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SCHEDULES
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No. 10 OF 2006

I ASSENT,

[.....*Jakaya Kikwete*.....]

President

[.....14 December, 2006.....]

An Act to make provisions for the restructuring of the Meat Industry, to establish a proper basis for its efficient management, to ensure provision of high quality meat products and for matters related therewith.

[.....]

ENACTED by Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY PROVISIONS

1. – (1) This Act may be cited as the Meat Industry Act, 2006 and shall come into operation on the date, which the Minister may, by notice published in the *Gazette*, appoint.

Short title and commencement

(2) The Minister may appoint different commencement dates for different provisions or parts of this Act.

2.–(1) This Act shall apply to all meat and meat products.

Application

(2) Without prejudice to the provisions of subsection (1), this Act shall not apply to meat and meat products not intended for sale and those produced for consumption of the producer, members of the family or, his employees.

Interpretation

3. In this Act, unless the context otherwise requires–

"abattoir" means premises constructed for slaughter of livestock and processing into meat products;

"animal" means, cattle, sheep, goat, poultry, pig or non conventional animal of any age;

- "Annual Council" means a Council established under section 4 of this Act;
- "Board" means the Tanzania Meat Board established under section 8 of this Act;
- "cattle" means a bull, cow, ox, steer, heifer, calf ;
- "Fund", means a Fund established under section 24 of this Act;
- "grader" means a person appointed to be a grader under section 34 of the Act;
- "inspector" means a person appointed, authorized or recognized as such under section 34 of the Act;
- "livestock" means cattle, sheep, goat, poultry, rabbit or pig;
- "meat product" means any meat, edible offal taken from slaughtered livestock, or non convectional animal, an article or substance intended for human consumption (other than a veal) that is derived wholly or substantially from slaughtered livestock;
- "meat" means the whole or part of the dressed carcass of any slaughtered livestock or non convectional animal;
- "Minister" means the Minister for the time being responsible for livestock development;
- "non convectional animals" means animals other than livestock;
- "pig or swine" includes boar, sow or hog;
- "plant" means any abattoir, cold storage, canning plant, slaughter pole, bone meal factory, livestock produce store, tannery or meat processing plant;
- "processor" means any person, group of persons or company, carrying out the business of processing meat or meat products;
- "producer" means any person who keeps livestock for production of meat or meat products;
- "retailer" means any person or group of persons, who buy meat or meat products from a registered dealer for resale to consumers;
- "registered dealer" means a producer, processor, marketing agent,

importer, exporter, meat inputs supplier or manufacturer registered under section 16 of this Act;

"stakeholders" means individuals, organizations or institutions, private or public, interested in, concerned with, or involved in the development of the meat industry, whether directly or indirectly;

"slaughter animal" means animal slaughtered or intended to be slaughtered.

PART II

ESTABLISHMENT OF THE ANNUAL COUNCIL

4. There is hereby established a Council to be known as the Annual Council or in its acronym "AC".

Establishment of the Annual Council

5.—(1) The Annual Council shall consist of—

Composition of the Annual Council

- (a) the Chairman who shall be appointed by the Minister;
- (b) one member representing recognized stakeholders organizations in every District;
- (c) one member from registered National Livestock Producers' Organization;
- (d) one member from registered National Meat Traders' Organization;
- (e) one member from registered National Meat Processors' Organization;
- (f) one member from registered National Meat Consumers' Organization;
- (g) one member from the Ministry responsible for livestock development;
- (h) one member from a public institution responsible for food quality control;
- (i) one member from the Ministry responsible for local government;
- (j) one member from among universities majoring in agriculture;
- (k) one member from the Ministry responsible for co-operatives; and

(1) two members from Non-Governmental Organizations active in meat industry development.

(2) Members stipulated under paragraphs (b) to (1) shall be appointed by the Minister after being nominated by the institution or organization which they represent.

(3) The Board shall serve as a Secretariat to the Annual Council.

Tenure of office, meetings and proceedings of the Annual Council

6. Tenure of office, meetings and proceedings of the Annual Council shall be as provided for in the First Schedule to this Act.

