

TANGANYIKA



No. 66 OF 1962

I ABSENT,

Governor-General

4 TH OCTOBER, 1962

An Act to establish a Constituent Assembly

[5TH OCTOBER, 1962]

WHEREAS it is intended that Tanganyika shall become a Sovereign Republic and accordingly it is expedient that provision be made for the enactment by a Constituent Assembly of a new Constitution for such a Republic and for matters consequential thereon:

BE IT THEREFORE enacted by the Parliament of Tanganyika:

1. This Act may be cited as the Constituent Assembly Act, 1962. short title

2.-(1) The National Assembly may resolve itself from time to time into and constitute a Constituent Assembly for the enactment of provisions for the establishment of a Republic and for a Constitution therefor. National Assembly may constitute itself a Constituent Assembly

(2) The power of the Constituent Assembly to make provision for the establishment of a Republic and for such Constitution shall include power to make provision consequential on and supplemental to the establishment of the Republic and the new Constitution and to make such other provision as the Constituent Assembly think fit, and may be exercised notwithstanding any power in that behalf conferred on Parliament.

(3) The power of the Constituent Assembly to make such provision as aforesaid shall be exercised by Bills passed by the Constituent Assembly, and any Bill passed by the Constituent Assembly in accordance with the provisions of this Act shall become law notwithstanding that the Governor-General has not assented thereto on behalf of Her Majesty, and may be cited as an Act of the Constituent Assembly.

3. Subject to any necessary modifications, the Tanganyika (Constitution) Order in Council, 1961, including the Constitution set out in the Second Schedule thereto, the Standing Rules and Orders of the National Assembly, and all other provisions relating to the National Assembly or to the passing of Bills for Acts of Parliament by the National Assembly (other than the provisions of section 36 of the said Constitution or any other provision which requires Bills to be assented to before they become law, or relates to any such requirement), shall apply in relation to the Constituent Assembly and to the passing of Bills for Acts of the Constituent Assembly as they apply in relation to the National Assembly and the passing of Bills for Acts of Parliament. Provisions relating to the Constituent Assembly G.N 1961 No. 415

Acts of the

4. Subject to the provisions of any Act of the Constituent Assembly, Constituent the Interpretation and General Clauses Ordinance (or any law amending or replacing that Ordinance) shall apply for the interpretation of an Act of the Constituent Assembly as it applies for the interpretation of an Act of Parliament, and references in that or in any other law to an Act shall, save where the context otherwise requires, include references to an Act of the Constituent Assembly.

Saving of provisions relating to Parliament and the National Assembly

5. Subject to the provisions of any Act of the Constituent Assembly, nothing in this Act shall be construed as affecting, any law relating to the National Assembly as such or to the exercise by Parliament or the National Assembly as such of their respective functions under any law.

Powers of

6. On the coming into operation of a Constitution enacted by the Constituent Assembly, the power of the National Assembly to resolve itself into and constitute a Constituent Assembly shall cease.

Passed in the National Assembly on the twenty-fifth day of September, 1962.

irk OJ the National Assembly