

Tanzania

National Prosecutions Service Act, 2008

Chapter 430

Legislation as at 1 December 2023

There may have been updates since this file was created.

PDF created on 24 February 2025 at 14:59.

Collection last checked for updates: 31 July 2002.

[View online](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the TanzLII website and is presented in collaboration with the Laws.Africa Legislation Collection, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.tanzlii.org | info@tanzlii.org

www.laws.africa | info@laws.africa

FRBR URI: /akn/tz/act/2008/1/eng@2023-12-01

There is no copyright on the legislative content of this document.

This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

National Prosecutions Service Act, 2008 (Chapter 430)
 Contents

- Part I – Preliminary provisions 1
 - 1. Short title 1
 - 2. Application 1
 - 3. Interpretation 1
- Part II – The National Prosecutions Service 2
 - (a) The Service 2
 - 4. National Prosecutions Service 2
 - 5. Appointment of staff 3
 - 6. Power to issue orders, practices notes, others instruments 3
 - 7. Power to promulgate Code of Professional Conduct and Etiquettes 3
 - 8. Guiding principles 4
 - (b) Control of criminal proceedings 4
 - 9. Power and functions of National Prosecution Services 4
 - 9A. Compounding of offences 5
 - 10. Appeals, revision, and applications 6
 - 11. Assistance in criminal matters 6
 - (c) Related functions 6
 - 12. Payment and forfeiture to the Government 6
 - 13. Assistance to officers of other jurisdictions 6
 - 14. Inquests 7
 - 15. Related functions 7
 - (d) Coordination of investigation 7
 - 16. Powers of Director of Public Prosecutions 7
 - 17. Director of Public Prosecutions may require information 7
 - 18. Director of Public Prosecution may issue orders, guidelines, instructions 8
- Part III – Tenure, removal and retirement of the Director of Public Prosecutions 8
 - 19. Tenure of office of Director of Public Prosecutions 8
 - 20. Retirement from office 9
 - 21. Resignation 9
- Part IV – Administrative provisions 9
 - 22. Power to appoint public prosecutors 9
 - 23. Delegation of powers 10
 - 24. Coordination of investigation of crimes 10
 - 25. Sources of funds 10

25A. Annual estimates	10
25B. Annual performance report	10
25C. Books of accounts	10
Part V – General provisions	11
26. Judicial notice	11
27. National Criminal Justice Forum	11
27A. National Criminal Justice Ministerial Committee	12
27B. Regional Criminal Justice Forum	13
27C. District Criminal Justice Forum	13
28. Powers to make Regulations	14
29. Transitional and savings	14
Part VI – Omitted	15

Tanzania

National Prosecutions Service Act, 2008

Chapter 430

Published in Tanzania Government Gazette on 9 May 2008

Assented to on 4 April 2008

Commenced on 9 June 2008 by National Prosecutions Service (Appointment of Date of Commencement) Notice, 2008

[This is the version of this document from 1 December 2023.]

[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.]

[Amended by Rectification of Printing Errors (The Enactment Numbers of Acts of Parliament) Order, 2008 (Government Notice 358 of 2008) on 28 November 2008]

[Amended by Written Laws (Miscellaneous Amendments) Act, 2009 (Act 3 of 2009) on 20 March 2009]

[Amended by Written Laws (Miscellaneous Amendments) (No.2) Act, 2012 (Act 6 of 2012) on 27 July 2012]

[Amended by Written Laws (Miscellaneous Amendments) (No. 2) Act, 2018 (Act 7 of 2018) on 25 September 2018]

[Amended by Written Laws (Miscellaneous Amendments) (No. 4) Act, 2019 (Act 11 of 2019) on 20 September 2019]

[Amended by Written Laws (Miscellaneous Amendments) Act, 2022 (Act 1 of 2022) on 8 March 2022]

[Amended by Legal Sector Laws (Miscellaneous Amendments) Act, 2023 (Act 11 of 2023) on 1 December 2023]

[Act renumbered, from Act 27 of 2008 to Act 1 of 2008, by section 2 Government Notice 358 of 2008]

[GN. No. 74 of 2008; Acts Nos. 27 of 2008; 6 of 2012; 7 of 2018; 11 of 2019]

An Act to make provisions for the establishment of the National Prosecutions Service, to provide for the organisation, management, monitoring, supervision of prosecution and coordination of investigation with a view to promoting and enhancing dispensation of criminal justice, and to provide for related matters.

