

GOVERNMENT NOTICE No. 257 published on 31/3/2023

THE EXECUTIVE AGENCIES ACT,
(CAP. 245)

ORDER

(Made under section 3(1))

THE EXECUTIVES AGENCIES (THE TANZANIA TREE SEED AGENCY) (REVOCAION)
ORDER, 2023

Citation 1. This Order may be cited as the Executive Agencies (Tanzania Tree Seed Agency) (Revocation) Order, 2023.

Interpretation 2. In this Order, unless the context otherwise requires:

GN. No. 269 of 2010 “Tanzania Forest Services Agency” means the Tanzania Forest Services Agency established under the Executive Agencies (Tanzania Forest Services Agency) (Establishment) Order, 2010.

Revocation GN. No. 9 of 2003 3.-(1) The Executive Agencies (The Tanzania Tree Seed Agency) (Establishment) Order 2003, is hereby revoked.

(2) Unless where the context requires otherwise, any reference in any written law to the Tanzania Tree Seed Agency shall be construed as reference to the Tanzania Forest Services Agency.

Savings generally 4. Notwithstanding the revocation of the Executive Agencies (The Tanzania Tree Seed Agency) (Establishment) Order, 2003, any act done, appointments and directions made, issued or given under the provisions of the Executive Agencies (The Tanzania Tree Seed Agency) (Establishment) Order, 2003 shall continue to be valid unless revoked, cancelled or otherwise cease to

operate by reasons of effluxion of time.

Transfer of
employees

5.-(1) All employees of the Tanzania Tree Seed Agency shall, from the date of commencement of this Order, be transferred to the Tanzania Forest Services Agency.

(2) Every employee transferred pursuant to subparagraph (1) shall be an employee of the Tanzania Forest Services Agency on such terms and conditions not less favourable than those which were applicable to the employee before transfer.

Pending
disciplinary
proceedings

6. Where immediately before the commencement date of this Order-

(a) any disciplinary proceedings that have been initiated against any employee of the Tanzania Tree Seed Agency and such proceedings are still pending before the Tanzania Tree Seed Agency or in the course of being heard or investigated by the Tanzania Tree Seed Agency or had been heard or investigated by the Tanzania Tree Seed Agency and no order or decision has been rendered thereon; or

(b) any such employee has been interdicted, suspended, the Tanzania Forest Services Agency shall forthwith-

(i) in the case of subparagraph (a), carry on and complete the hearing investigation and make an order or render a decision, as the case may be; and

(ii) in the case of subparagraph (b), deal with such employee in such a manner as deemed appropriate, having regard to the offence committed, including the institution and completion of disciplinary proceedings and the making of any order or the rendering of a decision as the case may be, as if those disciplinary proceedings had been commenced by the Tanzania Forest Services Agency.

Vesting of
assets and
liabilities

7. With effect from the date of commencement of this Order, all the assets and liabilities existing under the Tanzania Tree Seeds Agency prior to the coming into operation of this Order shall vest under the Tanzania Forest Services Agency.

Rights and
obligations

8. All Powers, rights, privileges, duties or obligations which, immediately before the commencement of this Notice, were exercisable pursuant to the provisions of Executive Agencies (The Tanzania Tree Seed Agency) (Establishment) Order, 2003 shall devolve and be exercisable in the manner set out in the Executive Agencies (Tanzania Forest Services Agency) (Establishment) Order, 2010.

Takeover of
Investments
undertaking

9. The Tanzania Forest Services Agency shall, with effect from the commencement date, take over investments of the Tanzania Tree Seed Agency.

Transfer of
documents
and records

10. All documents and records under the name of, or relating to the Tanzania Tree Seed Agency as well as public officers or employees transferred in terms of paragraph 5 of this Order shall, with effect from the date of commencement of this Order, be transferred to the Tanzania Forest Services Agency.

Pending legal
proceedings

11.-(1) Any legal proceedings by or against the Tanzania Tree Seed Agency pending before any court or tribunal immediately before the date of commencement of this Order shall continue and be deemed to be proceedings by or against the Tanzania Forest Services Agency.

(2) Where any proceedings were instituted by or against the Tanzania Tree Seed Agency before the commencement date, in respect of any right, liability or obligation vested in Tanzania Tree Seed Agency, the -

Tanzania Forest Services Agency and every other party to those proceedings may take all objections and exceptions as might have been taken in proceedings by or against the Tanzania Tree Seed Agency.

Dodoma,
23rd March, 2023

MOHAMED OMARY MCHENGERWA,
*Minister for Natural Resources and
Tourism*