

*Bill Supplement to the Zanzibar Government Gazette
Vol. No. CXXIII Nam. 6544 of 30th December, 2014.*

CONTENTS

Page

A Bill for An Act to repeal the Disaster Management Act No. 2 of 2003 and Establish Zanzibar Disaster risk reduction and Management Act 2015 and other matters connected thereto.....	425
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NOTICE

The Bill following hereunder shall be presented before the House of Representatives for the first reading which will start its session on 21 day of January, 2015, and is gazetted for the public notice incorporating together with their objects and reasons.

ZANZIBAR
30th December, 2014

(Dr. ABDULHAMID Y. MZEE)
*Secretary to the Revolutionary
Council and Chief Secretary.*

A BILL

for

AN ACT TO ESTABLISH ZANZIBAR DISASTER RISK REDUCTION AND MANAGEMENT ACT 2015 AND OTHER MATTERS CONNECTED THERETO

PART I

PRELIMINARY PROVISIONS

1. This Act may be cited as the Zanzibar Disaster Risk Reduction and Management Act of 2015, and shall come into operation on such date as the Minister may by notice in the Official Gazette appoint.

Short title
and
Com-
mence-
ment.

2. In this Act, unless the content requires otherwise:-

"Chairperson" means a Chairperson of the Commission for Disaster Management;

"Commission" means the Commission for Disaster Management established under Section 3 of this Act;

"Committees" means Technical, District and Shehia Disaster Management Committees established under Sections 11, 13, 16 and 19 of this Act;

"Disaster" means a serious disruption of the functioning of a community or a society causing widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources;

"Disaster management" means the systematic process of using administrative directives, organizations and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazard and the possibility of disaster;

"Disaster preparedness" means pre-disaster actions and measures being undertaken within the context of disaster risk reduction and management and are based on sound risk analysis as well as pre-disaster activities to avert or minimize loss of life and property such as, but not limited to, community organizing, training, planning, equipping, stockpiling, hazard mapping, insuring of assets and public information;

"Disaster prevention" means the activities taken to prevent a natural phenomenon or potential hazard from having harmful effects on either people or economic assets;

"Disaster recovery" means the activities that begin after disaster impact has been stabilized and extended until the community has been returned to its normal activities;

"Disaster response" means the provisions of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected;

"Disaster Risk Reduction" means the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposures to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events;

"Emergency" means an event involving a minor consequence for a community that may be managed successfully with local resources;

"Executive Director" means Executive Director of the Commission appointed under Section 7 of this Act;

"Fund" means Zanzibar Disaster Management Fund established under Section 40 of this Act;

"Government" means the Revolutionary Government of Zanzibar;

"Hazard" means a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption or environmental damage;

"Man-made disaster" means a disaster arising from the act of human being causing catastrophe which includes social unrest, riot, pollution, war, oil spills, fire outbreak, floods, epidemics, dilapidated buildings, power outage, industrial accidents and all kinds of transport accidents;

"Minister" means the Minister responsible for disaster risk reduction and management;

"Mitigation" means structural and non-structural measures undertaken to limit the adverse impact of natural hazards, environmental degradation, and technological hazards and to ensure the ability of at-risk communities to address vulnerabilities aimed at minimizing the impact of disasters;

"Natural disaster" means a disaster arising from the interaction of natural phenomenon and includes such occurrences as earthquakes, landslides, tsunami, strong winds, subsidence, hurricanes, floods, droughts, fire and epidemics;

"Natural Hazard" means a threat of a naturally occurring event that will have negative effects on people or environment;

"Person" means an individual whether acting in a public or private capacity, a group of individuals, a community, a Government institution or body corporate;

"President" means the President of Zanzibar and Chairman of the Revolutionary Council;

"Risk" means a probability of threat or damage, injury, liability, loss or any other negative occurrence that is caused by external or internal vulnerability, and that may be avoided through pre-emptive actions;

PART II

ESTABLISHMENT OF THE COMMISSION

Establishment of the Commission.

