
THE UNITED REPUBLIC OF TANZANIA

SPECIAL BILL SUPPLEMENT

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THE YOUTH COUNCIL OF TANZANIA ACT, 2015

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY PROVISIONS

Section Title

1. Short title and application.
2. Interpretation.
3. Objectives of the Act.

PART II

ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COUNCIL

4. Establishment of the Council.
5. Composition of Council.
6. Functions of the Council.
7. Powers of the Council.
8. Organs of the Council
9. Regional Youth Council.
10. District Youth Council.

11. Delegation by the Council.
12. Disclosure of interest.
13. Secretariat.
14. Appointment of an Executive Secretary.
15. Duties of the Secretary.

**PART III
MEETINGS OF THE COUNCIL**

16. General Assembly.
17. Regional Youth Assembly.
18. District Youth Assembly.

**PART IV
ESTABLISHMENT AND FUNCTIONS OF THE BOARD**

19. Establishment of the Board.
20. Functions of the Board.
21. Conduct of business of the Board.

**PART V
FINANCIAL PROVISIONS**

22. Funds of the Council.
23. Annual estimates.
24. Accounts and audit.

**PART VI
GENERAL PROVISIONS**

25. Regulations.

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SCHEDULES
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NOTICE

This Bill to be submitted to the National Assembly is published for general information to the public together with a statement of its objects and reasons.

Dar es Salaam,
5th January, 2015

OMBENI Y. SEFUE
Secretary to the Cabinet

A BILL *for*

An Act to establish the Youth Council of Tanzania; to provide for its incorporation, powers and functions; to provide for existence of General Assembly, Regional and District Councils and for matters related thereto.

ENACTED by Parliament of the United Republic of Tanzania.

PART I PRELIMINARY PROVISIONS

Short title and
application

1.-(1) This Act may be cited as the Youth Council of Tanzania Act, 2015 and shall come into operation on a date appointed by the Minister in the notice in the *Gazette*.

(2) This Act shall apply to Mainland Tanzania.

Interpretation

- 2.** In this Act, unless the context otherwise requires-
- “Board” means the Council’s Advisory Board established under section 15(1);
- “Council” means the Youth Council of Tanzania established under section 4;
- “General Assembly” means an assembly established under section 12;
- “financial year” means the period of twelve months ending on the thirtieth June in each year;
- “Minister” means the Minister for the time being responsible for youth affairs;
- “National Youth Policy” means a national policy on youth formulated by the Ministry for the time being responsible for youth affairs; and
- “youth” means, for the purpose of this Act, a person aged between fifteen and thirty-five years.

Objectives of the Act

- 3.** The objectives of the Act shall be to-
- (a) provide a platform for implementation of youth issues at District, Regional, national and international levels;
 - (b) promote volunteerism and self reliance among youth;
 - (c) advise the Government on matters relating to youth development;
 - (d) facilitate youth to accept responsibilities so as to enable them to practice good values, ethics and good conduct;
 - (e) create conducive environment for youth participation in matters relating to decision making;
 - (f) build networking among the youth and other stakeholders; and
 - (g) promote solidarity among the youth, despite of the differences in race, ethnics, political, social,

economic, religious, cultural, gender and geographical locations.

PART II
ESTABLISHMENT, POWERS AND FUNCTIONS OF THE COUNCIL

Establishment
of the Council

4.-(1) There is hereby established a Youth Council of Tanzania.

(2) The Council shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of-

- (a) suing and being sued;
- (b) purchasing or otherwise acquiring, holding or charging of movable and immovable properties;
- (c) disposing of movable and immovable properties;
- (d) borrowing money; and
- (e) doing or performing such other things or any act necessary for the proper performance of its functions under this Act, which may lawfully be done by a body corporate.

(3) Membership of the Council shall be open and voluntary to youth organizations registered in accordance with the relevant laws.

(4) The Council shall be a non-partisan organization and shall not in:

- (a) performing its functions;
- (b) exercising its powers; or
- (c) discharging its duties,

deliberate or provide a platform for deliberation on political ideology of a political party.

(5) Matters relating to remuneration of members, tenure of office, meetings and other procedural matters of the Council shall be as set out in the First Schedule to this Act.

Composition of
the Council

5.-(1) The Council shall be composed of-

- (a) a Chairman recommended by the General Assembly and appointed by the Minister;
- (b) one representative of a Regional Youth Council; and
- (c) the Secretary appointed under section 13 of this Act.

(2) The Council may co-opt any person to attend any of its meeting provided that such person shall have no right to vote.

(3) A person shall not be appointed a Chairman unless such person-

- (a) possesses at least an undergraduate degree from a recognized institution;
- (b) has demonstrated ability to provide youth leadership and youth mobilization;
- (c) is knowledgeable in, or has actively contributed to the promotion of youth development agenda;
- (d) is of high integrity, ethical and responsive to the needs and aspirations of youth; and
- (e) is a youth as defined under this Act.

(4) An appointment under subsection (1)(a), shall be by name and be published in the Government Gazette.

Functions of
the Council

6. The functions of the Council shall be to-

- (a) inspire and promote the spirit of unity, patriotism, volunteerism, self reliance and community service among youths;
- (b) promote research, collation and analysis of data on youth issues;
- (c) promote relations between youth organizations and other bodies both nationally and internationally with similar objectives or interests;
- (d) promote and popularize the National Youth Policy and other policies that affect youths;

- (e) recognize the activities and initiatives relating to youths being undertaken by youth groups, youth focused community based organizations, non-governmental organizations, civil society movements and other organizations;
- (f) sensitize and advocate gender equality among youths; and
- (g) advocate on matters relating to persons with disabilities among youths.

Powers of the Council

7.-(1) The Council shall have powers necessary for the proper performance of its functions under this Act and, in particular but without prejudice to the generality of the foregoing, shall have powers to-

- (a) enter into contracts;
- (b) manage, control and administer its assets in such manner and for such purposes so as to promote the purpose for which the Council is established;
- (c) receive any gifts, grants, donations or endowments made to the Council or any other moneys in respect of the Council and make disbursements therefrom in accordance with the provisions of this Act;
- (d) with the approval of the Minister, enter into association with such other bodies or organizations within or outside Tanzania as it may consider desirable or appropriate in furtherance of the purposes for which it is established;
- (e) open a banking account or banking accounts for the funds of the Council into which all moneys received by the Council shall be paid and out of which all payments made by the Council shall be made.

(f) form any committee to assist in the performance of functions of the Council.

(2) Where the Council receive any gifts, grants or donations it shall declare the same to the Minister.

(3) The Council may, in writing, authorize a member or an employee to exercise on its behalf, any of its powers as it may specify, but the exercise of such powers shall, to the extent required by the Council, be reported within the specified time to a meeting of the Council.

Organs of the Council

8. Organs of the Council shall be:

- (a) a Regional Youth Council;
- (b) a District Youth Council; and
- (c) a Secretariat.

Regional Youth Council

9.-(1) There shall be a Regional Youth Council in respect of each Region.

(2) The Regional Youth Council shall be composed of such number of members not exceeding thirty persons.

(3) The functions of the Regional Youth Council shall be to-

- (a) advise the Regional Administrative Secretariat on issues relating to youths development at regional level;
- (b) nominate two youths to be appointed for the General Assembly;
- (c) elect the Chairman and Secretary of the Regional Youth Council; and
- (d) perform any other functions as may be directed by the Council.

(4) Matters relating to mode of appointment of members of the Regional Youth Council, meetings, quorum and other procedural matters of the Regional Youth Council shall be as set out in the Second Schedule to this Act.

(5) The Regional Youth Council shall be assisted by a Regional Youth Secretariat and perform other functions as may be directed by the Executive Secretary.

District Youth Council

10.-(1) There shall be a District Youth Council in respect of each District.

(2) The District Youth Council shall be composed of such number of members not exceeding thirty persons.

(3) The functions of the District Youth Council shall be to-

(a) advise the District Administrative Secretariat on issues relating to youths development;

(b) elect members of the District Youth Council;

(c) elect the Chairman and Secretary of the District Youth Council;

(e) perform any other functions as may be directed by the Council or Regional Youth Council.

(4) Matters relating to mode of appointment of members of the District Youth Council, meetings, quorum and other procedural matters of the District Youth Council shall be as set out in the Third Schedule to this Act.

(5) The District Youth Council shall be assisted by a District Youth Secretariat and perform other functions as may be directed by the Executive Secretariat or a Regional Youth Secretariat.

Delegation by the Council

11. The Council may, in writing and by resolution either generally or specifically, delegate to the Executive Secretary or a member of staff of the Council, the exercise of any of its powers or the performance of any of its functions.

Disclosure of interest

12.-(1) Where a member is directly or indirectly interested in any contract, proposed contract or other matter before the Council and is present at a meeting of the

Council at which the contract, proposed contract or any other matter is the subject of consideration, that member shall, at the meeting and as soon as practicable after the commencement thereof:

- (a) disclose the fact and shall not take part in the consideration or discussion of the contract or any other matter;
- (b) not vote on any questions with respect to the contract or any other matter; and
- (c) not be counted in the quorum of the meeting during the consideration of the matter.

(2) Where the majority of the members present are of the opinion that the experience or expertise of such member is vital to the deliberations of the meeting, the Council may permit the member to participate in the deliberations subject to such restrictions as it may impose but such member shall not have the right to vote on the matter in question.

(3) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which it is made.

Secretariat

13.-(1) There shall be a Secretariat of the Council.

(2) The Secretariat shall be under the leadership of an Executive Secretary who shall be a Secretary to the Council.

(3) The Executive Secretary shall be assisted by such number of staff as is necessary for effective discharge of functions of the Council.

Appointment of
an Executive
Secretary

14.-(1) The Executive Secretary shall be a youth appointed by the Minister from a list of three persons recommended by the Council.

(2) A person shall be qualified for appointment as an Executive Secretary who:

- (a) possesses at least an undergraduate degree from a recognized institution;
- (b) has demonstrated ability to provide youth leadership and youth mobilization;
- (c) is knowledgeable in, or has actively contributed to the promotion of youth development agenda;
- (d) is of high integrity, ethical and responsive to the needs and aspirations of youth; and
- (e) is a youth as defined under this Act.

(3) The Executive Secretary shall hold office for a period of five years or until he attains the age of thirty-five years, whichever event is the earlier, on such terms and conditions as the Council may, determine.

(4) The Executive Secretary shall be an *ex officio* member of the Council and shall have no right to vote at a meeting of the Council.

Duties of the Secretary

15.-(1) The Secretary shall, upon directions of the Council, discharge the following duties:

- (a) carrying out of direction of the affairs and transactions of the Council;
- (b) exercising, discharging and performing of its objectives, functions and duties.

(2) The Secretary shall-

- (a) ensure the maintenance of efficiency and discipline by all staff of the Council;
- (b) manage the budget of the Council to ensure that its funds are properly expended and accounted for; and
- (c) perform such other duties as the Council may, from time to time, assign.

(3) Subject to paragraph (a) of subsection (2), the Council shall be a disciplinary authority for its members and staff.

(4) For the purpose of subsection (3), the Secretary shall initiate or forward all complaints made to a

committee of the Council specifically formed before being submitted to the Council for decision making.

(5) The Minister shall make regulations prescribing for matters relating to procedure for receiving and handling complaints and other related matters.

(6) The Secretary shall, not later than three months before the commencement of each financial year, submit to the Council for approval, a programme of activities of the Council in respect of that financial year.

(7) The Secretary shall, with approval of the Council, recruit such number of staff as may be appropriate for the day to day functions of the Council.

PART III MEETINGS OF THE COUNCIL

General
Assembly

16.-(1) The General Assembly shall be the highest decision making body of the Council.

(2) Functions of the General Assembly shall be to:

(a) nominate the Chairman of the Council;

(b) nominate members of the Advisory Board;

(c) approve development plans, strategies and programmes of the Council; and

(d) receive, evaluate and approve implementation of plans strategies and programme reports.

(3) The General Assembly shall be composed of:

(a) the Chairman of the Council;

(b) a Chairman and a Secretary of each Regional Youth Council;

(c) every Chairman of the District Youth Council;

(d) one representative nominated by each District Youth Assembly; and

(e) the Executive Secretary;

(5) Matters relating to meetings, quorum and other procedural matters of the General Assembly shall be as set out in the Fourth Schedule to this Act.