Functions of the Annual Council

7. The functions of the Annual Council shall be—

- (a) to promote the development of a sustainable meat industry in Tanzania;
- (b) to receive and scrutinize various reports from the Board;
- (c) to propose members of the Board for appointment by the Minister;
- (d) to advise the Minister and the Board on issues relating to the meat industry and matters arising from the implementation and operation of this Act; and
- (e) to carry out any other function as may be necessary for effective implementation of this Act.

PART III

ESTABLISHMENT OF THE TANZANIA MEAT BOARD

Establishment of the Tanzania Meat Board

8. There is hereby established a Board to be known as the Tanzania Meat Board, or in its acronym TMB.

9. – (1) The Tanzania Meat Board shall consist of –

Composi-
tion of
the
Board

- (a) the Chairman who shall be appointed by the Minister;
- (b) two members representing livestock producers;
- (c) one member representing meat processors;
- (d) one member representing meat traders;
- (e) one member representing meat inputs suppliers;
- (f) one member representing meat consumers;
- (g) one member representing the Ministry responsible for livestock development;
- (h) one member from the public institution responsible for food quality control;
- (i) one member from the university of agriculture;
- (j) one member from the Ministry responsible for local government;
- (k) one member representing the Ministry of Finance;
- (l) one member representing the Ministry responsible for cooperatives; and
- (m) one member representing Tanzania Chamber of Commerce, Industry and Agriculture.

(2) Members stipulated under paragraphs (b) to (f) of subsection (1) shall be appointed by the Minister upon recommendation from the Annual Council.

(3) Members stipulated under paragraphs (g) to (m) shall be appointed by the Minister upon recommendation from the institution, organization or body which they represent.

10. Functions of the Board shall be–

Func-
tions of
the
Board

- (a) to advise the Minister on policies and strategies for promotion, development and production of meat animals, meat and meat products;
- (b) to supervise and promote livestock groups and associations in the meat sub sector which shall be used as a platform in the implementation of Meat Board;
- (c) to ensure stakeholders' compliance with national or international meat and meat products standards in collaboration with other quality control institutions;
- (d) to collect, process, and disseminate information for the purpose of assisting production, investment, processing, product development and marketing;

- (e) to perform regulatory activities in meat industry in accordance with the provisions of this Act;
- (f) to search and develop markets in collaboration with the Ministry responsible for trade and marketing;
- (g) to conduct market research;
- (h) to develop, implement and monitor strategies and plans designed to achieve and maintain self sufficiency and efficiency in meat production, processing and marketing;
- (i) to ensure availability of appropriate technology for the industry;
- (j) to create and promote a competitive environment conducive to fair play among stakeholders in the meat industry;
- (k) to monitor the execution of contracts and marketing arrangements between meat producers and processors or bodies related to meat sub sector and reconcile the parties, when disputes arise;
- (l) to promote and co-ordinate the development of small, medium and large scale livestock producers, traders and meat processors;
- (m) to promote the training and improvement of skills in technological advancement in the meat industry;
- (n) to promote advocacy on meat industry;
- (o) to represent stakeholders in international fora relating to promotion and management of the meat industry;
- (p) to register producers, processors and other dealers of meat and meat products for the purpose of their identification and involvement in promotion of the meat industry;
- (q) to liaise or collaborate with any institution or organization established under any other written law which deals with matters related to production, processing or marketing of livestock, meat or meat products for the purpose of promotion of the meat industry;
- (r) to organize meat shows and participation of stakeholders in such shows within and outside the country;
- (s) to be the agent of development for the entire meat industry;
- (t) to identify and trace livestock, meat and meat products for matters related to good agricultural practices;
- (u) to act as an arbitrator in any conflict between and within different categories of meat industry stakeholders;
- (v) to act as Secretariat to Annual Council Meeting; and
- (w) to do any other functions as may be directed by the Minister.