3.-(1) There is hereby established a Commission which shall be known as the Commission for Disaster Management which shall be responsible for defining, promoting and coordinating policy implementation of the Government for managing the disasters.

(2) The Commission shall be a Government Agency and shall:

- (a) have perpetual succession and a common seal;
- (b) be capable to purchase, borrow, own, dispose any movable and immovable property as stipulated in government procurement procedures; and
- (c) perform all such acts and functions which the Agency may lawfully perform.

(3) The Commission shall be the highest decision making body on disaster management and or related matters in Zanzibar.

4.-(1) The Commission shall be chaired by the Second Vice-President. Composi-
tion of the
Commis-
sion.

(2) The Minister of State, Second Vice-President's Office shall be the Vice-Chairperson.

(3) Members of the Commission shall be:

- (a) all Ministers of the Government;
- (b) Attorney General;
- (c) Chief Secretary and Secretary of the Revolutionary Council;
- (d) Regional Commissioners of Zanzibar;
- (e) Brigade Commander of Tanzania Peoples' Defense Forces, Zanzibar;
- (f) Commissioner of Police, Zanzibar;
- (g) Deputy Director General of National Security, Zanzibar;
- (h) Commodore of KikosiMaalum cha KuzuiaMagendo (KMKM); and
- (i) Commissioner of Fire and Rescue, Zanzibar. Composi-
tion of the
Commission.

(4) The Principal Secretary of the ministry responsible for coordinating disaster risk reduction and management shall be a Secretary of the Commission.

5. The Commission shall have the following functions to:

- (a) establish appropriate disaster management policies, regulations, plans, strategies, and guidelines for ensuring timely and effective response to disaster;
- (b) facilitate immediate disbursement of funds and other resources during emergency and or disaster;
- (c) oversee the application of the disaster management plans during any period of natural disaster or emergencies and give orders or directives necessary for the plan to be implemented;

Functions
of the
Commis-
sion.

- (d) co-ordinate all disaster relief operations and preparedness measures;
- (e) be responsible for overseeing and coordinating disaster management activities;
- (f) recommend the provisions of funds for the purpose of Disaster Management;
- (g) strengthen the Government capacity to deal with disasters and emergency situations;
- (h) mobilize availability of resources within and outside Zanzibar for effective disaster management;
- (i) ensure accountability of key institutions in implementing this Act;
- (j) ensure compliance of the Government policies, legislations, plans and activities on disaster management with Regional and International treaties and agreements;
- (k) ensure the existence of the Government, district and Shehia capacity for disaster management through provision of training and equipment; and
- (l) any other function, the Commission where it deemed necessary to do for matters related to disaster management.

Powers of
the
Commis-
sion.

6. The Commission shall have the following powers:

- (a) to establish task force, where it deems necessary, with clear guidelines to fulfill the intended tasks related to disaster;
- (b) to seek and collect various information from any person for the purposes of effective disaster management operations;
- (c) to use any land, building or any equipment and facility temporarily for the purposes of implementation of various activities relating to disaster operations;

- (d) to resolve misunderstanding among the Government institutions about their respective functions, duties, mandates, obligations or activities under this Act;
- (e) to give to any ministry, department, agency, region or district directives necessary to implement the Commission's decisions for matters related to disaster management;
- (f) to sue any person who refuses to provide or receive services during emergencies and disasters;
- (g) in collaboration with relevant institution to undertake inspection of any person, premises, or vehicle for the purpose of preventing, mitigating and responding to disaster and emergency situation.

7.-(1) There shall be Executive Director of the Commission who shall be appointed by the President.

Appoint-
ment of
Executive
Director.

(2) A person shall be eligible for the post of Executive Director if he is:

- (a) a Zanzibari;
- (b) holding at least Bachelor Degree in management related fields;
- (c) a Senior Public Officer.

8. It is hereby established Secretariat of the Commission which shall be headed by the Executive Director.

Secretariat
of the
Commis-
sion.
Divisions
of the
Secretariat.