Regional Youth
Assembly

17.-(1) The Regional Youth Assembly shall be the highest body in matters relating to youths at the regional level.

(2) The Regional Youth Assembly shall be composed of:

- (a) the Charman of the Regional Youth Council;
- (b) one representative from each District Youth Council; and
- (c) Secretary of the Regional Youth Council.

(3) Functions of the Regional Youth Assembly shall be to:

- (a) nominate a Chairman of the Regional Youth Council;
- (b) implement development plans, strategies and programmes of the Council at regional level;
- (c) propose agenda to the General Assembly; and
- (d) perform any other functions as may be directed by the General Assembly.

(4) Matters relating to meetings, quorum and other procedural matters of the Regional Youth Assembly shall, with necessary variations, be as set out in the Fourth Schedule to this Act.

District Youth
Assembly

18.-(1) The District Youth Assembly shall be the highest body in matters relating to youths at the district level.

(2) The District Youth Assembly shall be composed of:

- (a) the Charman of the District Youth Council;
- (b) Secretary of the District Youth Council; and
- (c) five representatives from registered Youth Organisation within the District;

(d) the Charman of the Regional Youth Council;

(3) Functions of the District Youth Assembly shall be to:

- (a) nominate a Chairman of the District Council;
 - (b) implement development plans, strategies and programmes of the Council at district level;
 - (c) propose agenda of the General Assembly through the Regional Youth Assembly; and
 - (d) to perform any other function as may be directed by the General Assembly.
- (4) Matters relating to meetings, quorum and other procedural matters of the District Youth Assembly shall, with necessary variations, be as set out in the Fourth Schedule to this Act.

PART IV ESTABLISHMENT AND FUNCTIONS OF THE BOARD

Establishment
of the Board

- 19.**-(1) There shall be a Council Advisory Board.
- (2) The Board shall be composed of-
 - (a) a Chairman appointed by the President;
 - (b) the Chairman of the Youth Council of Tanzania;
 - (c) the Director of Youth Development Department;
 - (d) a law officer representing the Attorney General; and
 - (e) five youths nominated by the Council and appointed by the Minister.
 - (3) A person shall not be appointed as a Chairman unless such person-
 - (a) possesses at least an undergraduate degree from a recognized institution;
 - (b) has demonstrated ability to provide youth patronage, leadership and youth mobilization;
 - (c) is knowledgeable in, or has actively contributed to the promotion of youth development agenda; and

(d) is of high integrity, ethical and responsive to the needs and aspirations of youth.

Functions of the Board

20.-(1) The principal function of the Board shall be to advise the Council generally on the exercise of its powers and the performance of its functions under this Act.

(2) The Board shall have such other functions as may be conferred on it by or under this Act.

Conduct of business of the Board

21.-(1) The business and affairs of the Board shall be conducted in accordance with the provisions of this Act.

(2) The members of the Board shall be paid such remuneration, fees, allowances and disbursements for expenses as may be approved by the Minister.

(3) The Board may invite any person to attend any of its meetings and to participate in its deliberations but such a person shall not have a right to vote in any decision of the Board.

(4) Matters relating to tenure of office, modes of appointment and other procedural matters of the Board shall be as set out in the Fifth Schedule to this Act.

PART V FINANCIAL PROVISIONS

Funds of the Council

22. The funds and assets of the Council shall comprise of-

- (a) such moneys as may be appropriated by Parliament for the purposes of the Council;
- (b) such moneys or assets as may accrue to or vest in the Council in the course of the exercise of its powers or the performance of its functions under this Act or under any other written law;
- (c) contributions from local government authority;
- (d) such gifts as may be given to the Council; and

- (e) all moneys from any other source provided, donated or lent to the Council.

Annual estimates

23.-(1) At least three months before the commencement of each financial year, the Council shall cause to be prepared estimates of revenue and expenditure of the Council for that financial year and present to the Board.

(2) The annual estimates shall make provision for all estimated expenditure of the Council for the financial year and in particular, shall provide for-

- (a) the payment of salaries, allowances and other charges in respect of the officers, agents or members of staff of the Secretariat;
- (b) the payment of gratuities and other charges in respect of retirement benefits payable to the members of staff of the Secretariat; and
- (c) the proper maintenance, repair and replacement of the equipment and other movable property of the Council.

(3) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate and, once approved, shall be submitted to the Minister for approval and, after the Minister's approval, the Council shall not review the annual estimates without the consent of the Minister.

(4) Expenditure shall not be incurred for the purposes of the Council except in accordance with the annual estimates approved under subsection (3), or in pursuance of an authorisation of the Council given with prior written approval of the Minister.

Accounts and audit

24.-(1) The Council shall cause to be kept proper books and records of accounts of the income, expenditure, assets and liabilities of the Council.

(2) The Council shall, within a period of three

months after the end of each financial year, submit to the Controller and Auditor-General the accounts of the Council in respect of that year together with-

- (a) a statement of the income and expenditure of the Council during that financial year; and
- (b) a statement of the assets and liabilities of the Council on the last day of that financial year.
- (3) The accounts of the Council shall be audited and reported upon by the Controller and Auditor-General.

PART VI GENERAL PROVISIONS

Regulations

25.-(1) The Minister may, on recommendation of the Council, make regulations generally for the better carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister shall make regulations prescribing for:

- (a) formation of committees of the Council;
- (b) role of local authorities in relation to activities of the Regional Council, District Council, Regional Assembly and District Assembly;
- (c) procedures for election of chairmen, appointment of Secretary and other leaders at regional and district levels; and
- (d) any other matters which may be prescribed under this Act.

FIRST SCHEDULE

(Made under section 4(5))

REMUNERATION OF MEMBERS, TENURE OF OFFICE, MEETINGS AND OTHER PROCEDURAL MATTERS OF THE COUNCIL

- Remuneration of members of the Council
- 1.** The members of the Council shall be paid such allowances and disbursements for expenses as may be approved by the Minister.
- Tenure of office
- 2.**-(1) Any member of the Council, other than an *ex officio* member shall, subject to the provisions of this Schedule, hold office for a period not exceeding three years, on such terms as may be specified in the instrument of the member's appointment, but shall be eligible for re-appointment for one further term.
- (2) The members of the Council shall be appointed at different times so that the respective expiry dates of their terms of office fall at different times.
- (2) Appointment to the Council shall be by notice in the *Gazette*.
- Vacation of office
- 3.**-(1) A member of the Council, other than an *ex officio* member, may-
- (a) at any time resign from office by notice in writing to the Minister;
- (b) be removed from office by the Minister if the member-
- (i) has been absent from three consecutive meetings of the Council without the permission of the Chairman;
- (ii) is convicted of a criminal offence and sentenced to imprisonment;
- (iii) is incapacitated by prolonged physical or mental illness or is deemed otherwise unfit to discharge his duties as a member of the Council; or
- (iv) fails to comply with the provisions of this Act.
- Meetings of the Council
- 4.**-(1) The Council shall meet quarterly a year.
- (2) Notwithstanding the provisions of sub-paragraph (1), the Chairman or any three other members of the Council may call a special meeting at any time where it is deemed expedient for the

transaction of the business of the Council, by giving not less than seven days' written notice to the members.

(3) The members of the Council shall, at the first meeting of the Council, elect from amongst their number, a vice-chairman.

(4) Unless three-quarters of the total members of the Council otherwise agree, at least fourteen days' written notice of every meeting of the Council shall be given to every member of the Council.

(5) The quorum for the conduct of the business of the Council shall be two-thirds of the members excluding the Secretary.

(6) The Chairman shall preside at every meeting of the Council at which he is present but, in his absence, the vice-chairman shall preside and, in his absence, the members present shall elect one of their numbers who shall, with respect to that meeting and the business transacted thereat, have all powers of the Chairman.

(7) Unless a unanimous decision is reached, a decision on any matter before the Council shall be by a majority of votes of the members present and, in the case of an equality of votes, the Chairman or the person presiding shall have a casting vote.

(8) Subject to sub-paragraph (5), no proceedings of the Council shall be invalid by reason only of a vacancy among the members thereof.

(9) A resolution in writing or such resolutions consisting of several documents in like form, each signed by the members of the Council, shall be as valid and effectual as if it had been passed at a meeting of the Council duly convened and held.

(10) Subject to the provisions of this Schedule, the Council may determine its own procedures and the procedure for any committee of the Council and for the attendance of any other persons at its meetings and may make rules, *inter alia*, in respect of-

- (a) the conduct and management of the affairs of the Council;
- (b) the manner in which all payments, including cheques, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts for moneys paid to the Council shall be signed, drawn, accepted, endorsed or otherwise executed; and
- (c) the procedure for meetings and other business of the Council.

Minutes

5. The Council shall cause minutes of all resolutions and proceedings of meetings of the Council to be entered in books kept for that purpose.

Common seal of the Council

6.-(1) The common seal of the Council shall be kept in the custody of the Secretary or such other person as the Council may direct, and shall not be used except upon the order of the Council.

(2) The common seal of the Council, when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proven, any necessary order or authorization by the Council under this section shall be presumed to have been given.

(3) The common seal of the Council shall be authenticated by the signature of the Secretary of the Council.

SECOND SCHEDULE

(Made under section 9(4))

APPOINTMENT, TENURE OF OFFICE, MEETINGS AND OTHER PROCEDURAL MATTERS OF THE REGIONAL COUNCIL

Composition of the Regional Youth Council

1. The Regional Youth Council shall be composed of the following:

- (a) the Chairman;
- (b) all members of the Regional Youth Committee; and
- (c) Thirty Youth representing District Youth Councils.

Role of a local authority

2. A local authority within which the Regional Youth Council situate shall have an overseeing role for activities of the Regional Youth Council and its organ.

Formation of Regional Youth Committee

3.-(1) The Regional Youth Council shall form a committee to be known as a Regional Youth Committee.

(2) The Regional Youth Committee shall be an organ of the Regional Youth Council.

Composition of the Regional Youth Committee

4. The Regional Youth Committee shall be composed of:
- (a) a Chairman to be appointed from amongst registered youth organizations within the region;
 - (b) six members representing registered youth organizations within the region; and
 - (c) a Secretary to be appointed from amongst youth within the region.

Residence

5. A person shall not be a member of the Regional Youth Council and the Regional Youth Committee, unless such person resides from the respective region.

- Tenure of office **6.**-(1) Any member of the Regional Council, other than an *ex officio* member shall, subject to the provisions of this Schedule, hold office for a period not exceeding three years, on such terms as may be specified in the instrument of the member's appointment, but shall be eligible for re-appointment for one further term.
- (2) Appointment to the Regional Council shall be by notice in the *Gazette*.
- Vacation of office **7.**-(1) A member of the Regional Council, other than an *ex officio* member may-
- (a) at any time, resign from office by notice in writing to the Minister;
- (b) be removed from office by the Minister if the member-
- (i) has been absent from three consecutive meetings of the Regional Council without the permission of the Chairman;
- (ii) is convicted of a criminal offence and sentenced to imprisonment;
- (iii) is incapacitated by prolonged physical or mental illness or is deemed otherwise unfit to discharge his duties as a member of the Regional Council; or
- (iv) fails to comply with the provisions of this Act.
- Meetings of the Council **8.**-(1) The Regional Council shall meet twice a year.
- (2) Notwithstanding the provisions of sub-paragraph (1), the Chairman or any three other members of the Regional Council may call a special meeting at any time where it is deemed expedient for the transaction of the business of the Regional Council, by giving not less than seven days' written notice to the members.
- (3) The members of the Regional Council shall, at the first meeting of the Regional Council, elect from amongst their number, a vice-chairman.
- (4) Unless three-quarters of the total members of the Regional Council otherwise agree, at least fourteen days' written notice of every meeting of the Regional Council shall be given to every member of the Regional Council.
- (5) The quorum for the conduct of the business of the Regional Council shall be two-thirds of the members excluding the Secretary.
- (6) The Chairman shall preside at every meeting of the Regional Council at which he is present but, in his absence, the vice-chairman shall preside and, in his absence, the members present shall elect one of their numbers who shall, with respect to that meeting and

the business transacted thereat, have all powers of the Chairman.

(7) Unless a unanimous decision is reached, a decision on any matter before the Regional Council shall be by a majority of votes of the members present and, in the case of an equality of votes, the Chairman or the person presiding shall have a casting vote.