- 11.** Tenure of office, meetings and proceedings of the Board shall be as provided for in the Second Schedule to this Act. Tenure of office, meetings and proceedings of Board
- 12.—(1)** There shall be a seal of the Board to be under the custodian of the Registrar. Seal of the Board
- (2)** The seal of the Board shall not be affixed to any instrument except in the presence of the Chairman or the Registrar.
- 13.** The Board may, on such terms and conditions, after approval of the Annual Council, employ such number of staff to hold appropriate offices under the supervision of the Registrar. Staff of the Board
- 14.** No matter or thing done by any designated official or member or officer of the Annual Council or Board shall, if done *bonafide* in the execution or purported execution of the functions of the Annual Council or Board, as the case may be, render such member or officer personally liable for such matter or thing. Indemnity for *bonafide* acts

PART IV

PROVISIONS RELATING TO REGISTRATION

- 15.—(1)** The Minister shall, after consultation with the Board appoint from amongst livestock professionals in the public service, the Registrar. Appointment of the Registrar
- (2)** The Registrar appointed under sub-section (1) above shall be—
- (a)** the Chief Executive Officer of the Board and shall be responsible for the day to day operation of the Board;
 - (b)** the Secretary to the Board and Annual Council; and
 - (c)** The head of the Secretariat of the Board.
- 16.—(1)** The Registrar shall have and perform all duties assigned to him by the Board. Functions and duties of the Registrar

(2) The Registrar shall in particular be –

- (a) responsible for the management of funds, property and business of the Board;
- (b) responsible for the administration, organization and control of staff of the Board;
- (c) responsible for keeping the Board and Annual Council informed on the progress of the business of the Board;
- (d) taking minutes of meetings and keeping records of activities of the Board and Annual Council; and
- (e) perform any other function as may be directed by the Board.

(3) The Registrar shall hold office for such period and upon such terms and conditions as the Minister may determine.

(4) Without prejudice to the generality of subsection (1) of this section, the Registrar shall –

- (a) keep and maintain a register of –
 - (i) livestock or meat producers;
 - (ii) livestock and meat traders;
 - (iii) livestock markets;
 - (iv) associations of dealers in the meat industry;
- (b) liaise with other government institutions to obtain and keep a register of–
 - (i) meat and meat processors;
 - (ii) meat and meat products distributors;
 - (iii) meat and meat products importers or exporters;
 - (iv) retailers;
 - (v) meat input suppliers, manufactures and importers;
 - (vi) meat and meat products marketing agents;
 - (vii) abattoirs.
- (c) publish periodically a register of persons under paragraph (a) and (b); and
- (d) issue certificates of registration in accordance with the provisions of this Part.

17.-(1) No person shall carry on the business of a livestock producer, trader or livestock market operator without being a holder of a valid registration certificate issued by the Board under this Act.

Registration

(2) The Board may, on application by any person, register such a person as a livestock producer, or trader or livestock market operator after complying with conditions prescribed by the Board.

(3) Any person registered by the Board in accordance with the provisions of subsection (2) of this section, shall be issued with a registration certificate in the form prescribed by the Board.

18. The Board may refuse to register an applicant under section 17 if the applicant does not meet the prescribed conditions.

Refusal to register

19.-(1) The Board may, if the registered person fails to comply with the terms and condition of the registration, revoke or suspend the registration.

Revocation of registration

(2) The revocation or suspension may be in addition to any other penalty to which the registered person may be liable under this Act.

20. A registration issued under this Act shall be valid for one year and shall be renewable on payment of the prescribed fee.

Validity of registration

21. The certificate issued under this Act shall not be transferable.

Certificate not to be transferable

22. -(1) Where the registration certificate, or any other document issued under this Act is lost or destroyed, the holder of such document, may apply to the Board in that regard, and the Board shall, after being satisfied with proof of loss or destruction from the applicant and on payment of the prescribed fee, issue a duplicate certificate, or document.

Replacement of a lost or destroyed document

(2) The duplicate copy of the certificate or document issued under this section shall be effective as the original.

23.-(1) Any person who is aggrieved by decision of the Board may, within thirty days from the date of the decision of the Board, appeal to the Minister.

Appeals

(2) Any appeal may be lodged to the Minister in respect of any refusal of the Board to issue or renew registration provided under this Act or against the revocation or suspension of persons subject to this Act and the Minister's decision shall be final.

(3) The Minister may for any good reason extend the time for the lodging of an appeal.

- (4) In determining an appeal under this section, the Minister may—
- (a) dismiss the appeal;
 - (b) affirm the decision of the Board;
 - (c) require the Board to issue a registration certificate ;
 - (d) quash any revocation or suspension or substitute suspension for any revocation; or
 - (e) order a person to make a fresh application for registration.