9.-(1) The Secretariat shall, after consultation with the Commission and subject to the provisions of Public Service Act, establish any division for effective execution of its functions.

(2) A division shall have the Head who shall be recommended by the Executive Director and approved by the Commission.

(3) The heads of divisions shall be answerable to the Executive Director.

10. The Secretariat shall have the following functions:

Functions
of the
Secretariat.

- (a) organize and conduct advocacy and capacity building at all levels to enhance effective disaster preparedness, response and recovery;
- (b) advocate for integration of disaster management issues into sectoral development plans, programs, strategies and other administrative arrangements;
- (c) develop communication and public awareness programs on disaster management to the communities and other stakeholders by using different mechanisms;
- (d) carry out risk mapping and vulnerability assessment in order to identify elements at risk and their vulnerability levels;
- (e) facilitate training and research on disaster management issues through collaboration with other stakeholders and provide necessary equipment and tools for the reduction of the disaster impacts;
- (f) collaborate with responsible institutions whose activities may obstruct or affect the efforts of disaster prevention initiatives;
- (g) prepare and coordinate all sessions of Technical Committee and Commission;
- (h) establish and maintain the Government and selected district warehouses for disaster relief items;
- (i) prepare budget and calendar of performance of the Commission;
- (j) prepare and submit to the Commission a comprehensive annual implementation report;
- (k) collaborate with responsible institutions in performing regular inspection and monitoring of buildings, equipment and facilities to spot out possible disaster risks;
- (l) coordinate and follow up the implementation of the Commission's directives;

- (m) implement day to day activities of the Commission and all decisions made by the Commission;
- (n) collect and analyze hazards and disaster related data and disseminate them to all concerned ministries, departments, agencies and individuals;
- (o) design and effectively implement system of Emergency Communication services in twenty four hours in a week;
- (p) operationalise emergency rescue centers designated in different strategic points;
- (q) establish and operate central early warning system for effective disaster preparedness and response;
- (r) keep and maintain records of all information related to disaster; and
- (s) perform any other functions as directed by the Commission;

PART III

ESTABLISHMENT OF THE COMMITTEES

11.-(1) There is hereby established a Technical Committee which shall be chaired by the Principal Secretary of the ministry responsible for coordinating disaster risk reduction and management. Technical
Committee.

(2) Members of the Technical Committee shall be:

- (a) Principal Secretaries of the Government ;
- (b) Deputy Attorney General;
- (c) Executive Secretary, Zanzibar Planning Commission;
- (d) Chief Administrative Officer of Tanzania Police Force, Zanzibar;
- (e) Chief Administrative Officer of Tanzania People Defense Force, Brigade of Zanzibar;

- (f) Chief Administrative Officer of Fire and Rescue Department;
- (g) Chief Administrative Officer of Directorate of National Security, Zanzibar;
- (h) Chief Administrative Officer of KikosiMaalum cha KuzuiaMagendo (KMKM);
- (i) Executive Secretary of Zanzibar National Chamber of Commerce, Industry and Agriculture;
- (j) Regional Administrative Secretaries, Zanzibar; and
- (k) three members appointed by the Minister from Non-Government Organizations, Community Based Organizations and Non-State Actors dealing with the disaster risk reduction issues after consultation with responsible institutions.

(3) The Executive Director shall be the Secretary of the Technical Committee.

Functions of the Technical Committee.

12.- (1) The Technical Committee shall be responsible for advising the Commission on all matters regarding the disaster management for Zanzibar.

(2)The Technical Committee shall perform all directives issued by the Commission.

District Disaster Management Committee.

13.- There is hereby established a District Disaster Management Committee in every District of Zanzibar.

Composition of District Disaster Management Committee.

14.-(1) A District Disaster Management Committee shall be chaired by the District Commissioner.