Part I – Preliminary provisions

1. Short title

This Act may be cited as the National Prosecutions Service Act.

2. Application

This Act shall apply to in relation to all criminal prosecutions and the coordination of investigation of crimes in Mainland Tanzania.

3. Interpretation

In this Act, unless the context otherwise requires—

"**Attorney General**" means the Attorney General appointed under Article 59 of the Constitution;

[Act No. 7 of 2018 s. 50 and 51]

"**Constitution**" means the Constitution of the united Republic of Tanzania, 1977;

"**Deputy Director of Public Prosecutions**" means the Deputy Director of Public Prosecutions appointed pursuant to the provisions of this Act;

"**Director of Public Prosecutions**" means the Director of Public Prosecutions appointed pursuant to sub-article (1) of Article 59B of the Constitution;

"**District Prosecution Officer**" means the Law Officer appointed to be in-charge of prosecution matters in a District;

"**Law Officer**" has the meaning ascribed to it under the Interpretation of Laws Act;

[Cap. 1]

"**Minister**" means the Minister responsible for legal affairs;

"**public prosecutor**" means a person appointed in accordance with this Act to conduct prosecution of a criminal case in the court of law;

"**Regional Prosecutions Officer**" means the Law Officer appointed to be in-charge of prosecution matters in a Region;

"**Service**" means the National Prosecutions Service;

"**State Attorney**" means a person appointed under [section 5](#) or designated as such to perform functions under this Act.

Part II – The National Prosecutions Service

(a) The Service

4. National Prosecutions Service

- (1) There shall continue to be established an independent and autonomous Service to be known as the National Prosecutions Service.
- (2) The Service shall be headed by the Director of Public Prosecutions appointed by the President in accordance with Article 59B of the Constitution.
- (3) There shall be the Deputy Director of Public Prosecutions who shall be appointed by the President from amongst persons with qualifications to be appointed as Judge of the High Court of Tanzania.
- (4) The Deputy Director of Public Prosecutions shall be the accounting officer of the Service and shall be the principal assistant to the Director of Public Prosecutions.
- (4A) The DPP may establish a specialized unit to deal with a designated area and appoint an in-charge for such unit.
- (5) Functions and powers of the Director of Public Prosecutions may be performed or exercised by the Deputy Director of Public Prosecutions, Regional Prosecution Officers, District Prosecution Officers, Law Officer, State Attorney or such other public officer designated as such by the Director of Public Prosecutions.
- (6) For the purposes of subsection (5), the Director of Public Prosecutions may by instrument appoint or designate any Law Officer, State Attorney or any other public officer to perform the functions or exercise powers of the Director of Public Prosecutions.
- (7) Without prejudice to subsection (6), any person who was a Law Officer, State Attorney or a Legal Officer appointed or designated to perform the functions or exercise powers of the Director of Public Prosecutions shall be deemed to have been appointed or designated as such.

- (8) The Director of Public Prosecutions, the Deputy Director of Public Prosecutions and any officer appointed to exercise the functions of the Service under this Act or any other written law shall have a *locus standi* in courts of law for and on behalf of the Director of Public Prosecutions.

[Act No. 7 of 2018 s. 52]

5. Appointment of staff

- (1) The Director of Public Prosecutions shall appoint in the National Prosecutions Service and at every Regional and District offices of the Service such number of Law Officers, State Attorneys and other public officers as may be necessary for proper and effective performance of the functions and exercise of powers of the Director of Public Prosecutions.

[subsection (1) amended by section 37(a) of Act 1 of 2022]

- (2) The Deputy Director of Public Prosecutions shall be—

- (a) responsible for recruitment of all employees of the Service in accordance with laws governing public service;
- (b) the accounting officer and responsible for managing day to day affairs within the Service;
- (c) the disciplinary authority of employees of the Service in accordance with the terms of this Act and laws governing public service.

[subsection (2) substituted by section 37(b) of Act 1 of 2022]

- (3) The Director of Public Prosecutions shall appoint for each Region and District a Law Officer to be in-charge of prosecution matters in the Region or District as the case may be and the person so appointed shall bear the title of Regional Prosecution Officer and District Prosecution Officer respectively.

