

**SUBSIDIARY LEGISLATION
SPECIAL SUPPLEMENT**

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**THE ECONOMIC AND ORGANISED CRIME CONTROL ACT
(CAP. 200)**

NOTICE

(Made under section 26(2))

**THE ECONOMIC OFFENCES (SPECIFICATION OF OFFENCES FOR CONSENT)
NOTICE, 2021**

- Citation **1.** This Notice may be cited as the Economic Offences (Specification of Offences for Consent) Notice, 2021.
- Interpretation **2.** In this Notice, unless the context requires otherwise-
- Cap. 200 “Act” means the Economic and Organised Crime Control Act;
“Deputy Director of Public Prosecutions” means the Principal Assistant to the Director of Public Prosecutions appointed pursuant to the provisions of the National Prosecutions Service Act;
- Cap. 430 “Director” means the head of the Division within the National Prosecutions Service appointed to assist the Director of Public Prosecutions to perform core functions of the Service and includes the Director of Civilianisation of Prosecutions; Director of Asset Forfeiture, Trans-National and Specialised Crimes; Director of Case Management and Coordination of

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Criminal Cases and Director of Fraud, Money Laundering and Corruption Offences;

“District Prosecutions Officer” means the Law Officer appointed to be in-charge of prosecution matters in a District;

“Prosecutions Attorney In-charge” means the State Attorney appointed by the Director of Public Prosecutions to discharge the duties of supervision and overseeing prosecutorial functions in a Court of Resident Magistrate or District Court where economic offence is charged; and

“Regional Prosecutions Officer” means the Law Officer appointed to be in-charge of prosecution matters in a Region.

Delegation of power to issue consent

3.-(1) The prosecution of economic offences specified in this Notice requires the consent of the Director of Public Prosecutions and such consent may be issued by him in person.

(2) The prosecution of economic offences specified in Part I of the Schedule shall require the consent of the Director of Public Prosecutions in person.

(3) The power to consent to the prosecution of economic offences specified in Part II of the Schedule to this Notice is hereby delegated to and may be exercised by the Deputy Director of Public Prosecutions or the Director.

(4) The power to consent to the prosecution of economic offences specified in Part III of the Schedule to this Notice is hereby delegated to and may be exercised by the Regional Prosecutions Officer of the Region or District Prosecutions Officer of the District where the offence took place or the Prosecution Attorney In-charge of the Court of Resident Magistrate or District Court where the economic offence is charged.

(5) Notwithstanding, the provisions of subparagraph (4), nothing in this section shall preclude the Deputy Director of Public Prosecutions or the Director from issuing consent for offences under Part III of the Schedule.

Revocation of Notice

4. The Economic Offences (Specification of Offences

GN. No. Exercising Consent) Notice, 2014 is hereby revoked.
284 of 2014

5. Each officer delegated with the power to consent to the prosecution of an offence or offences specified in this Notice shall be required to submit to the Director of Public Prosecutions periodic report detailing the specific offence or offences consented for prosecution, the value involved, if any, name or names of the accused person or persons and the court to which prosecution will take place.

SCHEDULE

(Made under paragraph 3)

PART I

OFFENCES FOR THE CONSENT OF THE DIRECTOR OF PUBLIC PROSECUTIONS

1. Fraudulent schemes, games and artifices if it involves monetary value of Tanzanian Shillings One Billion and above.
2. Occasioning loss to a specified authority where the loss occasioned is Tanzanian Shillings One Billion and above.
3. Interfering with a necessary service contrary to the provisions of the National Security Act.
4. Corruption offences which involve property of Tanzanian Shillings One Billion and above.
5. Money laundering offence where the value of the property involved is Tanzanian Shillings One Billion and above.
6. Possession of machines, equipment, laboratory or utensils used to prepare, produce or manufacture narcotic drugs or psychotropic substances.
7. Financing illegal activities of narcotic drugs, psychotropic substances or precursor chemicals.