(5) Where the Minister gives any direction to the Board under this section, the Board shall give effect to any such direction given by the Minister.

PART V

FINANCIAL PROVISIONS

Estab-
lishment
of the
Fund

24. – (1) There is hereby established a Fund to be known as the Meat Industry Development Fund into which all monies received by the Board shall be paid into and out of which all payments required to be made by it shall be made.

(2) The Board shall manage the Fund.

Func-
tions of
the Fund

25. The functions of the Fund shall be -

- (a) to finance the activities of the Board and Annual Council;
- (b) support various meat development activities including extension service, research, breeding, market research, training, information, development and promotion of meat and meat products consumption as well as export; and
- (c) to cover the cost of any other activities as may be required in the furtherance of the objectives of this Act.

26. The sources of the Fund shall be: -

- (a) such sum of money as may be appropriated by Parliament for purposes of this Act;
- (b) all fees and other charges payable under this Act;
- (c) such donations, grants and bequeaths as the Board may from time to time receive from stakeholders or organizations;
- (d) income derived from investments;
- (e) proceeds derived from sale of assets; and
- (f) such sums of money or property which may become payable to or vested in the Board under this Act or any other written law or in respect of any matter incidental to the carrying out of its functions.

Sources
of the
Fund

27. The fund shall be managed in accordance with sound financial accounting procedures.

Management
of the
Fund

28. A member of the Board or Annual Council shall be entitled to such remuneration or allowances for expenses as the Minister may, upon recommendations of the Board prescribe.

Remuneration
of members
of the
Board or
Annual
Council

29. – (1) The Board shall prepare accounts and records of its transactions and affairs, and shall ensure that all monies received are properly accounted for, and all payments are properly authorized and correctly made and that adequate control is maintained over its property and the incurring liabilities.

Proper
accounting

(2) The Registrar shall within three months after the end of each financial year, submit to the Board an annual report in respect of that year containing –

- (a) audited accounts;
- (b) general information relating to the activities and operation of the Board and the meat industry during the preceding financial year; and
- (c) other information as the Board may, prior to the completion of the annual report or any supplementary to the report, request in writing.

the Board shall thereafter table the annual report to the Annual Council.

Auditing **30.**—(1) The accounts of the Board shall be audited within ninety days every end of financial year by any qualified firm of auditors appointed by the Board and approved by the Controller and Auditor General.

(2) The firm of auditors appointed under subsection (1) of this section, shall audit the accounts of the Board within a month after the receipt of the accounts and present its opinion to the Board.

(3) The Chairman of the Board shall cause copies of each annual report together with a copy of opinion of the auditors or firm of auditors to be laid before the Annual Council, within three months after receipt.

(4) The Board may order any audit in addition to the one prescribed under subsection (1) of this section.

(5) As soon as the accounts of the Board have been audited and in any case not later than four months after the close of the financial year, the Board shall submit to the Minister a copy of the statements of accounts together with a copy of the report made by the Auditor on the statements of accounts.

Investment **31.** The Board may where it sees fit, invest any monies not required for immediate use.

PART VI

OFFENCES AND PENALTIES

Obstruction of an officer **32.** Any person who, directly or indirectly, impedes or obstructs any officer or a member of the Board in performance of his duties under this Act, commits an offence and is liable on conviction to a fine of not less than fifty thousand shillings or to imprisonment for a term not exceeding six months or to both, such fine and imprisonment.

General penalty **33.** —(1) Any person who contravenes any provision of this Act or subsidiary legislation made under this Act, where no specific penalty has been provided, shall be liable on conviction to a fine of not less than fifty thousand shillings or to imprisonment for a term not exceeding four months or to both such fine and imprisonment.

(2) Where an offence under this Act or subsidiary legislation is a subsequent offence, and to which no penalty is provided in respect of the continuance thereof, the person who commits that offence, shall in addition to any other penalty, be liable to a fine of not less than one million shillings or to imprisonment to a term of not less than twelve months or to both such fine and imprisonment.