[Act No. 7 of 2018 s. 52]

- (4) The Director of Public Prosecutions may, for better performance of his functions and where circumstances so require, establish zones or offices, as the case may be, regardless of geographical boundaries.

[subsection (4) added by section 37(c) of Act 1 of 2022]

6. Power to issue orders, practices notes, others instruments

- (1) The Director of Public Prosecutions may, for purposes of better management and organisation of the Service, issue General or Standing Orders, Practice Notes and other instruments as he may deem fit.
- (2) A staff in the Service who fails to comply with the Standing Orders, Practices Notes and other instruments issued under subsection (1), commits a misconduct to be dealt with by the Deputy Director of Public Prosecutions.

[Act No. 7 of 2018 s. 52]

7. Power to promulgate Code of Professional Conduct and Etiquettes

- (1) The Director of Public Prosecutions shall prescribe the Code of Professional Conduct and Etiquettes for Public Prosecutors.
- (2) Any public prosecutor who breaches the Code of Professional Conduct and Etiquettes for Public Prosecutors commits a professional misconduct and shall be liable to disciplinary actions through the Deputy Director of Public Prosecutions in accordance with the Public Service Regulations.

[Act No. 7 of 2018 s. 52, G.N. No. 168 of 2003]

8. Guiding principles

In the exercise of powers and performance of his functions, the Director of Public Prosecutions shall observe the following principles—

- (a) the need to do justice;
- (b) the need to prevent abuse of legal process;
- (c) the public interest; and
- (d) control of criminal proceedings.

[Act No. 7 of 2018 s. 50]

(b) Control of criminal proceedings

9. Power and functions of National Prosecution Services

(1) Notwithstanding the provisions of any other written law, the powers and functions of the National Prosecution Prosecutions Service shall be to—

- (a) decide to prosecute or not to prosecute in relation to any offence;
 - (b) take and conduct criminal cases on behalf of the sovereign of the United Republic, the Central Government, independent departments, executive agencies and the local government;
 - (c) coordinate and supervise criminal investigation and conduct of criminal prosecution in courts of law other than court martial;
- [Cap. 4 s. 8]
- (d) intervene and take over at any stage of criminal proceedings, appeal, execution or any incidental proceedings before any court of law to which the Central Government, independent department, agency or a local government has interest;
 - (e) discontinue at any stage before judgement is delivered any criminal proceeding brought to the court by another person or authority;
 - (f) issue directives to any public officer performing functions relating to conduct of criminal prosecution in courts of law;
 - (g) direct the police and other investigative organs to investigate any information of a criminal nature and to report expeditiously;
 - (h) appoint or employ and discipline Law Officers, State Attorneys and other staff of the National Prosecutions Service;
 - (i) carry out the general supervision of Law Officers, State Attorneys and other officers or staff appointed or employed in the National Prosecutions Service;
 - (j) administer legal functions performed by Law Officers, State Attorneys and other officer or staff of the National Prosecutions Service; and
 - (k) summon any public officer to give explanation, or information regarding any matter which is or likely to be the subject of criminal prosecution.

- (2) The functions referred to in subsection (1) shall include institution and conducting of summary proceedings, committal proceedings or a preliminary hearing under the Criminal Procedure Act, the Magistrates' Courts Act or any other law relating to criminal proceedings.

[Caps. 20 and 11]