(8) Subject to sub-paragraph (5), no proceedings of the Regional Council shall be invalid by reason only of a vacancy among the members thereof.

(9) A resolution in writing or such resolutions consisting of several documents in like form, each signed by the members of the Council, shall be as valid and effectual as if it had been passed at a meeting of the Council duly convened and held.

(10) Subject to the provisions of this Schedule, the Regional Council may determine its own procedures and the procedure for any committee of the Council and for the attendance of any other persons at its meetings and may make rules, *inter alia*, in respect of-

- (a) the conduct and management of the affairs of the Regional Council;
- (b) the manner in which all payments, including cheques, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts for moneys paid to the Council shall be signed, drawn, accepted, endorsed or otherwise executed; and
- (c) the procedure for meetings and other business of the Regional Council.

Minutes

9. The Regional Council shall cause minutes of all resolutions and proceedings of meetings of the Council to be entered in books kept for that purpose.

Common seal of the Regional Council

10.-(1) The common seal of the Regional Council shall be kept in the custody of the Secretary or such other person as the Council may direct, and shall not be used except upon the order of the Council.

(2) The common seal of the Regional Council, when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proven, any necessary order or authorization by the Regional Council under this section shall be presumed to have been given.

(3) The common seal of the Regional Council shall be authenticated by the signature of the Secretary of the Regional Council.

THIRD SCHEDULE

(Made under section 10(4))

**APPOINTMENT, TENURE OF OFFICE, MEETINGS AND
OTHER PROCEDURAL MATTERS OF THE DISTRICT COUNCIL**

- | | |
|---|---|
| Composition of the District Youth Council | <p>1. The District Youth Council shall be composed of the following:</p> <ul style="list-style-type: none">(a) the Chairman;(b) all members of the District Youth Committee; and(c) Thirty representatives from registered youth organizations within the District. |
| Role of a local authority | <p>2. A local authority within which the District Youth Council situate shall have an overseeing role for activities of the District Youth Council and its organ.</p> |
| Formation of District Youth Committee | <p>3. The District Youth Council shall form a committee to be known as a District Youth Committee.</p> |
| Composition of the District Youth Committee | <p>4.-(1) The District Youth Committee shall be composed of:</p> <ul style="list-style-type: none">(d) a Chairman to be appointed from amongst registered youth organizations within the District;(e) six members representing registered youth organizations within the District; and(f) a Secretary to be appointed from among youth within the District. <p>(2) Where registered youth organization are more than six, their membership shall rotate.</p> |
| Residence | <p>5. A person shall not be a member of the District Youth Council and the District Youth Committee, unless such person resides from the respective District.</p> |
| Tenure of office | <p>6.-(1) Any member of the District Council, other than an <i>ex officio</i> member shall, subject to the provisions of this Schedule, hold office for a period not exceeding three years, on such terms as may be specified in the instrument of the member's appointment, but shall be eligible for re-appointment for one further term.</p> |

(3) Appointment to the District Council shall be by notice in the *Gazette*.

Vacation of office

7.-(1) A member of the District Council, other than an *ex officio* member may-

- (c) at any time, resign from office by notice in writing to the Minister;
- (d) be removed from office by the Minister if the member-
 - (i) has been absent from three consecutive meetings of the District Council without the permission of the Chairman;
 - (ii) is convicted of a criminal offence and sentenced to imprisonment;
 - (iii) is incapacitated by prolonged physical or mental illness or is deemed otherwise unfit to discharge his duties as a member of the District Council; or
 - (iv) fails to comply with the provisions of this Act.

Meetings of the Council

8.-(1) The District Council shall meet thrice a year.

(2) Notwithstanding the provisions of sub-paragraph (1), the Chairman or any three other members of the District Council may call a special meeting at any time where it is deemed expedient for the transaction of the business of the District Council, by giving not less than seven days' written notice to the members.

(3) The members of the District Council shall, at the first meeting of the District Council, elect from amongst their number, a vice-chairman.

(4) Unless three-quarters of the total members of the District Council otherwise agree, at least fourteen days' written notice of every meeting of the District Council shall be given to every member of the District Council.

(5) The quorum for the conduct of the business of the District Council shall be two-thirds of the members excluding the Secretary.

(6) The Chairman shall preside at every meeting of the District Council at which he is present but, in his absence, the vice-chairman shall preside and, in his absence, the members present shall elect one of their numbers who shall, with respect to that meeting and the business transacted thereat, have all powers of the Chairman.

(7) Unless a unanimous decision is reached, a decision on any matter before the District Council shall be by a majority of votes of the members present and, in the case of an equality of votes, the Chairman or the person presiding shall have a casting vote.

(8) Subject to sub-paragraph (5), no proceedings of the Districtal Council shall be invalid by reason only of a vacancy among the members thereof.

(9) A resolution in writing or such resolutions consisting of several documents in like form, each signed by the members of the Council, shall be as valid and effectual as if it had been passed at a meeting of the Council duly convened and held.

(10) Subject to the provisions of this Schedule, the District Council may determine its own procedures and the procedure for any committee of the Council and for the attendance of any other persons at its meetings and may make rules, *inter alia*, in respect of-

- (d) the conduct and management of the affairs of the District Council;
- (e) the manner in which all payments, including cheques, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts for moneys paid to the Council shall be signed, drawn, accepted, endorsed or otherwise executed; and
- (f) the procedure for meetings and other business of the District Council.

Minutes

9. The District Council shall cause minutes of all resolutions and proceedings of meetings of the Council to be entered in books kept for that purpose.

Common seal
of the District
Council

10.-(1) The common seal of the District Council shall be kept in the custody of the Secretary or such other person as the Council may direct, and shall not be used except upon the order of the Council.

(2) The common seal of the District Council, when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proven, any necessary order or authorization by the District Council under this section shall be presumed to have been given.

(3) The common seal of the District Council shall be authenticated by the signature of the Secretary of the District Council.

FOURTH SCHEDULE

(Made under section 16(5))

REMUNERATION OF MEMBERS, TENURE OF OFFICE, MEETINGS AND OTHER PROCEDURAL MATTERS OF THE GENERAL ASSEMBLY

Remuneration of members of the General Assembly	<p>1. The members of the General Assembly shall, in attendance of the meetings of the Assembly, be paid such allowances as may be approved by the Minister.</p>
Tenure of office	<p>2.-(1) Any member of the General Assembly, other than an <i>ex officio</i> member shall, subject to the provisions of this Schedule, hold office for a period not exceeding three years, on such terms as may be specified in the instrument of the member's appointment, but shall be eligible for re-appointment for one further term.</p> <p>(2) Appointment to the General Assembly shall be by notice in the <i>Gazette</i>.</p>
Vacation of office	<p>3.-(1) A member of the General Assembly, other than an <i>ex officio</i> member, may-</p> <p>(c) at any time resign from office by notice in writing to the Minister;</p> <p>(d) be removed from office by the Minister if the member-</p> <ul style="list-style-type: none">(i) has been absent from three consecutive meetings of the General Assembly without the permission of the Chairman;(ii) is convicted of a criminal offence and sentenced to imprisonment;(iii) is incapacitated by prolonged physical or mental illness or is deemed otherwise unfit to discharge his duties as a member of the General Assembly; or(iv) fails to comply with the provisions of this Act.
Meetings of the General Assembly	<p>4.-(1) The General Assembly shall meet once a year.</p> <p>(2) Notwithstanding the provisions of sub-paragraph (1), the Chairman or any three other members of the Assembly may call a special meeting at any time where it is deemed expedient for the transaction of the business of the Assembly, by giving not less than seven days' written notice to the members.</p>

(3) The members of the General Assembly shall, at the first meeting of the General Assembly, elect from amongst their number, a vice-chairman.

(4) Unless three-quarters of the total members of the Assembly otherwise agree, at least fourteen days' written notice of every meeting of the Assembly shall be given to every member of the General Assembly.

(5) The quorum for the conduct of the business of the Assembly shall be two-thirds of the members excluding the Secretary.

(6) The Chairman shall preside at every meeting of the General Assembly at which he is present but, in his absence, the vice-chairman shall preside and, in his absence, the members present shall elect one of their numbers who shall, with respect to that meeting and the business transacted thereat, have all powers of the Chairman.

(7) Unless a unanimous decision is reached, a decision on any matter before the Assembly shall be by a majority of votes of the members present and, in the case of an equality of votes, the Chairman or the person presiding shall have a casting vote.

(8) Subject to sub-paragraph (5), no proceedings of the Assembly shall be invalid by reason only of a vacancy among the members thereof.

(9) A resolution in writing or such resolutions consisting of several documents in like form, each signed by the members of the Assembly, shall be as valid and effectual as if it had been passed at a meeting of the Assembly duly convened and held.

(10) Subject to the provisions of this Schedule, the Assembly may determine its own procedures and for the attendance of any other persons at its meetings and may make rules, *inter alia*, in respect of-

- (d) the conduct and management of the affairs of the Assembly;
- (e) the manner in which all payments, including cheques, promissory notes, drafts, bills of exchange and other negotiable instruments and all receipts for moneys paid to the Assembly shall be signed, drawn, accepted, endorsed or otherwise executed; and
- (f) the procedure for meetings and other business of the Assembly.

Minutes

5. The General Assembly shall cause minutes of all resolutions and proceedings of meetings of the Assembly to be entered in books kept for that purpose.

Common seal
of the General
Assembly

6.-(1) The common seal of the Assembly shall be kept in the custody of the Secretary or such other person as the Assembly may direct, and shall not be used except upon the order of the General Assembly.

(2) The common seal of the Assembly, when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proven, any necessary order or authorization by the General Assembly under this section shall be presumed to have been given.

(3) The common seal of the Assembly shall be authenticated by the signature of the Secretary of the Assembly.

FIFTH SCHEDULE

(Made under section 21(4))

TENURE OF OFFICE, MODE OF APPOINTMENT AND OTHER PROCEDURAL MATTERS OF THE BOARD

Tenure of
office

1. The Chairman and members of the Board shall, subject to the provisions of this Schedule, hold office for a period not exceeding three years on such terms and conditions as may be specified in their instrument of appointment, but shall be eligible for reappointment for one more term.

Modes of
appointment

2.-(1) Members of the Board shall be appointed at different times so that their respective dates of expiry of their terms of office shall fall at different times.

(2) Appointment to the Board shall be by notice in the *Gazette*.

Vacation of
office

3. A member of the Board may-

(a) at any time, by notice in writing addressed to the Minister, resign from office;

(b) be removed from office if the member-

(i) has been absent from three consecutive meetings of the Board without permission of the Chairman;

(ii) is convicted of a criminal offence and sentenced to imprisonment;

(iii) is incapacitated by prolonged physical or mental illness; or

(iv) is otherwise unable or unfit to discharge the functions of a member of the Board.

- Quorum **4.** A quorum at a meeting of the Board shall be two-thirds of the members.
- Resolution of the Board **5.** A resolution at a meeting of the Board shall require the affirmative votes of one half of the members present except the Chairman, who shall have a casting vote.
- Minutes **6.** The Board shall cause minutes of all proceedings of the Board to be entered in books kept for that purpose.

OBJECTS AND REASONS

This Bill intends to enact the Youth General Assembly of Tanzania Act with a view to facilitate youths to accept responsibilities, practice good values, ethics, good conduct and to create conducive environment for youth participation and provide framework for implementation of youth issues at national and international levels.

The Bill also propose to establish the Youth Council of Tanzania as a platform for overseeing youth matters for purposes of, *inter alia*, inspiring and promoting the spirit of unity, patriotism, volunteerism and service among the youth.

This Bill is divided into Six Parts.

Part I deals with preliminary provisions whereby provisions on citation and application of the proposed Act are contained. The Part also contains definitions of different terms and titles used in the Act.

Part II provides for establishment of the Youth Council of Tanzania. The Part also proposes provisions relating to functions and powers of the Council. Further, it provides for the organs of the Council which include General Assembly, Regional and District Youth Council. Furthermore, it provides for membership to the Council.

Part III makes provisions for meetings of the Council. The Part provides for the General Assembly, Regional and District Assembly.

Part IV deals with the establishment and functions of the Board of the Council. It further provide for the functions of the Board and the conduct of business of the Board.

