

Civil Procedure Code (Amendment of the First Schedule)

GOVERNMENT NOTICE No. 223 published on 18/6/2010

THE CIVIL PROCEDURE CODE ACT, 2010
(CAP. 33)

ORDER

(Made under rule 81)

THE CIVIL PROCEDURE CODE (AMENDMENT OF THE FIRST SCHEDULE)
ORDER, 2010.

Citation

1. This order may be cited as the Civil Procedure Code (Amendment of the Schedule) Order, 2010 and shall be read as one with the Civil Procedure Code Act, hereinafter referred to as the "principal Order".

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ment of
Order
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2. The Principal Order is amended in Order XX by:—

(a) re-designating Rule 7 as 7 (1);

(b) inserting a new sub-rule (2) as follows:

"2. The decree shall bear the date on which the decree was extracted from the decision." and

(c) deleting the phrase "by his successor" appearing at the end of Rule 8 and substituting for it the phrase "either by his successor, a registrar, a deputy registrar or a District Registrar".

Amend-
ment of
Order
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3. The principal Order is amended in Rule 35 by inserting immediately after sub-rule (4) the following new sub-rule:

"(5) Where the judge has vacated office after pronouncing judgement without signing the decree, the registrar or any Deputy registrar or a District registrar of the High Court shall sign the decree".

Amend-
ment of
Order
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4. The Principal Order is amended in in Rule 1 by:—

(a) deleting the word "and" appearing at the end of paragraph (k);

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- (b) deleting the full stop appearing in paragraph (l) and substituting for it a semicolon and adding immediately thereafter, the word "and"; and
- (c) adding a new paragraph (m) immediately after paragraph (l) as follows:

"(m) to deliver any judgment or reasons for a decision which has been reserved by any judge".
Provided that such judgement or reason, as the case may be, is in writing and signed."

5. These amendments shall apply retrospectively.

Retro-
spective
effect of
the
amend-
ment

Dar es Salaam,
....., 2010

AUGUSTINO S. L. RAMADHANI,
Chief Justice