- (3) Nothing in this section shall prevent the Director of Public Prosecutions to take over and continue proceedings in the name of the person or authority that instituted those proceedings.
- (4) The Police Officer or the Officer of any other investigative organ in-charge of any area or authority to be specified by the Director of Public Prosecutions shall, in respect of offences alleged to have been committed within that area, report to the Director of Public Prosecutions any—
- (a) offence punishable with death;
 - (b) offence in respect of which a prosecution is by law required to be instituted with the consent of the Director of Public Prosecutions;
 - (c) case in which a request for information is made by the Director of Public Prosecutions;
 - (d) case in which it appears to such Police Officer or the officer of any other investigative organ that the advice or assistance of the Director of Public Prosecutions is desirable; or
 - (e) other offence specified by the Director of Public Prosecutions to be an offence in respect of which a report under this section is necessary.
- (5) The term "area" or "authority" as used in subsection (4) means and includes a geographical jurisdiction of a police post, station, district, region or zone, a corresponding office of any other investigative organ or a person to whom a command or a directive may be issued as the case may be.
- (6) The Director shall establish and maintain a system whereby the process of seeking and obtaining his consent for prosecutions, may be expedited.
- (7) The Deputy Director of Public Prosecutions, Heads of Divisions within the service, Regional Prosecution Officers or District Prosecution Officers, shall, subject to regulations prescribed under subsection (8), have powers to consent for prosecution of offences which require consent of the Director of Public Prosecutions.
- (8) The Minister may make regulations prescribing for offences, value of offence or any other matters the consent of which may be issued by officers specified under subsection (7).

[Act No. 7 of 2018 s. 50 and 53; 11 of 2019 s. 26]

9A. Compounding of offences

- (1) Notwithstanding the provisions of any other written law relating to compounding of offences with the consent of the offender, the Director
- (a) any offence which by law an authorized officer is allowed to compound; or
 - (b) any offence the punishment of which is a fine.
- (2) All agencies and authorities allowed to compound offences by any written law shall submit monthly reports to the Director.
- (3) The Minister may, by regulations, prescribe the procedures for better carrying into effect of the provisions of this section.

[Act No. 11 of 2019 s. 27]

10. Appeals, revision, and applications

- (1) Notwithstanding the provisions of any law relating to appeals, revisions or application, it shall be the function of the Director of Public Prosecutions to—
 - (a) institute, conduct and defend criminal proceedings in courts of law; and
 - (b) take over an appeal, revision or application arising from private prosecution, whether as appellant, applicant or respondent and where the Director of Public Prosecutions takes over the appeal as appellant or applicant, he may continue or otherwise withdraw the appeal.
- (2) Where the Director of Public Prosecutions takes over an appeal, revision or application pursuant to subsection (1)(b) and subsequently decides to withdraw the appeal, revision or application, he shall give reasons for the decision and inform the appellant or applicant as the case may be.
- (3) For avoidance of doubt, the functions specified in this section may also be performed by a State Attorney or a public prosecutor in accordance with the provisions of this Act.

[Act No. 7 of 2018 s. 50]

11. Assistance in criminal matters

The Service, in accordance with the provisions of the Extradition Act, the Mutual Assistance in Criminal Matters Act, the Proceeds of Crimes Act, and any other written law shall take the necessary steps to—

- (a) secure extradition of any person required to answer a charge of an offence;
- (b) facilitate mutual assistance in criminal matters;
- (c) perform any other function related to facilitation of prosecution or any other criminal matter.

[Caps. No. 254, 256 and 368]

(c) Related functions

12. Payment and forfeiture to the Government

Where the Service conducts proceedings under any other law in force and as a result of the proceedings a person becomes liable to pay an amount to the Government or property is forfeited to the Government under a court order, the Director of Public Prosecutions shall take any further proceedings or step that may be required to recover the amount or enforce the forfeiture or order.

[Act No. 7 of 2018 s. 50; Cap. 254]

13. Assistance to officers of other jurisdictions

- (1) It shall be the function of the Service to provide assistance in Mainland Tanzania in respect of a corresponding function of a corresponding public officer from other governments provided that the applicable laws or procedures are complied with.
- (2) In subsection (1) of this section—

"corresponding function" means a function similar to a function of the Director of Public Prosecutions;

"corresponding public officer" means a public officer having corresponding functions in another jurisdiction.

[Act No. 7 of 2018 s. 50]

14. Inquests

The Director of Public Prosecutions may participate in proceedings under the Inquest Act, where he is of the opinion that such participation is relevant to the function of the Service and is justified by the circumstances of the case.

[Act No. 7 of 2018 s. 50; Cap. 24]

15. Related functions

It shall be a function of the Service to—

- (a) institute, intervene and conduct proceedings that are connected with or arising out of a function of the Service; or
- (b) do anything that is incidental or necessary to the performance of the functions of the Service.