Part V makes proposal for funds of the Council, annual estimates and other matters relating to accounts and auditing of accounts of the Youth Council of Tanzania.

Part VI provides for general provisions of the Act, which include general powers of the Minister to make regulations.

Dar es Salaam,
..... 2015

FENELLA E. MUKANGARA
*Minister for Information, Youth,
Culture and Sports*

SHERIA YA BARAZA LA VIJANA TANZANIA YA MWAKA, 2014

MPANGILIO WA VIFUNGU

Kifungu Jina

SEHEMU YA KWANZA
MASHARTI YA UTANGULIZI

1. Jina.
2. Tafsiri.
3. Madhumuni ya Sheria.

SEHEMU YA PILI
KUANZISHWA, MAMLAKA NA KAZI ZA BARAZA

4. Kuanzishwa kwa Baraza.
5. Muundo wa Baraza.
6. Kazi za Baraza.
7. Mamlaka ya Baraza.
8. Vyombo vya Baraza.
9. Baraza la Vijana la Mkoa.
10. Baraza la Vijana la Wilaya.
11. Baraza kugatua mamlaka.
12. Utangazaji wa maslahi.
13. Sekretarieti.
14. Uteuzi wa Katibu Mtendaji.
15. Majukumu ya Katibu.

SEHEMU YA TATU
MIKUTANO YA BARAZA

16. Mkutano Mkuu.
17. Mkutano wa Vijana wa Mkoa.

18. Mkutano wa Vijana wa Wilaya.

SEHEMU YA NNE
UANZISHWAJI NA KAZI ZA BODI

19. Uanzishwaji wa Bodi.
20. Kazi za Bodi.
21. Uendeshaji wa shughuli za Bodi.

SEHEMU YA TANO
MASHARTI YANAYOHUSU FEDHA

22. Fedha za Baraza.
23. Makadirio ya mwaka.
24. Hesabu na ukaguzi.

SEHEMU YA SITA
MASHARTI YA JUMLA

25. Kanuni.

TAARIFA

Muswada huu utakaowasilishwa Bungeni unachapishwa kwa ajili ya kutoa taarifa kwa umma ukiwa pamoja na maelezo yake ya madhumuni na sababu.

Dar es Salaam,
5 Januari, 2015

OMBENI Y. SEFUE
Katibu wa Baraza la Mawaziri

MUSWADA

wa

Sheria kwa ajili ya kuanzisha Baraza la Vijana Tanzania, kuainisha masharti ya kisajili, mamlaka na majukumu yake; kwa ajili ya kuanzisha Mkutano Mkuu, Baraza la Vijana la Mkoa na Wilaya na masharti mengine yanayohusiana na hayo.

IMETUNGWA na Bunge la Jamhuri ya Muungano wa Tanzania.

SEHEMU YA KWANZA MASHARTI YA UTANGULIZI

Jina

- 1.-(1) Sheria hii itajulikana kama Sheria ya Baraza la Vijana Tanzania ya mwaka 2015 na itanza kutumika katika tarehe ambayo Waziri, kwa taarifa katika Gazeti, atateua.
- (2) Sheria hii itatumika Tanzania Bara.

Tafsiri

2. Katika Sheria hii, isipokuwa kama muktadha utahitaji vinginevyo:
“Baraza” maana yake ni Baraza la Vijana Tanzania

- lililoanzishwa chini ya kifungu cha 4;
- “Bodi” maana yake ni Bodi ya Ushauri ya Baraza iliyoanzishwa chini ya kifungu cha 19(1);
- “Mkutano Mkuu” maana yake ni mkutano unaorejewa chini ya kifungu cha 16;
- “mwaka wa fedha” maana yake ni kipindi cha miezi kumi na mbili kinachoishia tarehe thelathini mwezi wa Juni kila mwaka;
- “Waziri” maana yake ni waziri ambaye kwa wakati huu ana dhamana na masuala ya vijana;
- “Sera ya Vijana ya Taifa” maana yake ni sera ya Taifa kuhusu vijana iliyotayarishwa na Wizara ambayo kwa wakati huu ina dhamana na masuala ya vijana; na
- “kijana” kwa madhumuni ya sheria hii maana yake ni mtu mwenye umri wa miaka kati ya kumi na tano na thelathini na tano.

Madhumuni
ya Sheria

3. Madhumuni ya Sheria hii yatakuwa ni-

- (a) kuweka jukwaa la utekelezaji wa masuala ya vijana katika ngazi ya wilaya, mkoa, Taifa na kimataifa;
- (b) kuhamasisha kujitolea na kujitegemea miongoni mwa vijana;
- (c) kuishauri Serikali kuhusu masuala yanayohusiana na maendeleo ya vijana’
- (d) kuwatayarisha vijana kubeba majukumu ili kuwawezesha kuwa na tabia njema, maadili na mienendo mema;
- (e) kutayarisha mazingira bora kwa ajili ya ushiriki wa vijana katika masuala yanayohusiana na utoaji wa maamuzi;
- (f) kujenga mtandao miongoni mwa vijana na wadau wengine;
- (g) kuendeleza umoja miongoni mwa vijana mbali na tofauti zao katika rangi, kabila, siasa, uchumi, dini, utamaduni, jinsia na maeneo wanayotoka.

SEHEMU YA PILI
KUANZISHWA, MAMLAKA NA KAZI ZA BARAZA

Kuanzishwa
kwa Baraza

4.-(1) Kunaanzishwa Baraza litakalojulikana kama Baraza la Vijana Tanzania.

(2) Baraza litakuwa ni shirika hodhi, kuendelea kurithiwa na kuwa na lakiri yake na kwa kutumia jina lake litakuwa na uwezo wa-

- (a) kushtaki na kushtakiwa;
- (b) kununua au vinginevyo, kupata, kumiliki na kutoza malipo kwa mali zinazohamishika na zisizohamishika;
- (c) kutoa mali zinazohamishika na zisizohamishika;
- (d) kukopa fedha; na
- (e) kutenda au kufanya vitu vyote au kutenda jambo lolote ambalo ni la lazima katika utekelezaji wa kazi zake chini ya Sheria hii ambalo linaweza kufanywa na shirika hodhi kwa mujibu wa Sheria.

(3) Uanachama wa Baraza utakuwa wazi na wa hiari kwa asasi na taasisi za vijana zilizosajiliwa kwa mujibu wa sheria husika.

(4) Baraza litakuwa sio taasisi la kisiasa na halita:

- (a) fanya kazi zake;
- (b) tumia nguvu zake; au
- (c) toa majukumu yake,

kwa makusudi au kufanya jukwaa la ukombozi juu ya itikadi ya siasa ya chama cha kisiasa.

(5) Masuala yanayohusiana na malipo ya wajumbe, muda wa kukaa madarakani, mikutano na masuala mengine ya taratibu za Baraza yatakuwa kama yalivyoainishwa kwenye Jedwali la Kwanza la Sheria hii.

Muundo wa
Baraza

5.-(1) Baraza litaundwa na-

- (a) Mwenyekiti atakayependekezwa na Mkutano Mkuu na kuteuliwa na Waziri;

- (b) kijana mmoja atakayewakilisha Baraza la Vijana la Mkoa; na
- (c) Katibu atakayeteuliwa chini ya kifungu cha 13 cha Sheria hii.
- (2) Baraza linaweza kumualika mtu yeyote kuhudhuria kikao cha Baraza isipokuwa tu mtu huyo hatakuwa na haki ya kupiga kura.
- (3) Mtu hatateuliwa kuwa Mwenyekiti isipokuwa kama-
 - (a) angalau ana shahada ya kwanza kutoka katika chuo kinachotambuliwa;
 - (b) ameonsha uwezo wa uongozi na kuwaleta vijana pamoja;
 - (c) ana weledi katika au amechangia kikamilifu katika kuhamasisha ajenda ya maendeleo ya vijana;
 - (d) ana uaminifu wa hali ya juu, maadili na ana muitikio katika mahitaji na matarajio ya vijana;
 - (e) ni kijana kama ilivyotafsiriwa katika Sheria hii.
- (4) Uteuzi chini ya kifungu kidogo cha (1)(a) utataja jina na utatangazwa katika *Gazeti* la Serikali.

Kazi za
Baraza

6.-(1) Kazi za Baraza zitakuwa ni-

- (a) kuhamasisha na kuendeleza ari ya kujenga umoja, utaifa, kujitolea na kujituma miongoni mwa vijana;
- (b) kuendeleza tafiti, kukusanya na kuchambua data katika masuala ya vijana;
- (c) kuendeleza mahusiano baina ya mashirika ya vijana na vyombo vingine ndani na nje ya nchi yenye madhumuni na maslahi yanayofanana;
- (d) kuendeleza na kuitangaza Sera ya Taifa ya Vijana na sera nyingine zinazohusu vijana;
- (e) kutambua shughuli na mipango inayohusu vijana, inayoendeshwa na vijana, makundi ya jumuiya zinazojihusisha na vijana, asasi zisizokuwa za serikali, makundi ya asasi za kiraia na mashirika

mengine;

- (f) kuendeleza na kuhamisha usawa wa jinsia miongoni mwa vijana; na
- (g) kuendeleza masuala yanayohusiana na watu wenye ulemavu miongoni mwa vijana.

Mamlaka ya
Baraza

7.-(1) Baraza litakuwa na mamlaka kwa ajili ya utekelezaji wa kazi zake chini ya Sheria hii, na bila kuathiri ujumla wake, itakuwa na mamlaka ya-

- (a) kuingia kwenye mkataba;
- (b) kusimamia, kudhibiti, kusimamia mali zake kwa utaratibu na kwa malengo ya kuendeleza madhumuni ambayo Baraza limeanzishwa;
- (c) kupokea zawadi, mikopo yenye masharti nafuu misaada au mali iliyowekwa wakfu inayotolewa kwa Baraza au fedha yoyote ambayo ni kwa ajili ya Baraza na kufanya mgawanyo kwa mujibu wa masharti ya Sheria hii;
- (d) kwa idhini ya Waziri, kuingia katika ushirikiano na vyombo au mashirika mengine ndani na nje ya Tanzania kama itakavyoonekana inafaa katika kuendeleza malengo ambayo ndio sababu ya Baraza kuanzishwa;
- (e) kufungua akaunti za benki au akaunti ya benki kwa ajili ya fedha za Baraza ambapo fedha zote zinazopokelewa na Baraza zitalipwa na malipo yote yatakayolipwa.
- (f) Kuunda kamati yoyote itakayosaidia utekelezaji wa kazi za Baraza.

(2) Endapo Baraza limepokea zawadi, mikopo yenye masharti nafuu au misaada itamfahamisha Waziri kuhusu upokeaji huo.

(3) Baraza linaweza, kwa maandishi, kumruhusu mjumbe au mfanyakazi kutumia kwa niaba yake baadhi ya mamlaka yake lakini katika utekelezaji wa mamlaka hayo kiwango kilichowekwa na Baraza na itatolewa taarifa ndani ya muda uliowekwa na Mkutano wa Baraza.

Vyombo vya Baraza

8. Vyombo vya utendaji vya Baraza vitakuwa ni:

- (a) Baraza la Vijana la Mkoa;
- (b) Baraza la Vijana la Wilaya; na
- (c) Sekretarieti.

Baraza la Vijana la Mkoa

9.-(1) Kutakuwa na Baraza la Vijana la Mkoa katika kila Mkoa.

(2) Baraza la Vijana la Mkoa litaundwa na idadi ya wajumbe wasiyozidi thelathini.

(3) Kazi za Baraza la Vijana la Mkoa zitakuwa ni-

- (a) kuishauri Sekretarieti ya Tawala ya Mkoa katika masuala yanayohusu maendeleo ya vijana katika ngazi ya mkoa;
- (b) kuchagua vijana wawili kuwa wajumbe wa Mkutano Mkuu;
- (c) kuchagua Mwenyekiti na Katibu wa Mkutano wa Baraza la Vijana la Mkoa;
- (d) kufanya kazi nyingine yoyote kama itakavyoelekezwa na Mkutano Mkuu wa Baraza la Vijana.

(4) Masuala yanayohusiana na utaratibu wa uteuzi wa wajumbe wa Baraza la Vijana la Mkoa, mikutano, akidi na masuala mengine ya utaratibu wa Baraza la Vijana la Mkoa utakuwa kama inavyoonyeshwa kwenye Jedwali la Pili la Sheria hii.