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- Cap.19 **8.** Offences under the Prevention of Terrorism Act.
- Cap. 238 **9.** Offences under the Territorial Sea and Exclusive Economic Zone Act.
- Cap. 388 **10.** Carrying out fishing activities in the Exclusive Economic Zone under the Deep Sea Fishing Authority Act.
- Cap. 188 **11.** Offences under section 11, 13, 14 or 72 of the Atomic Energy Act.
- Cap. 447 **12.** Offences under section 23 or 24 of the Tanzania Extractive Industries (Transparency and Accountability) Act.
- Cap. 246 **13.** Offences under the Armaments Control Act.
- Cap. 392 **14.** Offences under section 239 or 240 of the Petroleum Act.
- Cap. 328 **15.** An offence under section 21 of the Oil and Gas Revenues Management Act.
- Cap. 16 **16.** Offences under section 66 or 318A of the Penal Code.
- Cap. 446 **17.** An offence under section 16 of the Whistleblower and Witness Protection Act.

PART II

OFFENCES FOR THE CONSENT OF THE DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS OR THE DIRECTOR.

1. Hoarding of commodities.
2. Hoarding of money.
3. Fraudulent schemes, games and artifices if it involves monetary value of Tanzanian Shillings Five Hundred Million and less than One Billion.
4. Authorisation of unlawful supply of designated goods.
5. Occasioning loss to a Specified Authority where the loss occasioned is Tanzanian Shillings Five Hundred Million and less than One Billion.
6. Corruption offences which involve property of Tanzanian Shillings Five Hundred Million and less than One

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Billion.

7. Money laundering offences where the value of the property involved is Tanzanian Shillings Five Hundred Million and less than One Billion.

Cap. 423

8. Offences under section 17 or 20 of the Anti-Money Laundering Act.

PART III

**OFFENCES FOR THE CONSENT OF THE REGIONAL PROSECUTIONS OFFICER,
DISTRICT PROSECUTIONS OFFICER AND PROSECUTIONS ATTORNEY IN-
CHARGE**

1. Leading organised crime.

2. Fraudulent schemes, games and artifices if it involves monetary value of less than Tanzania Shillings Five Hundred Million.

3. Persons conveying or having possession of goods suspected of having been stolen or unlawfully acquired.

4. Occasioning loss to a specified authority if the value of the loss occasioned is less than Tanzanian Shillings Five Hundred Million.

5. Using firearm or explosive materials under paragraph 13 of the First Schedule to the Act.

Caps. 283 and
282

6. Offences under sections 17, 19, 24, 26, 28, 47, 53, 103, 105; Part X or Part XI of the Wildlife Conservation Act or section 16 of the National Parks Act.

Cap. 123

7. Unlawful prospects or mines for minerals contrary to the provision of the Mining Act

Cap. 123

8. Offences related to unauthorised trading of minerals under section 18 of the Mining Act.

9. Theft of mail matter.

10. Disrupting, damaging, hindering or interfering with a

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property which is used or intended to be used for the purpose of providing a necessary service.

Cap. 329 **11.** Corruption offences where the value of the property involved is less than Tanzanian Shillings Five Hundred Million and offences under sections 25, 30, 32, 36 or 37 of the Prevention and Combating of Corruption Act.

12. Money laundering offence where the value of the property involved is less than Tanzanian Shillings Five Hundred Million

13. Trafficking, possession, diversion, purchasing or manufacturing of narcotic drugs, psychotropic substances or precursor chemicals.

14. Offences related to prohibited, restricted and uncustomed goods.

Cap. 223 **15.** Offences under sections 20, 21 or 45 of the Firearms and Ammunitions Control Act.

Cap. 219 **16.** Offences related to drugs control under section 18 of Tanzania Medicines and Medical Devices Act,.

Cap.323 **17.** Offences under section 86 or 89 of the Forest Act.

Cap.443 **18.** Offences under sections 6, 7, 8, 9, 10, 11, 12, or 19 of the Cybercrimes Act.

Cap. 306 **19.** Offences under sections 120, 122, 123, or 124 of the Electronic and Postal Communications Act.

Cap. 16 **20.** Abuse of office under section 96 of the Penal Code.

Dodoma,
28th June, 2021

SYLVESTER ANTHONY MWAKITALU
Director of Public Prosecutions