[Cap. 4 s. 8]

(d) Coordination of investigation

16. Powers of Director of Public Prosecutions

- (1) Notwithstanding the provisions of any other law in force for the time being, the Director of Public Prosecutions shall have powers to do all things that are necessary to be done for the purpose of performing the functions of the Service including the coordination of criminal investigations.
- (2) In the exercise of powers, the Director of Public Prosecutions may require any authority mandated with investigative functions to investigate any criminal allegations that have come to the Director of Public Prosecution's knowledge and furnish him with a report on the result of such investigations and that the Director of Public Prosecutions shall have power to order that investigation be conducted by an investigative organ named in the order.
- (3) Without prejudice to other provisions of this Act or any other law, the Director of Public Prosecutions may order that a State Attorney coordinate an investigation of a crime and every investigating officer shall comply with that order.
- (4) The Director of Public Prosecutions shall regularly visit places where inmates are kept such as Prisons, Police Cells and Remand Homes for purposes connected to the administration of criminal justice.

[Act No. 7 of 2018 s. 50]

17. Director of Public Prosecutions may require information

- (1) Without prejudice to the provisions of any other law, the Director of Public Prosecutions may, in accordance with subsection (2), issue a directive in writing to any official as defined in subsection (5) of this section, for the purposes of obtaining information relevant to the investigation or prosecution of an offence.
- (2) Where the Director of Public Prosecutions has instituted or taken over, or is considering whether to bring or take over a prosecution, appeal, revision or any other proceedings in relation to an offence or suspected offence, a directive may be issued for —
 - (a) any specified information, document, material or any other relevant information to be furnished to the Director of Public Prosecutions; or
 - (b) the provision of assistance, including the carrying out of an investigation or further investigation of a matter, in relation to the offence or suspected offence.

- (3) An official to whom a directive is issued under this section shall comply with it and always keep the Director of Public Prosecutions informed of the progress made in complying with the directive.
- (4) An official who willfully refuses or neglects to comply with the directives issued under this section commits an offence and the Director of Public Prosecutions may cause disciplinary measures to be taken against such official by his employer.
- (5) Notwithstanding subsection (4), where the offence has caused or is capable of causing infringement of basic human rights to any person or loss to the government, the official shall be liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding twelve months or to both.
- (6) For the purpose of this section—

"document" includes data recorded or stored mechanically, photographically or electronically and any tape, disc or other device or medium on which it is recorded or stored;

"official" means—

 - (a) a member of the Police Force, Prisons Service or the Prevention and Combating of Corruption Bureau, or a public officer employed in any other Department or Agency of the Government; or
 - (b) a person employed by an authority or corporation established under any law and authorized by or under the law to investigate or to make a complaint in relation to an offence against any law in force.

[Act No. 7 of 2018 s. 50]

18. Director of Public Prosecution may issue orders, guidelines, instructions

- (1) The Director of Public Prosecutions may, subject to the provisions of this Act, issue orders, guidelines or instructions for observance to all officers in the Service and all officials referred to in section 17(1) of this Act in the execution of their functions.
- (2) The Director of Public Prosecutions may issue directions in writing to an official referred to in section 17(1) of this Act to the effect that—
 - (a) a prosecution for a specified offence or class of offences shall not be brought by that official; and
 - (b) all matters relating to any such offence shall be referred to the Director of Public Prosecutions and any directives so issued shall be complied with.
- (3) Notwithstanding the provision of subsection (2), the Director of Public Prosecutions may direct that proceedings be brought in respect of an offence referred to in that subsection.
- (4) The orders, guidelines and instructions issued under this section may be published in the *Gazette*.

[Acts Nos. 6 of 2012 s. 4; 7 of 2018 s. 50]

Part III – Tenure, removal and retirement of the Director of Public Prosecutions

19. Tenure of office of Director of Public Prosecutions

- (1) The Director of Public Prosecutions shall have terms and conditions of service as those of a High Court judge.
- (2) A person shall not be qualified to be appointed the Director of Public Prosecutions unless that person is qualified to be appointed a Judge of the High Court.

(3) The Director of Public Prosecutions shall not be removed from office except for and on the reason of —

- (a) inability to perform his functions for reasons of illness or any other reason; or
- (b) a conduct inconsistent with the Code of Professional Conduct and Etiquettes for Public Prosecutors.