(5) Baraza la Vijana la Mkoa litasaidiwa na Sekretarieti ya vijana ya Mkoa na litafanya kazi nyingine kama itakavyoelekezwa na Katibu Mtendaji.

Baraza la
Vijana la
Wilaya

10.-(1) Kunaanzishwa Baraza la Vijana la Wilaya katika kila wilaya.

(2) Baraza la Vijana la Wilaya litaundwa na idadi ya wajumbe wasiozidi thelathini.

(3) Kazi za Baraza la Vijana la Wilaya zitakuwa ni-

(a) kuishauri Sekretarieti ya Tawala ya Wilaya katika masuala yanayohusu maendeleo ya vijana katika ngazi ya Wilaya;

(b) kuchagua wajumbe wa Baraza la Vijana la Wilaya;

(c) kumchagua Mwenyekiti na Katibu wa Mkutano wa Baraza la Vijana la Wilaya;

(d) kufanya kazi nyingine yoyote kama itakavyoelekezwa na Baraza la Taifa la Wilaya.

(4) Masuala yanayohusiana na utaratibu wa uteuzi wa wajumbe wa Baraza la Vijana la Wilaya, mikutano, akidi na masuala mengine ya utaratibu wa Baraza la Vijana la Wilaya utakuwa kama inavyoonyeshwa kwenye Jedwali la Tatu la Sheria hii.

(5) Baraza la Vijana la Wilaya litasaidiwa na Sekretarieti ya Vijana ya Wilaya na litafanya kazi nyingine kama itakavyoelekezwa na Katibu Mtendaji au Sekretarieti ya Vijana ya Mkoa.

Baraza
kugatua
mamlaka

11. Baraza linaweza, kwa maandishi na kwa azimio la jumla au maalum, kugatua kwa Katibu Mtendaji au kwa afisa yeyote wa Baraza, kutekeleza mamlaka yake yoyote au kazi au majukumu ya Baraza chini ya Sheria hii.

Utangazaji
wa maslahi

12.-(1) Endapo mjumbe ana maslahi ya moja kwa moja au vinginevyo kwenye mkataba, mkataba unaopendekezwa au jambo lolote mbele ya Baraza na yupo kwenye Mkutano wa Baraza ambao suala la mkataba, mkataba unaopendekezwa au jambo jingine lolote linalojadiliwa, mjumbe huyo baada ya kikao kuanza-

(a) ataeleza ukweli na hatakuwa sehemu ya mjadala huo au masuala mengine yoyote;

- (b) hatapiga kura kwenye suala lolote linalohusiana na mkataba huo au jambo jingine lolote; na
- (c) hatahesabiwa katika akidi ya mkutano wakati wa mjadala huo.

(2) Endapo wingi wa wajumbe waliopo wanaamini kwamba uzoefu au utaalumu wa mjumbe huyo ni muhimu katika mjadala wa mkutano huo, Baraza linaweza kumruhusu mjumbe huyo kushiriki katika mjadala huo kwa kuzingatia masharti ambayo yanaweza kuwekwa na Baraza, isipokuwa mjumbe huyo hatokuwa na haki ya kupiga kura katika jambo linalojadiliwa.

(3) Utangazaji wa maslahi uliofanywa chini ya kifungu hiki utawekwa katika kumbukumbu za mkutano ambao utangazaji huo umefanyika.

Sekretarieti

13.-(1) Kutakuwa na Sekretarieti ya Baraza.

(2) Sekretarieti itakuwa chini ya uongozi wa Katibu Mtendaji ambaye atakuwa Katibu wa Baraza.

(3) Katibu Mtendaji atasaidiwa na wafanyakazi wengine kama itakavyokuwa lazima kwa utekelezaji bora wa kazi za Baraza.

Uteuzi wa
Katibu
Mtendaji

14.-(1) Katibu Mtendaji atakuwa ni kijana atakayechaguliwa na Waziri kutoka kwenye orodha ya majina matatu yaliyopendekezwa na Baraza.

(2) Mtu atakuwa na sifa ya kuteuliwa kuwa Katibu Mtendaji ambaye:

- (a) angalau ana shahada ya kwanza kutoka katika chuo kinachotambuliwa;
- (b) ameonsha uwezo wa uongozi na kuwaleta vijana pamoja;
- (c) ana weledi katika au amechangia kikamilifu katika kuhamasisha ajenda ya maendeleo ya vijana;
- (d) ana uaminifu wa hali ya juu, maadili na ana muitikio katika mahitaji na matarajio ya vijana;
- (e) ni kijana kama ilivyotafsiriwa katika Sheria hii.

(3) Katibu atakaa madarakani kwa kipindi kisichozidi miaka mitano au mpaka atakapofikia umri wa miaka thelathini na tano, au chochote kitakachotokea mwanzo, kwa kuzingatia masharti ya kazi kama Baraza litakavyoamua mara kwa mara.

(4) Katibu atakuwa, kupitia wadhifa wake, mjumbe wa Baraza na hatakuwa na haki ya kupiga kura katika mkutano wowote wa Baraza.

Majukumu
ya Katibu

15.-(1) Katibu, kwa maelekezo ya Baraza, atatekeleza majukumu yafuatayo:

- (a) kusimamia shughuli za Baraza;
- (b) kutekeleza madhumuni, kazi na majukumu ya Baraza.

(2) Katibu-

- (a) atahakikisha kuwepo kwa ufanisi na nidhamu kwa wafanyakazi wote wa Baraza;
- (b) atasimamia bajeti ya Baraza na ili kuhakikisha kuwa fedha za Baraza zinatumiwa ipasavyo na kuwekewa kumbukumbu za hesabu; na
- (c) atatekeleza majukumu mengine kama ambavyo mara kwa mara Baraza linaweza kumuelekeza.

(3) Kwa kuzingatia masharti ya kifungu kidogo cha (2)(a), Baraza litakuwa ni mamlaka ya nidhamu kwa wajumbe na wafanyakazi wake.

(4) Kwa madhumuni ya kifungu kidogo cha (3), Katibu atanzisha au kupeleka malalamiko yote kwenye kamati ya Baraza iliyoundwa mahsusi kwa ajili hiyo kabla ya kuwasilishwa kwenye Baraza kwa ajili ya maamuzi.

(5) Waziri atatengeneza kanuni zinazoainisha masuala yanayohusiana na utaratibu wa kupokea na kushughulikia malalamiko na mambo mengine yanayohusiana na hayo.

(6) Katibu, atawasilisha katika Baraza programu za utekelezaji wa Baraza katika mwaka huo wa fedha kwa ajili ya kupata ridhaa si zaidi ya miezi mitatu kabla ya kuanza kwa kila mwaka wa fedha.

(7) Katibu, kwa ridhaa ya Baraza, ataajiri idadi ya wafanyakazi kama atakavyoona inafaa kwa kazi za kila siku za Baraza.

**SEHEMU YA TATU
MIKUTANO YA BARAZA**

Mkutano wa
Mkuu

16.-(1) Mkutano Mkuu utakuwa ni chombo cha juu cha kutoa maamuzi ya Baraza.

(2) Kazi za Mkutano Mkuu zitakuwa-

- (a) kupendekeza Mwenyekiti wa Baraza;
- (b) kupendekeza wajumbe wa Bodi ya Ushauri;
- (c) kuridhia mipango ya maendeleo, mikakati na programu za Baraza; na
- (d) kupokea, kutathamini na kuridhia taarifa za utekelezaji wa mipango, mikakati na programu.

(3) Mkutano Mkuu utaundwa na:

- (a) Mwenyekiti wa Baraza;
- (b) Mwenyekiti na Katibu wa kila Mkoa wa Baraza la Vijana;
- (c) kila Mwenyekiti wa Wilaya wa Baraza la Vijana;
- (d) mwakilishi mmoja atakayeteuliwa na Mkutano wa Baraza la Vijana wa kila Wilaya; na
- (e) Katibu Mtendaji.

(5) Masuala yanayohusiana na mikutano, akidi na masuala mengine ya uratibu wa Mkutano Mkuu utakuwa kama inavyoonyeshwa kwenye Jedwali la Nne la Sheria hii.

Mkutano wa
Vijana wa
Mkoa

17.-(1) Mkutano wa Vijana wa Mkoa utakuwa ni chombo cha juu katika masuala yanayohusiana na vijana katika ngazi ya Mkoa.

(2) Mkutano wa Vijana wa Mkoa utaundwa na:

- (a) Mwenyekiti wa Baraza la Vijana la Mkoa;
- (b) mwakilishi mmoja kutoka kila Wilaya; na
- (c) Katibu wa Baraza la Mkoa.

- (3) Kazi za Mkutano wa Vijana wa Mkoa zitakuwa ni:
- (a) kupendekeza Mwenyekiti wa Baraza la Vijana la Mkoa;
 - (b) kutekeleza mipango ya maendeleo, mikakati, na programu za Baraza katika ngazi ya mkoa;
 - (c) kupendekeza ajenda za Mkutano Mkuu; na
 - (d) kufanya kazi nyingine yoyote kama itakavyoelekezwa na Mkutano Mkuu.
- (4) Masuala yanayohusu Mkutano, akidi na masuala mengine ya taratibu za Mkutano wa Vijana wa Mkoa, yatakuwa kwa kuweka marekebisho stahiki, kama inavyoonyeshwa katika Jedwali la Nne la Sheria hii.

Mkutano wa
Vijana wa
Wilaya

18.-(1) Mkutano wa Vijana wa Wilaya utakuwa ni chombo cha juu katika masuala yote yanayohusiana na vijana katika ngazi ya wilaya.

- (2) Mkutano wa Vijana wa Wilaya utaundwa na:
- (a) Mwenyekiti wa Baraza la Vijana la Wilaya;
 - (b) Katibu wa Baraza la Vijana la Wilaya; na
 - (c) wawakilishi watano kutoka taasisi za vijana zilizosajiliwa ndani ya Wilaya husika.
- (3) Kazi za Mkutano wa Vijana wa Wilaya zitakuwa ni:
- (a) kupendekeza Mwenyekiti wa Baraza la Vijana la Wilaya;
 - (b) kutekeleza mipango ya maendeleo, mikakati na programu za Baraza katika ngazi ya Wilaya;
 - (c) kupendekeza ajenda za Mkutano Mkuu kupitia Mkutano wa Vijana wa Mkoa; na
 - (d) kufanya kazi nyingine yoyote kama itakavyoelekezwa na Mkutano Mkuu.

(4) Masuala yanayohusu Mikutano, akidi na masuala mengine ya taratibu za Mkutano wa Vijana wa Wilaya yatakuwa, kwa kuweka marekebisho stahiki, kama inavyoonyeshwa katika Jedwali la Nne la Sheria hii.

**SEHEMU YA NNE
UANZISHWAJI NA KAZI ZA BODI**

Uanzishwaji
wa Bodi

19.-(1) Kunaanzishwa Bodi itakayojulikana kama Bodi ya Ushauri ya Baraza.

- (2) Bodi itaundwa na wafuatao-
 - (a) Mwenyekiti atakayeteuliwa na Rais;
 - (b) Mwenyekiti wa Baraza la Vijana Tanzania;
 - (c) Mkurugenzi wa Idara ya Maendeleo ya Vijana;
 - (d) afisa sheria atakayemwakiisha Mwanasheria Mkuu;
 - (e) vijana watano watakoachaguliwa na Baraza na kuteuliwa na Waziri.

(3) Mtu hatateuliwa kuwa Mwenyekiti isipokuwa kama-

- (a) angalau ana shahada ya kwanza kutoka katika chuo kinachotambuliwa;
- (b) ameonsha uwezo wa uongozi na kuwaleta vijana pamoja;
- (c) ana weledi katika au amechangia kikamilifu katika kuhamasisha ajenda ya maendeleo ya vijana;
- (d) ana uaminifu wa hali ya juu, maadili na ana muitikio katika mahitaji na matarajio ya vijana;

Kazi za Bodi

20.-(1) Kazi kuu za Bodi zitakuwa ni kulishauri Baraza kwa ujumla katika utekelezaji wa mamlaka yake na kazi zake zilizoainishwa chini ya Sheria hii.

(2) Bodi itakuwa na kazi nyingine kama itakavyoelekezwa chini ya Sheria hii.

