation to hold itself out as being the successor to the N.D.C. as if the N.D.C. were preserved and continued in existence as a corporation established under the Public Corporations Act⁶, under the title of the National Development Corporation:

Provided that the functions, management and all other matters relating to the National Development Corporation shall be regulated by the National Development Corporation (Establishment) Order, the Public Corporations Act⁷, and that the National Development Corporation Act⁸ shall cease to have effect whatsoever in relation to the National Development Corporation.

4

R.L. Cap. 468

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R.L. Cap. 468

6

[Cap. 257](#)

7

[Cap. 257](#)

8

R.L. Cap. 468