[Cap. 268]

- (4) Where the President considers that the question or removal of the Director of Public Prosecutions from office needs to be investigated, then the President shall appoint a Special Tribunal.
- (5) The Tribunal shall consist of a Chairman and two other persons nominated from amongst persons who hold or have held the office of or could have qualified to be appointed a Judge of a High Court or a Court of Appeal.
- (6) The Tribunal shall investigate the matter and recommend to the President on whether the Director of Public Prosecutions be removed or not.
- (7) Where the Tribunal recommends for the removal of the Director, then the President shall remove the Director of Public Prosecutions.
- (8) In carrying out its functions, the Tribunal shall have regard to the rules on natural justice, constitutional safeguards and the need to uphold the integrity of the public service.

[Act No. 7 of 2018 s. 50 and 54]

20. Retirement from office

The Director of Public Prosecutions shall retire from office upon attaining the age of compulsory retirement with retirement benefits which are similar to those of a Judge of the High Court.

[Act No. 7 of 2018 s. 50]

21. Resignation

The Director of Public Prosecutions may resign from office by tendering a letter of resignation signed by him to the President.

[Act No. 7 of 2018 s. 50]

Part IV – Administrative provisions

22. Power to appoint public prosecutors

- (1) The Director of Public Prosecutions may, by notice in the *Gazette*, appoint a person to be a public prosecutor from other departments of the Government, local government authorities, private practice or any legal officer to prosecute any case on the Director of Public Prosecutions' behalf.
- (2) A person appointed as public prosecutor shall be required to comply with directives, instructions and guidelines issued by the Director of Public Prosecutions.
- (3) Every public prosecutor shall be under the superintendence and control of the Director of Public Prosecutions, Law Officer or a State Attorney in charge of the zone, region, district or any other geographical division within which any such public prosecutor is situated in respect of all prosecution matters and shall be required to submit periodic returns to the Director of Public Prosecutions, Law Officer or respective State Attorney.

[Acts Nos. 6. of 2012 s. 5; 7 of 2018 s. 50]

23. Delegation of powers

- (1) The Director of Public Prosecutions may by instrument delegate to a member of the Service Law Officer, State Attorney or a public prosecutor any of the Director of Public Prosecutions' powers and functions other than his power of delegation.

[subsection (1) amended by section 57 of [Act 11 of 2023](#)]

- (2) Any power or function delegated under this section, when exercised or performed by a delegate, shall be deemed to have been exercised or performed by the Director of Public Prosecutions.
- (3) A delegation under this section shall not prevent the exercise of such power or performance of such function by the Director of Public Prosecutions.

[Act [No. 7 of 2018](#) s. 50]

24. Coordination of investigation of crimes

- (1) The Director of Public Prosecutions shall coordinate the investigation of crimes.
- (2) The Director of Public Prosecutions in consultation with the investigative organs shall develop guidelines to facilitate the effective participation of the Director of Public Prosecutions in the investigative process.

[Act [No. 7 of 2018](#) s. 50]

25. Sources of funds

The funds of the Service shall consist of—

- (a) any sums that may be appropriated by the Parliament;
- (b) any moneys by way of donations or grants made within and outside the United Republic; and
- (c) such sums of money or assets which may vest in or accrue to the Service from other sources by way of fees, grants or in any other way under this Act or any other written law.

[Act [No. 7 of 2018](#) s. 55]

25A. Annual estimates

- (1) The Service shall, before the commencement of the financial year, cause to be prepared, estimates of the revenue and expenditure for the year
- (2) The annual estimates shall be submitted to the Minister who shall cause the same to be laid before the National Assembly within three months from the date of their submission to him.

[Act [No. 7 of 2018](#) s. 56]

25B. Annual performance report

- (1) The Service shall submit bi-annual performance reports in respect of the financial year to the Minister and a copy to the Attorney General.
- (2) The performance of the Service shall be audited by the Controller and Auditor General.

[Act [No. 7 of 2018](#) s. 56]

25C. Books of accounts

- (1) The Service shall keep proper books of accounts.

- (2) Within three months from the end of each financial year, the Service shall submit to the Controller and Auditor General accounts of the Service together with—
 - (a) a statement of financial activities and income and expenditure during that financial year; and
 - (b) a statement of assets and liabilities of the Service existing at the end of such financial year.
- (3) The accounts of the Service shall be audited by the Controller and Auditor General.