Uendeshaji
wa shughuli
za Bodi

21.-(1) Kazi na masuala ya Bodi yataendeshwa kwa kuzingatia masharti ya Sheria hii.

(2) Wajumbe wa Bodi watalipwa ujira, ada, posho na malipo mengine kwa ajili ya matumizi kama itakavyoamuliwa na Waziri.

(3) Baraza linaweza kumwalika mtu yeyote kuhudhuria katika mikutano yake na kushiriki katika mijadala lakini mtu huyo hatakuwa na haki ya kupiga kura katika maamuzi yoyote ya Bodi.

(4) Masuala yanayohusu kukaa madarakani, utaratibu wa uteuzi na masuala mengine ya utaratibu wa Bodi yatakuwa kama yalivyoonyeshwa katika Jedwali la Tano la Sheria hii.

SEHEMU YA TANO MASHARTI YANAYOHUSU FEDHA

Fedha za
Baraza

22. Fedha na mali za Baraza zitajumuisha-

- (a) fedha zote kama zitakavyopangiwa matumizi na kwa madhumuni ya Baraza;
- (b) fedha zote au mali zinazoweza kuingia kwenye Baraza wakati ikitekeleza mamlaka yake au kutekeleza kazi zake chini ya Sheria hii au sheria nyingine yoyote;
- (c) michango kutoka mamlaka ya serikali za mitaa;
- (d) zawadi yoyote itakayotolewa kwa Baraza; na
- (e) fedha zote kutoka chanzo chochote kilichopo, zilizochangiwa au kukopeshwa kwa Baraza.

Makadirio
ya mwaka

23.-(1) Angalau miezi mitatu kabla ya kuanza kwa kila mwaka wa fedha, Baraza litaandaa makadirio ya mapato na matumizi yake kwa mwaka huo wa fedha na kuyawasilisha kwenye Bodi.

(2) Makadirio ya mwaka yataweka masharti ya makadirio ya matumizi ya Baraza kwa mwaka huo wa fedha, hususan-

- (a) malipo ya mshahara, posho na malipo mengine

yanayohusu maafisa, wakala au wafanyakazi wa Sekretarieti;

(b) malipo ya pensheni, kiinua mgongo au malipo mengine yanayohusu mafao ya uzeeni yanayolipwa kwa wafanyakazi wa Sekretarieti; na

(c) kuhifadhi, kutengeneza na kubadilisha mitambo na mali zote zinazohamishika za Sekretarieti.

(3) Makadirio ya mwaka yataidhinishwa na Baraza kabla ya kuanza kwa mwaka wa fedha unaohusika na mara itakapoidhinishwa, itawasilishwa kwa Waziri kwa ajili ya kuridhiwa na baada ya Waziri kuridhia, Baraza halitarekebisha makadirio ya mwaka bila ya idhini ya Waziri.

(4) Matumizi hayatofanywa kwa madhumuni ya Baraza isipokuwa kwa kuzingatia makadirio ya mwaka yaliyoidhinishwa chini ya kifungu kidogo (3) au kwa kuzingatia ridhaa ya Baraza iliyotolewa kabla ya ridhaa ya maandishi iliyopewa na waziri.

Hesabu na ukaguzi

24.-(1) Baraza litahakikisha linatunza vitabu vya mahesabu na kumbukumbu za mahesabu ya mapato, matumizi, mali na madeni ya Baraza.

(2) Baraza, ndani ya miezi mitatu kila baada ya mwisho wa mwaka wa fedha, litawasilisha kwa Mdhibiti na Mkaguzi Mkuu wa Hesabu za Serikali hesabu za Baraza zinazohusu mwaka huo, pamoja na-

(a) maelezo ya mapato na matumizi ya Baraza wakati wa mwaka huo wa fedha; na

(b) maelezo ya mali na madeni ya Baraza ya siku ya mwisho wa mwaka huo wa fedha.

(3) Hesabu za Baraza zitakaguliwa na kutolewa taarifa ipasavyo na Mdhibiti na Mkaguzi Mkuu wa Hesabu za Serikali.

**SEHEMU YA SITA
MASHARTI YA JUMLA**

- Kanuni **25.**-(1) Waziri anaweza, kupitia mapendekezo ya Baraza, kutengeneza kanuni za jumla kwa ajili ya utekelezaji bora wa masharti ya Sheria hii.
- (2) Bila kuathiri ujumla wa kifungu kidogo cha (1), Waziri atatengeneza kanuni kuainisha:
- (a) uundwaji wa Kamati za Baraza;
 - (b) majukumu ya mamlaka za serikali za mitaa kuhusiana na shughuli za Baraza la Mkoa, Baraza la Wilaya, Mkutano wa Mkoa na Mkutano wa Wilaya;
 - (c) utaratibu wa uchaguzi wa wenyeviti, uteuzi wa Katibu na viongozi wengine katika ngazi ya mkoa na wilaya; na
 - (d) masuala mengine yoyote yanayoweza kuainishwa katika Sheria hii.

JEDWALI LA KWANZA

(linatengenezwa chini ya kifungu cha 4(5))

**UJIRA WA WAJUMBE, MUDA WA KUKAA MADARAKANI, MIKUTANO NA
UTARATIBU MWINGINE WA BARAZA**

Ajira ya Wajumbe wa Baraza **1.** Wajumbe wa Baraza watalipwa posho na matumizi mengine kama itakavyoidhinishwa na Waziri.

Muda wa kukaa madarakani **2.**-(1) Mjumbe yeyote wa Baraza, mbali na mjumbe anayeingia kwa wadhifa wake, kwa kuzingatia masharti ya Jedwali hili, atakaa madarakani kwa muda usiozidi miaka mitatu, kwenye mashauri yatakayoanishwa kwenye hati ya uteuzi ya mjumbe huyo, lakini anaweza kuteuliwa tena kwa kipindi kingine kimoja.

 (2) Wajumbe wa Baraza watateuliwa kwa nyakati tofauti ili muda wao wakumaliza kipindi chao umalizike kwa nyakati tofauti.

(3) Uteuzi wa Baraza utafanywa kwa kupitia Tangazo la Serikali.

Uwazi wa
ofisi

3.-(1) Mjumbe wa Baraza, mbali na mjumbe anayeingia kwa wadhifa wake, ataweza-

- (a) katika wakati wowote kuacha kazi katika ofisi kwa kutoa taarifa ya maandishi kwa Waziri;
- (b) kuondolewa ofisi na Waziri kama mjumbe, iwapo-
 - (i) hajahudhuria vikao vitatu mfululizo vya Baraza bila kupewa ruhusa na Mwenyekiti;
 - (ii) amepatikana na hatia ya kosa la jinai au amehukumiwa kifungo;
 - (iii) ameshindwa kutekeleza majukumu yake kutokana na magonjwa ya kiakili na kimwili kwa muda mrefu au hawezi kutekeleza majukumu yake kama mjumbe wa Baraza; au
 - (iv) ameshindwa kufuata masharti ya Sheria hii.

Mikutano ya
Baraza

4.-(1) Baraza litakutana mara moja kwa mwaka.

(2) Bila kujali masharti ya aya ndogo (1), Mwenyekiti au wajumbe watatu wengine wa Baraza wanaweza kuitisha mkutano maalum muda wowote pale inapohitajika kwa ajili ya shughuli za Baraza, kwa kutoa taarifa ya maandishi kwa wajumbe katika siku zisizopungua saba.

(3) Wajumbe wa Baraza katika kikao cha kwanza cha Baraza, watachagua kutoka miongoni mwao Makamu Mwenyekiti.

(4) Isipokuwa robo tatu ya wajumbe wote wa Baraza wanakubali vinginevyo, angalau siku kumi na nne watatoa taarifa ya kila mkutano wa Baraza na kupewa kila mjumbe wa Baraza.

(5) Akidi ya uendeshaji wa shughuli za Baraza itakuwa ni mbili ya tatu ya wajumbe, bila ya Katibu.

(6) Mwenyekiti ataongoza kila kikao cha Baraza ambacho yupo, lakini asipokuwepo, Makamu Mwenyekiti ataongoza, na asipokuwepo, wajumbe waliopo watachagua mmoja kutoka miongoni mwao ambaye kwa ajili ya mkutano huo na shughuli inayofanywa hapo atakuwa na mamlaka yote ya Mwenyekiti.

(7) Isipokuwa kama maamuzi ya pamoja hayatafikiwa, maamuzi yoyote mbele ya Baraza yatakuwa ya wajumbe wengi waliopo na kupiga kura, na pale kura zitakapolingana, Mwenyekiti au mtu anayeongoza kikao hicho atakuwa na kura ya turufu.

(8) Kwa kuzingatia aya ndogo (5), taratibu za uendeshaji wa vikao vya Baraza havitokuwa batili kwa sababu tu ya kuwepo kwa nafasi wazi ya mjumbe katika kikao hicho.

(9) Azimio la maandishi au maazimio yaliyo yenye nyaraka mbalimbali zinazofanana, kila moja likiwa limetiwa saini na wajumbe wa

Baraza, litakuwa halali na litatumika kama vile limepitishwa na kikao kilichoitishwa na kupitishwa kihalali.

(10) Kwa kuzingatia masharti ya Jedwali hili, Baraza linaweza kuamua utaratibu wake na utaratibu wa kamati yoyote ya Baraza na kuhudhuria kwa mtu yeyote katika mikutano na linaweza kutengeneza kanuni pamoja na mambo mengine kuhusu-

- (a) mwenendo na usimamizi wa masuala ya Baraza;
- (b) namna ya malipo yote ikijumuisha, hundi, hati fungani na hati nyingine za malipo na stakabadhi zote za fedha zilizolipwa kwenye Baraza, zitasainiwa, kutolewa, kukubaliwa, kupitishwa au vinginevyo kutekelezwa; na
- (c) taratibu za mikutano na shughuli nyingine za Baraza.

Kumbukumbu **5.** Baraza litasaidia kutayarishwa kwa kumbukumbu za maazimio yote na taarifa za mienendo ya mikutano ya Baraza kuwekwa katika vitabu maalum kwa ajili hiyo.

Lakiri ya Baraza **6.-(1)** Lakiri ya Baraza utahifadhiwa na Katibu au na mtu mwingine kama ambavyo Baraza litakavyoamuru, na hautatumika ila kwa amri ya Baraza.

(2) Lakiri ya Baraza, utakapopigwa katika nyaraka na kuthibitishwa, utakubalika na kutambulika kisheria na isipokuwa vinginevyo ikithibitishwa, amri yoyote au ridhaa ya Baraza chini ya kifungu hiki itachukuliwa kuwa imetolewa hivyo.

(3) Lakiri ya Baraza utathibitishwa kwa kutiwa saini ya Katibu wa Baraza.

JEDWALI LA PILI

(Linatengenezwa chini ya kifungu cha 9(4))

UTEUZI, MUDA WA KUKAA MADARAKANI, MIKUTANO NA UTARATIBU MWINGINE WA BARAZA LA MKOA

Muundo wa
Baraza la
Vijana la
Mkoa

- 1.** Baraza la Vijana la Mkoa litaundwa na:
 - (a) Mwenyekiti;
 - (b) Wajumbe wote wa Kamati ya vijana mkoa; na
 - (c) vijana thelathini watakaowakilisha Baraza la vijana la wilaya.

Jukumu la
mamlaka ya
Serikali za
mitaa

- 2.** Mamlaka ya Serikali za mtaa katika eneo la Baraza la vijana la mkoa litakuwa na jukumu la uangalizi wa kazi na muundo wa Baraza la vijana Mkoa.

Uundwaji wa
Kamati za
vijana Mkoa

- 3.-(1)** Baraza la Vijana la Mkoa litaunda Kamati itakayoitwa Kamati ya Vijana Mkoa.
 - (2) Kamati ya Vijana ya Mkoa itakuwa chombo cha Baraza la Vijana Mkoa.

Muundo wa
Kamati wa
Baraza la
Vijana

- 4.** Kamati ya Baraza la vijana litaundwa na:
 - (a) Mwenyekiti atakayeteuliwa miongoni mwa taasisi za vijana zilizosajiliwa ndani ya Mkoa;
 - (b) wajumbe sita watakao wakilisha taasisi za vijana zilizosajiliwa ndani ya mkoa;
 - (c) katibu atakayeteuliwa miongoni mwa vijana ndani ya mkoa.