PART VII

MISCELLANEOUS PROVISIONS

34. The Minister may, upon advice of the Board, make regulations-

Power of the Minister to make regulations

- (a) prescribing forms required in the implementation of this Act;
- (b) providing methods for establishing the livestock grading systems;
- (c) providing requirements for grading of meat;
- (d) prescribing carcass description systems;
- (e) prescribing requirements for location, design and construction of livestock markets;
- (f) prescribing conditions for issuance, suspension or revocation of registration certificates under this Act;
- (g) prescribing requirements for good meat animal husbandry practices for farming systems;
- (h) prescribing procedures for application for registration;
- (i) prescribing various fees to be payable under this Act;
- (j) prescribing the manner and mode of accessing monies from the Fund;
- (k) prescribing identification and traceability system for livestock in Tanzania;
- (l) providing for the inspection of ranches, livestock markets and butchers;
- (m) prescribing duties of inspectors and graders;
- (n) prescribing anything which may be prescribed under this Act, or which may be required for better carrying into effect of the provisions of this Act.

35. The Minister may, from time to time amend any of the Schedules to this Act.

Minister may amend Schedules

Exemptions

36. The Minister may, by notice published in the *Gazette*, exempt any person or class of persons from all or any provisions of this Act.

FIRST SCHEDULE

(Made under section 6)

TENURE OF OFFICE, MEETINGS AND PROCEEDINGS OF THE ANNUAL COUNCIL

Vice Chairman

1. The members shall elect one amongst their number to be Vice-Chairman of the Annual Council.

Tenure of office of members

2. —(1) The members of the Annual Council shall hold office for a period of three years and shall be eligible for re-appointment for a further period of three years.

(2) A member of the Annual Council may at any time resign by giving notice in writing addressed to the Minister, and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the Minister, he shall cease to be a member.

(3) In the case of a member who is a member by virtue of his holding some other office, he shall cease to be a member upon his ceasing to hold that office.

Proxy representation

3. Where a member of the Annual Council who is a member by virtue of his holding some other office is unable for any reason to attend any meeting of the Annual Council another person from his organization may attend the meeting in his place.

Casual vacancy

4. Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

Meeting of the Annual Council

5. —(1) The Annual Council shall ordinarily meet once every year for the transaction of its business at the times and the places determined by it.

(2) The Chairman, or in his absence, the Vice-Chairman, shall preside at every meeting of the Annual Council and in the absence of both the Chairman and the Vice-Chairman, the members present shall appoint one of their number to preside over the meeting.

(3) The Chairman or in his absence the Vice-Chairman, may at any time call a special meeting of the Annual Council and shall call a special meeting upon a written request by two thirds of the members in office.

(4) The Chairman, or in his absence, the Vice-Chairman, may invite any person who is not a member to participate in the deliberations at any meeting of the Annual Council, but any person so invited shall not be entitled to vote.

6. The quorum at any meeting of the Annual Council shall be half of the members in office.

Quorum

7.—(1) Matters proposed at a meeting of the Annual Council shall be decided by majority of votes of the members present and voting and in the event of equality of votes the person presiding shall have a second or casting vote in addition to his original or deliberative vote.

Decision of
the Annual
Council

(2) A decision may be made by the Annual Council without a meeting by circulation of the relevant papers amongst the members and the expression of the views of the majority of the members in writing shall be honoured but any member may require that the decision be deferred and the subject matter be considered at a meeting of the Annual Council.

8. —(1) The Annual Council shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings, and the minutes of each meeting of the Annual Council shall be read and confirmed, or amended and confirmed, at the next meeting of the Annual Council and signed by the person presiding at the meeting.

Minutes of
the meeting

(2) Any minutes purporting to be signed by the person presiding at a meeting and Secretary of the Annual Council shall, in the absence of proof of error, be deemed to be a correct record of the meeting whose minutes they purport to be.

9. The validity of any act or proceedings of the Annual Council shall not be affected by the vacancy among its members or by any defect proceedings in the appointment of any of them.

Vacancies
not to
invalidate
proceedings

10. All orders, directions, notices or other documents made or issued on behalf of the Annual Council shall be signed by—

- (a) the Chairman or Vice-Chairman of the Annual Council; and
- (b) the Secretary.

Orders,
directions
etc., of
Annual
Council to
be signed

11. Any documents surporting to be under the hand of the Chairman, Vice-Chairman or Secretary as to any resolution of Annual Council or as having been issued on behalf of the Annual Council, shall be receivable in all courts or tribunals or other bodies authorized to receive evidence and shall, unless the contrary is shown, be deemed, without further proof, to be sufficient evidence of what is contained in the document.