[Act No. 7 of 2018 s. 56]

Part V – General provisions

26. Judicial notice

All persons acting in judicial capacity shall be required to take judicial notice of—

- (a) the official signature of a person who is or has been the Director of Public Prosecutions or a person acting or has acted on that behalf on any document tendered before the court; and
- (b) the fact that a person is or was the Director of Public Prosecutions, or act or acted on that behalf as the case may be.

[Act No. 7 of 2018 s. 50]

27. National Criminal Justice Forum

- (1) There is established a National Criminal Justice Forum whose role shall be to—
 - (a) undertake strategic analysis relevant in the criminal justice system; and
 - (b) address challenges and complaints facing the criminal justice system.
- (2) The Forum shall consist of the following members—
 - (a) the Director of Public Prosecutions who shall be the Chairman;
 - (b) the Inspector General of Police;
 - (c) the Chief Registrar of the Judiciary of Tanzania;
 - (d) the Director General of Tanzania Intelligence and Security Service;
 - (e) the Director General of the Prevention and Combating of Corruption Bureau;
 - (f) the Commissioner General of Immigration;
 - (g) the Commissioner General of Prisons;
 - (h) the Commissioner General of the Drug Control and Enforcement Authority;
 - (i) the Commissioner of Social Welfare;
 - (j) the Chief Government Chemist;
 - (k) the Chairman of the National Parole Board;
 - (l) the Director of Community Service;
 - (m) the Director responsible for legal services in the Ministry responsible for local governments;
 - (n) the Director responsible for justice monitoring in the Ministry responsible for legal affairs; and

- (o) the Director of Criminal Investigation who shall be the Secretary.
- (3) The Forum may co-opt any other person as it deems necessary.
- (4) The Forum shall meet at least twice a year but may meet at any time if there is any issue to discuss for the purpose of improving the administration of criminal justice.
- (5) The quorum at any meeting of the Forum shall be half of the members.
- (6) The Forum may regulate its own proceedings.
- (7) The Forum shall prepare and submit a report of its deliberations to the Permanent Secretary of the Ministry responsible for legal affairs who shall advise the Minister and cause the same to be submitted to the National Criminal Justice Ministerial Committee.
- (8) The National Criminal Justice Forum may—
 - (a) share experience with the criminal justice system in Tanzania Zanzibar and elsewhere and adopt best practices for implementation as it deems fit;
 - (b) issue guidelines or memorandum of understanding for use by the criminal justice actors in their operations; and
 - (c) regulate its own proceedings.

[Act No. 7 of 2018 s. 57]

27A. National Criminal Justice Ministerial Committee

- (1) For purposes of [section 27](#), there shall be the National Criminal Justice Ministerial Committee.
- (2) The Committee shall consist of the following members—
 - (a) the Minister who shall be the Chairman of the Committee;
 - (b) the Minister responsible for home affairs;
 - (c) the Minister responsible for good governance;
 - (d) the Minister responsible for local governments;
 - (e) the Minister responsible for social welfare;
 - (f) the Minister responsible for finance;
 - (g) the Minister responsible for drug control and enforcement; and
 - (h) the Attorney General.
- (3) The National Criminal Justice Ministerial Committee shall consider and deliberate on policy issues relating to administration of criminal justice as recommended to it by the National Criminal Justice Forum and may advise on how any of such issues shall be dealt with at sectoral or national level.
- (4) The Permanent Secretary of the Ministry responsible for legal affairs shall be Secretary to the Committee.
- (5) The Committee, in the discharge of its duties, may co-opt any person as it may deem fit.
- (6) The Committee may regulate its own proceedings.