Makazi

- 5.** Mtu hatakuwa mjumbe wa Baraza la vijana Mkoa na wa Kamati, isipokuwa makazi yake yanatoka Mkoa husika.

Muda wa
kukaa
madarakani

- 6.-(1)** Mjumbe yeyote wa Baraza la Mkoa, mbali na mjumbe anayeingia kwa wadhifa wake, kwa kuzingatia masharti ya Jedwali hili, atakaa madarakani kwa muda usiozidi miaka mitatu, kwenye mashauri

yatakayoanishwa kwenye hati ya uteuzi ya mjumbe huyo, lakini anaweza kuteuliwa tena kwa kipindi kingine kimoja.

(2) Uteuzi wa Baraza utafanywa kwa kupitia Tangazo la Serikali.

Uwazi wa
ofisi

7.-(1) Mjumbe wa Baraza la Mkoa, mbali na mjumbe anayeingia kwa wadhifa wake, ataweza-

(a) katika wakati wowote kuacha kazi katika ofisi kwa kutoa taarifa ya maandishi kwa Waziri;

(b) kuondolewa ofisi na Waziri kama mjumbe, iwapo-

(i) hajahudhuria vikao vitatu mfululizo vya Baraza la Mkoa bila kupewa ruhusa na Mwenyekiti;

(ii) amepatikana na hatia ya kosa la jinai au amehukumiwa kifungo;

(iii) ameshindwa kutekeleza majukumu yake kutokana na magonjwa ya kiakili na kimwili kwa muda mrefu au hawezi kutekeleza majukumu yake kama mjumbe wa Baraza la Mkoa; au

(iv) ameshindwa kufuata masharti ya Sheria hii.

Mikutano ya
Baraza

8.-(1) Baraza la Mkoa litakutana mara mbili kwa mwaka.

(2) Bila kujali masharti ya aya ndogo (1), Mwenyekiti au wajumbe watatu wengine wa Baraza la Mkoa wanaweza kuitisha mkutano maalum muda wowote pale inapohitajika kwa ajili ya shughuli za Baraza la Mkoa, kwa kutoa taarifa ya maandishi kwa wajumbe katika siku zisizopungua saba.

(3) Wajumbe wa Baraza la Mkoa katika kikao cha kwanza cha Baraza la Mkoa, watachagua kutoka miongoni mwao Makamu Mwenyekiti.

(4) Isipokuwa robo tatu ya wajumbe wote wa Baraza la Mkoa wanakubali vinginevyo, angalau siku kumi na nne watatoa taarifa ya kila mkutano wa Baraza la Mkoa na kupewa kila mjumbe wa Baraza la Mkoa.

(5) Akidi ya uendeshaji wa shughuli za Baraza la Mkoa itakuwa ni mbili ya tatu ya wajumbe, bila ya Katibu.

(6) Mwenyekiti ataongoza kila kikao cha Baraza la Mkoa ambacho yupo, lakini asipokuwepo, Makamu Mwenyekiti ataongoza, na asipokuwepo, wajumbe waliopo watachagua mmoja kutoka miongoni mwao ambaye kwa ajili ya mkutano huo na shughuli inayofanywa hapo atakuwa na mamlaka yote ya Mwenyekiti.

(7) Isipokuwa kama maamuzi ya pamoja hayatafikiwa, maamuzi yoyote mbele ya Baraza la Mkoa yatakuwa ya wajumbe wengi waliopo na kupiga kura, na pale kura zitakapolingana, Mwenyekiti au mtu

anayeongoza kikao hicho atakuwa na kura ya turufu.

(8) Kwa kuzingatia aya ndogo (5), taratibu za uendeshaji wa vikao vya Baraza la Mkoa havitokuwa halali kwa sababu tu ya kuwepo kwa nafasi wazi ya mjumbe katika kikao hicho.

(9) Azimio la maandishi au maazimio yaliyo yenye nyaraka mbalimbali zinazofanana, kila moja likiwa limetiwa saini na wajumbe wa Baraza la Mkoa, litakuwa halali na litatumika kama vile limepitishwa na kikao kilichoitishwa na kupitishwa kihalali.

(10) Kwa kuzingatia masharti ya Jedwali hili, Baraza la Mkoa linaweza kuamua utaratibu wake na utaratibu wa kamati yoyote ya Baraza la Mkoa na kuhudhuria kwa mtu yeyote katika mikutano na linaweza kutengeneza kanuni pamoja na mambo mengine kuhusu-

- (a) mwenendo na usimamizi wa masuala ya Baraza la Mkoa;
- (b) namna ya malipo yote ikijumuisha, hundi, hati fungani na hati nyingine za malipo na stakabadhi zote za fedha zilizolipwa kwenye Baraza la Mkoa, zitasainiwa, kutolewa, kukubaliwa, kupitishwa au vinginevyo kutekelezwa; na
- (c) taratibu za mikutano na shughuli nyingine za Baraza la Mkoa.

Kumbukumbu

9. Baraza la Mkoa litasaidia kutayarishwa kwa kumbukumbu za maazimio yote na taarifa za mienendo ya mikutano ya Baraza kuwekwa katika vitabu maalum kwa ajili hiyo.

Lakiri ya
Baraza la
Mkoa

10.-(1) Lakiri ya Baraza la Mkoa utahifadhiwa na Katibu au na mtu mwingine kama ambavyo Baraza la Mkoa litakavyoamuru, na hautatumika ila kwa amri ya Baraza la Mkoa.

(2) Lakiri ya Baraza la Mkoa, utakapopigwa katika nyaraka na kuthibitishwa, utakubalika na kutambulika kisheria na isipokuwa vinginevyo ikithibitishwa, amri yoyote au ridhaa ya Baraza la Mkoa chini ya kifungu hiki itachukuliwa kuwa imetolewa hivyo.

(3) Lakiri ya Baraza la Mkoa utathibitishwa kwa kutiwa saini ya Katibu wa Baraza la Mkoa.

JEDWALI LA TATU

(Linatengenezwa chini ya kifungu cha 10(5))

UTEUZI, MUDA WA KUKAA MADARAKANI, MIKUTANO NA UTARATIBU MWINGINE WA BARAZA LA WILAYA

- | | |
|--|---|
| Muundo wa Baraza la Vijana la Wilaya | <p>1. Baraza la Vijana la Wilaya litaundwa na:</p> <ul style="list-style-type: none">(a) Mwenyekiti;(b) Wajumbe wote wa Kamati ya Vijana Wilaya; na(c) Wawakilishi thelathini kutoka taasisi za vijana zilizosajiliwa ndani ya Wilaya. |
| Jukumu la mamlaka ya Serikali za mitaa | <p>2. Mamlaka ya Serikali za mitaa katika eneo la Baraza la Vijana la Wilaya litakuwa na jukumu la uangalizi wa kazi na muundo wa Baraza la Vijana la Wilaya.</p> |
| Uundwaji wa Kamati za vijana Wilaya | <p>3.-(1) Baraza la Vijana la Wilaya litaunda Kamati itakayoitwa Kamati ya Vijana ya Wilaya.</p> <p>(2) Kamati ya Vijana ya Wilaya itakuwa chombo cha Baraza la Vijana la Wilaya.</p> |
| Muundo wa Kamati wa Baraza la Vijana | <p>4. Kamati la Baraza la vijana litaundwa na:</p> <ul style="list-style-type: none">(a) Mwenyekiti atakayeteuliwa miongoni mwa taasisi za vijana zilizosajiliwa ndani ya Wilaya;(b) wajumbe sita watakao wakilisha taasisi za vijana zilizosajiliwa ndani ya Wilaya;(c) katibu atakayeteuliwa miongoni mwa vijana ndani ya Wilaya. <p>(2) Endapo taasisi za vijana zilizosajiliwa zitakuwa zaidi ya sita, ujumbe wao utakuwa wa kupokezana.</p> |
| Makazi | <p>5. Mtu hatakuwa mjumbe wa Baraza la Vijana la Wilaya na wa Kamati, isipokuwa makazi yake yanatoka Wilaya husika.</p> |

Muda wa
kukaa
madarakani

6.-(1) Mjumbe yeyote wa Baraza la Wilaya, mbali na mjumbe anayeingia kwa wadhifa wake, kwa kuzingatia masharti ya Jedwali hili, atakaa madarakani kwa muda usiozidi miaka mitatu, kwenye mashauri yatakayoanishwa kwenye hati ya uteuzi ya mjumbe huyo, lakini anaweza kuteuliwa tena kwa kipindi kingine kimoja.

(2) Uteuzi wa Baraza la Wilaya utafanywa kwa kupitia Tangazo la Serikali.

Uwazi wa
ofisi

7.-(1) Mjumbe wa Baraza la Wilaya, mbali na mjumbe anayeingia kwa wadhifa wake, ataweza-

(c) katika wakati wowote kuacha kazi katika ofisi kwa kutoa taarifa ya maandishi kwa Waziri;

(d) kuondolewa ofisi na Waziri kama mjumbe, iwapo-

(i) hajahudhuria vikao vitatu mfululizo vya Barazala Wilaya bila kupewa ruhusa na Mwenyekiti;

(ii) amepatikana na hatia ya kosa la jinai au amehukumiwa kifungo;

(iii) ameshindwa kutekeleza majukumu yake kutokana na magonjwa ya kiakili na kimwili kwa muda mrefu au hawezi kutekeleza majukumu yake kama mjumbe wa Baraza la Wilaya; au

(iv) ameshindwa kufuata masharti ya Sheria hii.

Mikutano ya
Baraza

8.-(1) Baraza la Wilaya litakutana mara tatu kwa mwaka.

(2) Bila kujali masharti ya aya ndogo (1), Mwenyekiti au wajumbe watatu wengine wa Baraza la Wilaya wanaweza kuitisha mkutano maalum muda wowote pale inapohitajika kwa ajili ya shughuli za Baraza la Wilaya, kwa kutoa taarifa ya maandishi kwa wajumbe katika siku zisizopungua saba.

(3) Wajumbe wa Baraza la Wilaya katika kikao cha kwanza cha Baraza la Wilaya, watachagua kutoka miongoni mwao Makamu Mwenyekiti.

(4) Isipokuwa robo tatu ya wajumbe wote wa Baraza la Wilaya wanakubali vinginevyo, angalau siku kumi na nne watatoa taarifa ya kila mkutano wa Baraza la Wilaya na kupewa kila mjumbe wa Baraza la Wilaya.

(5) Akidi ya uendeshaji wa shughuli za Baraza la Wilaya itakuwa ni mbili ya tatu ya wajumbe, bila ya Katibu.

(6) Mwenyekiti ataongoza kila kikao cha Baraza la Wilaya ambacho yupo, lakini asipokuwepo, Makamu Mwenyekiti ataongoza, na asipokuwepo, wajumbe waliopo watachagua mmoja kutoka miongoni

mwao ambaye kwa ajili ya mkutano huo na shughuli inayofanywa hapo atakuwa na mamlaka yote ya Mwenyekiti.

(7) Isipokuwa kama maamuzi ya pamoja hayatafikiwa, maamuzi yoyote mbele ya Baraza la Wilaya yatakuwa ya wajumbe wengi waliopo na kupiga kura, na pale kura zitakapolingana, Mwenyekiti au mtu anayeongoza kikao hicho atakuwa na kura ya turufu.

(8) Kwa kuzingatia aya ndogo (5), taratibu za uendeshaji wa vikao vya Baraza la Wilaya havitokuwa batili kwa sababu tu ya kuwepo kwa nafasi wazi ya mjumbe katika kikao hicho.

(9) Azimio la maandishi au maazimio yaliyo yenye nyaraka mbalimbali zinazofanana, kila moja likiwa limetiwa sainsi na wajumbe wa Baraza la Wilaya, litakuwa halali na litatumika kama vile limepitishwa na kikao kilichoitishwa na kupitishwa kihalali.

(10) Kwa kuzingatia masharti ya Jedwali hili, Baraza la Wilaya linaweza kuamua utaratibu wake na utaratibu wa kamati yoyote ya Baraza la Wilaya na kuhudhuria kwa mtu yeyote katika mikutano na linaweza kutengeneza kanuni pamoja na mambo mengine kuhusu-

- (a) mwenendo na usimamizi wa masuala ya Baraza la Wilaya;
- (b) namna ya malipo yote ikijumuisha, hundi, hati fungani na hati nyingine za malipo na stakabadhi zote za fedha zilizolipwa kwenye Baraza la Wilaya, zitasainiwa, kutolewa, kukubaliwa, kupitishwa au vinginevyo kutekelezwa; na
- (c) taratibu za mikutano na shughuli nyingine za Baraza la Wilaya.

