(8) Any person, who knowingly gives false or misleading information or evidence in purported compliance with a summons under this section, commits an offence. [s.18]

39.- (1) The Authority may conduct an inquiry where it considers it necessary or desirable for the purpose of carrying out its functions.

(2) The Authority shall conduct an inquiry before exercising power to -

(a) grant, renew or cancel a licence with an exclusivity period or universal service obligation;

(b) regulate any rates or charges;

(c) adopt a code of conduct.

(3) Where the Minister directs by notice in writing that an inquiry be conducted, on any specified subject matter of the inquiry, the Authority shall conduct the inquiry.

(4) The Minister may specify in a direction under subsection (3) a time within which the Authority shall submit its report following the inquiry and if so, the Authority shall submit its report to the Minister within that time.

(5) The Authority shall give notice of an inquiry by -

(a) publishing a notice in the Gazette and in a daily newspaper circulating generally in the United Republic specifying the purpose of the inquiry, the time within which submissions may be made to the Authority, the form in which submissions should be made, the matters the Authority would like the submissions to deal with and, in the case of an inquiry conducted at the direction of the Minister, the Minister’s terms of reference;

(b) sending written notice of the inquiry, including the information in paragraph (a), to -

(i) service providers known to the Authority whose interests the Authority considers are likely to be affected by the outcome of the inquiry;

(ii) the Consumer Consultative Council;

(iii) industry and consumer organizations which the Authority considers may have an interest in the matter;

(iv) the Minister and other Ministers having interest in the matter.

(6) The Minister shall, by order published in the Gazette make rules for conducting inquiries under this section.

40.- (1) In carrying out its functions and exercising its powers under this Act, the Authority shall take into account -
(a) whether the conditions for effective competition exist in the market;

(b) whether any exercise by the Authority is likely to cause any lessening of competition or additional costs in the market and likely to be detrimental to the public;

(c) whether any such detriments to the public are likely to outweigh any benefits to the public resulting from the exercise of the powers.

(2) The Authority shall deal with all competition issues which may arise in the course of the discharge of the functions, and may investigate and report on those issues, making appropriate recommendations to the Tanzania Bureau of Standards, the Fair Competition Commission or any other relevant authority in relation to—

(a) any contravention of the Fair Competition Act, 2003 the Tanzania Bureau of Standards Act, 1975, or any other written law;

(b) actual or potential competition in any market for regulated services competition or additional costs in the market and is likely to be detrimental to the public;

(c) any detriments likely to result to the members of the public.

(3) Subject to the provisions of subsection (1) and (2), the Authority shall place on the Public Register a copy of any recommendation. [s.20]

41.- (1) There may be established in relation to a matter or matters of a particular kind, a Committee of the Authority composed of not less than two members of the Board.

(2) The Authority may direct that some of its powers in relation to a matter or matters of a particular kind, other than powers the Authority may not delegate under section 42, be exercised by a Committee of the Authority.

(3) Subject to the provisions of subsection (1), if the Chairman is not a member of a Committee, the Committee shall appoint a member to preside at the meetings of the Committee.

(4) A quorum at the meeting of a Committee shall be two members.

(5) Except as provided for in this section, meetings of a Committee will be subject to the same rules as the meeting of the Authority.

[s.21]

42.- (1) The Authority may delegate to a member or an employee of the Authority, either generally or otherwise as provided by the instrument of delegation, any of its powers other than the power of