

Tanzania

Business Licensing Act

Business Licensing Regulations, 1972

Government Notice 187 of 1972

Legislation as at 31 July 2002

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Tanzania

Business Licensing Act

Business Licensing Regulations, 1972

Government Notice 187 of 1972

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[Note: This legislation was revised and consolidated as at 31 July 2002 and 30 November 2019 by 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. All subsequent amendments have been researched and applied by Laws.Africa for TANZLII.]

[Section 27(1); G.N. No. 187 of 1972]

Part I – Preliminary provisions (regs 1-2)

1. Title

These Regulations may be cited as the Business Licensing Regulations.

2. Interpretation

In these Regulations, unless the context otherwise requires—

"Act" means the Business Licensing Act¹;

"Appellate Authority" means—

- (a) in the case of an appeal under section [22](#) of the Act, the Minister or, where the Minister has delegated his functions under that section to an Appeals Committee, the Appeals Committee;
- (b) in the case of an appeal under section [23](#) of the Act, the Permanent Secretary or, where the Permanent Secretary has delegated his functions under that section to any other person or a Board, such other person or such Board.

Part II – Application, etc. (regs 3-5)

3. Application form

Every application for a licence shall be in the form specified in the Schedule hereto or in such other form as the Permanent Secretary may, from time to time, approve for that purpose.

4. Licence form

Every business licence shall be in the form specified in the Schedule hereto or in such other form as the Permanent Secretary may, from time to time, approve for that purpose.

5. Application to be made to licensing authority

Every application for a business licence shall be made to the licensing authority for the district in which the business is, or is intended to be, carried on:

Provided an application for a subsidiary licence may be made to the licensing authority who is the appropriate licensing authority in respect of the principal place of business, notwithstanding that the subsidiary business is or is intended to be carried on in some other district.

Part III – Miscellaneous provisions (regs 6-7)

6. Conditions annexed to a licence

There shall be deemed to be annexed to every business licence granted under the Act the following conditions, namely—

- (a) where the licence granted is a licence the licence fee in respect of which is required to be assessed on the annual turnover, and the annual turnover upon which the licence fee was assessed when the licence was granted exceeded twenty-four thousand shillings, that the licensee shall, on or before the thirtieth day of June in the year in which such licence is granted, submit to the licensing authority a duly consolidated and adjusted balance sheet in relation to all the businesses carried on by him during the calendar year immediately preceding the calendar year in which such licence is granted:

Provided that the licensing authority may in any particular case, by writing under his hand, waive this condition or appoint a date later than the thirtieth day of June to be the date on or before which such balance sheet may be submitted; and

- (b) that the licensee shall, when called upon by the Permanent Secretary or the licensing authority by a notice in writing so to do, submit within such time as may be specified in the notice to the Permanent Secretary or, as the case may be, the licensing authority, a return of his turnover for such period as may be specified in the notice and every such return shall be in such form as the Permanent Secretary or, as the case may be, the licensing authority, may direct; and
- (c) that the premises in or on which the business is carried on shall at all times during which such business is being carried on, conform to the by-laws, if any, made in that behalf by a local authority having jurisdiction over the area within which the business is carried on; and
- (d) that the person to whom such licence is granted shall comply with all the requirements of any by-laws made by a local authority affecting such business carried on within its area of jurisdiction and designed to ensure and safeguard sanitation, cleanliness or public health.

7. Duplicate licence

- (1) Where any person who has been granted a business licence satisfies the licensing authority that his licence has been lost or destroyed or has become mutilated or been rendered illegible, the licensing authority may issue to such person a duplicate of the licence upon receipt of a fee of twenty shillings.
- (2) Any person who, subsequent to the revocation or cancellation of the original licence, obtains or attempts to obtain a duplicate of such licence while such revocation or cancellation is subsisting, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten thousand shillings or imprisonment for a term not exceeding one year or both such fine and imprisonment.

Part IV – Appeals (regs 8-12)

8. Memorandum of appeal

Every appeal shall be made by lodging with the Appellate Authority a memorandum of appeal setting out the decision complained against and the grounds upon which the complaint is made.

9. Time for appeal

Every appeal shall be made within thirty days of the date of the decision complained against:

Provided that the Appellate Authority may, in any case for sufficient cause, allow an appeal to be lodged after the expiry of the period specified in this regulation.

10. Procedure

Subject to the provisions of these Regulations the Appellate Authority shall regulate the procedure on an appeal.

11. Reference to attorney-general

It shall be lawful for an Appellate Authority to seek and obtain the opinion of the Attorney-General or a law officer on any issue of law involved in any appeal.

12. Advocate not to have right of audience

Where an Appellate Authority directs or permits the appellant to appear before it, it shall not allow the appellant to be represented by an advocate.

Schedule

Forms

[Editorial note: The forms have not been reproduced]