Kumbukumbu

9. Baraza la Wilaya litasaidia kutayarishwa kwa kumbukumbu za maazimio yote na taarifa za mienendo ya mikutano ya Baraza kuwekwa katika vitabu maalum kwa ajili hiyo.

Lakiri ya
Baraza la
Wilaya

10.-(1) Lakiri ya Baraza la Wilaya utahifadhiwa na Katibu au na mtu mwingine kama ambavyo Baraza la Wilaya litakavyoamuru, na hautatumika ila kwa amri ya Baraza la Wilaya.

(2) Lakiri ya Baraza la Wilaya, utakapopigwa katika nyaraka na kuthibitishwa, utakubalika na kutambulika kisheria na isipokuwa vinginevyo ikithibitishwa, amri yoyote au ridhaa ya Baraza la Wilaya chini ya kifungu hiki itachukuliwa kuwa imetolewa hivyo.

(3) Lakiri ya Baraza la Wilaya utathibitishwa kwa kutiwa sainsi ya Katibu wa Baraza la Wilaya.

JEDWALI LA NNE

(Linatengenezwa chini ya kifungu cha 16(5))

UJIRA WA WAJUMBE, MUDA WA KUKAA MADARAKANI, MIKUTANO NA UTARATIBU MWINGINE WA MKUTANO MKUU

- Ajira ya Wajumbe wa Mikutano Mkuu
- 1.** Wajumbe wa Mikutano Mkuu watalipwa, katika kuhudhuria mikutano ya Mikutano Mkuu, posho na matumizi mengine kama itakavyoidhinishwa na Waziri.
- Muda wa kukaa madarakani
- 2.-(1)** Mjumbe yeyote wa Mikutano Mkuu, mbali na mjumbe anayeingia kwa wadhifa wake, kwa kuzingatia masharti ya Jedwali hili, atakaa madarakani kwa muda usiozidi miaka mitatu, kwenye mashauri yatakayoanishwa kwenye hati ya uteuzi ya mjumbe huyo, lakini anaweza kuteuliwa tena kwa kipindi kingine kimoja.
- (2) Wajumbe wa Mikutano Mkuu watateuliwa kwa nyakati tofauti ili muda wao wakumaliza kipindi chao umalizike kwa nyakati tofauti.
- (3) Uteuzi wa Mikutano Mkuu utafanywa kwa kupitia Tangazo la Serikali.
- Uwazi wa ofisi
- 3.-(1)** Mjumbe wa Mikutano Mkuu, mbali na mjumbe anayeingia kwa wadhifa wake, ataweza-
- (a) katika wakati wowote kuacha kazi katika ofisi kwa kutoa taarifa ya maandishi kwa Waziri;
- (b) kuondolewa ofisi na Waziri kama mjumbe, iwapo-
- (i) hajahudhuria vikao vitatu mfululizo vya Mikutano Mkuu bila kupewa ruhusa na Mwenyekiti;
- (ii) amepatikana na hatia ya kosa la jinai au amehukumiwa kifungo;
- (iii) ameshindwa kutekeleza majukumu yake kutokana na magonjwa ya kiakili na kimwili kwa muda mrefu au hawezi kutekeleza majukumu yake kama mjumbe wa Mikutano Mkuu; au
- (iv) ameshindwa kufuata masharti ya Sheria hii.

Mikutano ya
Mkutano
Mkuu

4.-(1) Mkutano Mkuu utakutana mara moja kwa mwaka.

(2) Bila kujali masharti ya aya ndogo (1), Mwenyekiti au wajumbe watatu wengine wa Mkutano Mkuu wanaweza kuitisha mkutano maalum muda wowote pale inapohitajika kwa ajili ya shughuli za Mkutano Mkuu, kwa kutoa taarifa ya maandishi kwa wajumbe katika siku zisizopungua saba.

(3) Wajumbe wa Mkutano Mkuu katika kikao cha kwanza cha Mkutano Mkuu, watachagua kutoka miongoni mwao Makamu Mwenyekiti.

(4) Isipokuwa robo tatu ya wajumbe wote wa Mkutano Mkuu wanakubali vinginevyo, angalau siku kumi na nne watatoa taarifa ya kila mkutano wa Mkutano Mkuu na kupewa kila mjumbe wa Mkutano Mkuu.

(5) Akidi ya uendeshaji wa shughuli za Mkutano Mkuu itakuwa ni mbili ya tatu ya wajumbe, bila ya Katibu.

(6) Mwenyekiti ataongoza kila kikao cha Mkutano Mkuu ambacho yupo, lakini asipokuwepo, Makamu Mwenyekiti ataongoza, na asipokuwepo, wajumbe waliopo watachagua mmoja kutoka miongoni mwao ambaye kwa ajili ya mkutano huo na shughuli inayofanywa hapo atakuwa na mamlaka yote ya Mwenyekiti.

(7) Isipokuwa kama maamuzi ya pamoja hayatafikiwa, maamuzi yoyote mbele ya Mkutano Mkuu yatakuwa ya wajumbe wengi waliopo na kupiga kura, na pale kura zitakapolingana, Mwenyekiti au mtu anayeongoza kikao hicho atakuwa na kura ya turufu.

(8) Kwa kuzingatia aya ndogo (5), taratibu za uendeshaji wa vikao vya Mkutano Mkuu havitokuwa batili kwa sababu tu ya kuwepo kwa nafasi wazi ya mjumbe katika kikao hicho.

(9) Azimio la maandishi au maazimio yaliyo yenye nyaraka mbalimbali zinazofanana, kila moja likiwa limetiwa saini na wajumbe wa Mkutano Mkuu, litakuwa halali na litatumika kama vile limepitishwa na kikao kilichoitishwa na kupitishwa kihalali.

(10) Kwa kuzingatia masharti ya Jedwali hili, Mkutano Mkuu linaweza kuamua utaratibu wake kuhudhuria kwa mtu yeyote katika mikutano na linaweza kutengeneza kanuni pamoja na mambo mengine kuhusu-

(a) mwenendo na usimamizi wa masuala ya Mkutano Mkuu;

(b) namna ya malipo yote ikijumuisha, hundi, hati fungani na hati nyingine za malipo na stakabadhi zote za fedha zilizolipwa kwenye Mkutano Mkuu, zitasainiwa, kutolewa, kukubaliwa, kupitishwa au vinginevyo

- kutekelezwa; na
- (c) taratibu za mikutano na shughuli nyingine za Mkutano Mkuu.

Kumbukumbu **5.** Mkutano Mkuu litasaidia kutayarishwa kwa kumbukumbu za maazimio yote na taarifa za mienendo ya mikutano ya Mkutano Mkuu kuwekwa katika vitabu maalum kwa ajili hiyo.

Lakiri ya Mkutano Mkuu **6.-(1)** Lakiri ya Mkutano Mkuu utahifadhiwa na Katibu au na mtu mwingine kama ambavyo Mkutano Mkuu litakavyoamuru, na hautatumika ila kwa amri ya Mkutano Mkuu.

(2) Lakiri ya Mkutano Mkuu, utakapopigwa katika nyaraka na kuthibitishwa, utakubalika na kutambulika kisheria na isipokuwa vinginevyo ikithibitishwa, amri yoyote au ridhaa ya Mkutano Mkuu chini ya kifungu hiki itachukuliwa kuwa imetolewa hivyo.

(3) Lakiri ya Mkutano Mkuu utathibitishwa kwa kutiwa saina ya Katibu wa Mkutano Mkuu.

JEDWALI LA TANO

(limetungwa chini ya kifungu 21(4))

MUDA WA KUKAA MADARAKANI, TARATIBU ZA UTEUZI NA MASUALA MENGINE YA TARATIBU ZA BODI

- | | |
|--------------------------|---|
| Muda wa kukaa madarakani | 1. Mwenyekiti na Wajumbe wa Bodi, kwa kuzingatia masharti ya Jedwali hili, atakaa madarakani kwa muda usiozidi miaka mitatu kwenye masharti yanayoweza kuainishwa katika hati ya uteuzi, lakini anaweza kuteuliwa tena kwa kipindi kingine kimoja. |
| Taratibu za uteuzi | 2. Wajumbe wa Bodi watateuliwa kwa nyakati tofauti ili muda wao wa kumaliza kipindi chao umalizike kwa nyakati tofauti. |
| Uwazi wa ofisi | 3. Mjumbe wa Bodi anaweza-
(a) kuacha kazi katika wakati wowote kwa kumuandikia Waziri taarifa ya maandishi ya kuacha kazi;
(b) kuondolewa katika ofisi kama ni mjumbe, iwapo-
(i) hajaudhuria vikao vitatu mfululizo vya Bodi bila kupewa ruhusa na Mwenyekiti;
(ii) amepatikana na hatia ya kosa la jinai na amehukumiwa kifungo;
(iii) ana matatizo ya kiakili au kimwili kwa muda mrefu;
(iv) ameshindwa kutekeleza majukumu yake kama mjumbe wa Bodi. |
| Akidi | 4. Akidi ya kikao cha Bodi itakuwa mbili ya tatu ya wajumbe wote. |
| Azimio la Bodi | 5. Azimio la kikao cha Bodi litapitishwa kwa kura nusu ya kura za wajumbe waliokuwepo, isipokuwa Mwenyekiti, ambaye atakuwa na kura ya turufu tu. |
| Kumbukumbu | 6. Bodi itasaidia kumbukumbu za vikao vya Bodi kuwekwa kwenye vitabu maalum kwa ajili hiyo. |

MADHUMUNI NA SABABU

Muswada huu unakusudia kutunga Sheria ya Baraza la Vijana la Taifa ili kuwawezesha vijana kutambua majukumu yao, kukuza na kuhimiza maadili mema, kuweka mazingira mazuri ya ushirikishwaji na ushirikiano katika kutekeleza masuala yanayohusu maendeleo ya vijana katika ngazi ya kitaifa na kimataifa.

Hali kadhalika, Muswada huu unapendekeza kuanzishwa kwa Baraza la Vijana la Taifa kama jukwaa la kujadili masuala yao kwa lengo la, pamoja na mambo mengine, kuhimiza na kukuza moyo wa umoja, uzalendo, kujituma na kujitolea miongoni mwa vijana.

Muswada huu umegawanyika katika Sehemu kuu Sita.

Sehemu ya Kwanza inahusu masharti ya utangulizi, ambapo jina la Sheria na matumizi ya Sheria inayopendekezwa yanaainishwa. Sehemu hii pia inaainisha tafsiri ya misamiati na vyeo mbalimbali vilivyotumika katika Sheria hii.

Sehemu ya Pili inahusu uanzishwaji wa Baraza la Vijana la Taifa. Sehemu hii pia inapendekeza masharti yanayohusu kazi na Mamlaka ya Baraza. Aidha, Sehemu hii inaweka masharti ya muundo wa Baraza unaojumuishwa Mkutano Mkuu, Bodi ya Ushauri, Mabaraza ya Vijana ya Mkoa na Wilaya pamoja na uanachama kwenye Baraza.

Sehemu ya Tatu inaainisha masharti yanayohusu mikutano ya Baraza. Sehemu hii inaweka masharti kuhusu Mkutano Mkuu, Mkutano wa Mkoa na Mkutano wa Wilaya.

Sehemu ya Nne inahusu uanzishwaji wa Bodi. Pamoja na hayo, inaweka masharti yanayohusu majukumu ya Bodi na inaainisha mwenendo na uendeshaji wa shughuli za Bodi ya Baraza.

Sehemu ya Tano inahusu masuala ya fedha za Baraza, makadirio ya mwaka na masuala mengine yanayohusu hesabu na ukaguzi wa mahesabu ya Baraza.

Sehemu ya Sita inahusu masharti ya jumla ambayo yanayoainisha mamlaka ya Waziri kutunga kanuni kwa ajili ya utekelezaji bora wa Sheria hii.

Dar es Salaam,
....., 2015

FENELLA E. MUKANGARA
*Waziri wa Habari, Vijana,
Utamaduni na Michezo*