Proof of
the
Documents

12. Subject to the provisions of this Schedule, the Board Annual Council may regulate its own proceedings.

Annual
Council
may
regulate its
own
proceedings

 SECOND SCHEDULE

(Made under section 11)

 TENURE OF OFFICE, MEETINGS AND PROCEEDINGS
 OF THE BOARD

 Vice
 Chairman

1. The members shall elect one amongst their number to be Vice-Chairman of the Board.

 Tenure of
 office of
 members

2.—(1) The members of the Board shall hold office for a period of three years and shall be eligible for re - appointment for a further period of three years.

(2) Any member of the Board may at any time resign by giving notice in writing addressed to the Minister, and from the date specified in the notice or, if no date is so specified, from the date of the receipt of the notice by the Minister, he shall cease to be a member.

(3) In the case of a member who is a member by virtue of his holding some other office, he shall cease to be a member upon his ceasing to hold that office.

 Proxy
 representa-
 tion

3. Where a member of the Board who is a member by virtue of his holding some other office is unable for any reason to attend any meeting of the Board, he may nominate another person from his organization to attend the meeting in his place.

 Casual
 vacancy

4. Where any member ceases to be a member for any reason before the expiration of his term of office, the appointing authority may appoint another person in his place and the person so appointed shall hold office for the remainder of the term of office of his predecessor.

 Meetings of
 the Board

5.—(1) The Board shall ordinarily meet for the transaction of its business at the times and at the places determined by it, but shall meet at least once in every three months.

(2) The Chairman, or in his absence the Vice-Chairman, shall preside at every meeting of the Board and in the absence of both, the members present shall appoint one of their number to preside over the meeting.

(3) The Chairman, or in his absence the Vice-Chairman, may at any time call a special meeting of the Board and shall call a special meeting upon a written request by two thirds of the members in office.

(4) The Chairman or in his absence the Vice-Chairman, may invite any person who is not a member to participate in the deliberations at any meeting of the Board, but any person so invited shall not be entitled to vote.

6. The Quorum at any meeting of the Board shall be half of the members in office. Quorum

7.— (1) Matters proposed at a meeting of the Board shall be decided by a majority of the votes of the members present and voting, and in the event of inequality of votes the person presiding shall have a second or casting vote in addition to his original or deliberative vote. Decision of the Board

(2) A decision may be made by the Board without a meeting by circulation of the relevant papers amongst the members and the expression of the views of the majority of the members in writing be honored but any member may require that the decision be deferred and the subject matter be considered at the Board meeting.

8.— (1) The Board shall cause to be recorded and kept minutes of all business conducted or transacted at its meetings, and the minutes of each meeting of the Board shall be read and confirmed, or amended and confirmed, at the next meeting of the Board and signed by the person presiding at the meeting and the Registrar. Minutes of the Meeting

(2) Any minutes purporting to be signed by the person presiding at a meeting and the Registrar of the Board shall, in the absence of proof of error be deemed to be a correct record of the meeting whose minutes they purport to be.

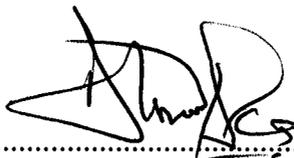
9. The validity of any act or proceedings of the Board shall not be affected by any vacancy among its members or by any defect proceedings in the appointment of any of them. Vacancies etc., not to invalidate proceedings

10. All orders, directions, notices or other documents made or issued on behalf of the Board shall be signed by— Orders, directions, etc., of Board to be signed
(a) the Chairman or Vice-Chairman of the Board; and
(b) the Registrar.

11. Any documents purporting to be under hand of the Chairman, Vice-Chairman or Registrar as to any resolution of the Board or as having been issued on behalf of the Board, shall be receivable in all courts or tribunals or other bodies authorized to receive evidence and shall, unless the contrary is shown, be deemed, without further proof, to be sufficient evidence of what is contained in the document. Proof of the Documents

13. Subject to the provision of this Schedule, the Board may regulate its own proceedings. Board may regulate its own proceedings

Passed in the National Assembly on the 6th November, 2006.



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Clerk of the National Assembly