[Act No. 7 of 2018 s. 58]

27B. Regional Criminal Justice Forum

- (1) There is established in every region a Regional Criminal Justice Forum whose role shall be to create an opportunity for actors of criminal justice in the respective region to meet and discuss strategic issues involved in the administration of criminal justice.
- (2) The Forum shall consist of the following members:
 - (a) the Regional Prosecutions Officer who shall be the Chairman;
 - (b) the Deputy Registrar of the respective High Court zone;
 - (c) the Regional Security Officer;
 - (d) the Regional Chief of the Prevention and Combating of Corruption Bureau;
 - (e) the Regional Prisons Officer;
 - (f) the Regional Coordinator of Community Service;
 - (g) the Chairman of the Regional Parole Board;
 - (h) the Regional Social Welfare Officer;
 - (i) the Law Officer in the Regional Administrative Secretary's Office;
 - (j) the officer in-charge in the Chief Government Chemist office of the respective region; and
 - (k) the Regional Crimes Officer who shall be the Secretary.
- (3) The Forum may co-opt any person as it deems fit.
- (4) The Forum shall meet at least twice annually.
- (5) The Regional Forum shall prepare a report and submit it to the Chairman of the National Criminal Justice Forum who shall forward the recommendations for deliberations by the National Criminal Justice meetings.
- (6) The Forum shall work closely with the Case-flow Management Committees established for each Region or District in relation to matters of criminal nature.

[Act No. 7 of 2018 s. 58]

27C. District Criminal Justice Forum

- (1) There is established in every district the District Criminal Justice Forum.
- (2) The Forum under subsection (1) shall consist of—
 - (a) the District Prosecutions Officer who shall be the Chairman;
 - (b) the District Resident Magistrate in-charge;
 - (c) the District Security Officer;
 - (d) the District Chief of the Prevention and Combating of Corruption Bureau;
 - (e) the District Prisons Officer;
 - (f) the District Coordinator of Community Service;
 - (g) the Social Welfare Officer; and
 - (h) the Officer Commanding of Criminal Investigation Department of the respective District who shall be the Secretary.

- (3) Subject to subsection (2), in Districts where there is no District Prosecutions Officer, the members of the District Criminal Justice Forum shall elect one amongst their number to be the Chairman, who shall, subject to his continuing to be a member, hold the position until when the District Prosecutions Officer is appointed.

[subsection (3) inserted by section 38(a) of [Act 1 of 2022](#)]

- (4) The District Criminal Justice Forum may, in the discharge of its duties, co-opt any person as it deems fit.

[subsection (4), previously subsection (3), renumbered by section 38(b) of [Act 1 of 2022](#)]

- (5) The District Criminal Justice Forum shall meet at least twice annually.

[subsection (5), previously subsection (4), renumbered by section 38(b) of [Act 1 of 2022](#)]

- (6) The District Criminal Justice Forum shall prepare a report on criminal justice within the District for submission to the Regional Criminal Justice Forum.

[Act No. 7 of 2018 s. 58]

[subsection (6), previously subsection (5), renumbered by section 38(b) of [Act 1 of 2022](#)]

28. Powers to make Regulations

- (1) The Minister may make regulations as may be necessary for the better carrying out of the provisions of this Act.
- (2) Without prejudice to subsection (1), the Minister may, after consultation with the Attorney General, make regulations providing for—
- administration of the Service; and
 - such other matter as may or are required to be prescribed under this Act or as may be necessary for expedient and effective exercise of such powers and performance of the functions by the Service.

29. Transitional and savings

- (1) The application of this Act shall extend to offences committed, prosecutions commenced, appeals or revisions preferred in courts of law before the date of coming into operation of this Act.
- (2) Upon the coming into operation of this Act—
- the Service shall gradually take over from Government departments or authorities the conduct of criminal proceedings instituted before the commencement of this Act;
 - all acts, matters and things lawfully made or done by or on behalf of or in the name of the Republic in relation to criminal proceedings shall be deemed to have been made or done by or on behalf of or in the name of the Director of Public Prosecutions;
 - all documents served on or by or on behalf of or in the name of any other person in connection with criminal proceedings shall be deemed to have been served on or by or on behalf of the Director of Public Prosecutions; and
 - all appointments of public prosecutors under the Criminal Procedure Act, shall be treated as if they were made under this Act unless any of such appointment is revoked by the Director of Public Prosecutions.

[Cap. 20]

- (3) Notwithstanding the provisions of subsections (1) and (2), the powers of any authority, sanction or consent given before the date of coming into operation of this Act by the Attorney General, the

Director of Public Prosecutions or any other person so empowered to commence proceedings in relation to an offence under any written law shall not abate or be otherwise affected.

[Act [No. 7 of 2018](#) s. 50]

Part VI – Omitted