(2) The District Disaster Management Committee shall have the following members:

- (a) District Administrative Secretary;
- (b) Mayor of Municipality or Chairman of Town and or District Council;

- (c) District Security Officer;
- (d) District Police Commander;
- (e) Zonal Defense Commander;
- (f) Zonal KikosiMaalum cha KuzuiaMagendo (KMKM) Of-
ficer;
- (g) District Fire and Rescue Officer;
- (h) Zonal Kikosi cha Valantia Zanzibar (KVZ) Commander;
- (i) District Immigration Officer;
- (j) District Medical Officer;
- (k) representative of Civil Society Organization;
- (l) District Planning Officer; and
- (m) members of the Parliament and House of Representatives
from the respective District.

(3) The Officer responsible for disaster management in the District shall be the Secretary of District Disaster Management Committee.

15.-(1) The District Disaster Management Committee shall have the following functions:

- (a) to administer and supervise disaster management programs and their implementations at district level;
- (b) without prejudice to the generality of subsection (1) of this section, it shall be the responsibility of the District Disaster Management Committee to:
 - (i) mainstream disaster management issues in the district plans;
 - (ii) monitor the hazards, risks and disaster threats and the conditions of communities at risks within the district;

Function
of the
District
Disaster
Manage-
ment
Committee.

- (iii) carryout vulnerability assessment on disaster prone areas in the district and suggest appropriate measures to reduce their vulnerability;
- (iv) organize and coordinate all interventions from other agencies and mobilize needed financial and material resources for disaster management;
- (v) support and supervise the execution of disaster management programs agreed by the Commission for the district;
- (vi) ensure that district disaster management activities reflect the Government priorities and guidelines;
- (vii) conduct training needs assessment and conduct education, training and public awareness programs;
- (viii) establish the response team and civil protection system for the disaster within the district;
- (ix) ensure the establishment of appropriate structures both for preparedness and civil protection against disasters at district and Shehia levels; and
- (x) implement any other decision given by the Commission.

Functions of the District Disaster Management Committee

District Disaster Management Technical Committee.

16. There is hereby established a District Disaster Management Technical Committee in every District of Zanzibar.

Composition of District Disaster Management Technical Committee.

17.-(1) A District Disaster Management Technical Committee shall be chaired by the Director of Municipality or Town or District Council

(2) The District Disaster Management Technical Committee shall have the following members:

- (a) legal Officer of the Local Government;
- (b) Sectoral Local Government Officers;
- (c) representative of District Red Cross;
- (d) representative of District Fire and Rescue;
- (e) representative of District Kikosi cha Valantia Zanzibar (KVZ);
- (f) representative of District Immigration;
- (g) Officer responsible for disaster management in the District;
- (h) District Planning Officer; and
- (i) three members appointed by the District Commissioner from Non-Government Organizations, Community Based Organizations and Non-State Actors dealing with the disaster risk reduction issues after consultation with responsible institutions within the District.

(3) The Planning Officer of the District Council shall be the Secretary of the District Disaster Management Technical Committee.

18.-(1) The District Disaster Management Technical Committee shall be responsible for implementing the decisions of the District Disaster Management Committee on all such matters regarding the disaster management for their locality.

Functions of District Disaster Management Technical Committee.

(2) The District Disaster Management Technical Committee shall be responsible for advising the District Disaster Management Committee on all matters regarding the disaster management.

19. There is hereby established in every Shehia, a Shehia Disaster Management Committee.

Shehia Disaster Management Committee.

Composi-
tion of
Shehia
Disaster
Manage-
ment
Committee.

20.-(1) The Shehia Disaster Management Committee shall be chaired by the Sheha.

(2) The Shehia Disaster Management Committee shall have the following members:

- (a) members of the Shehia Advisory Council;
- (b) two representatives of Community Based Organizations within the Shehia;
- (c) representative of people with disabilities; and
- (d) Members of Parliament, Members of the House of Representatives and Councillors of respective Constituencies and Wards.

(3) Shehia Secretary shall be the Secretary of Shehia Disaster Management Committee.

Function
of Shehia
Disaster
Manage-
ment
Committee.

21. The Shehia Disaster Management Committee shall have the following functions:

- (a) prepare plans and procedures for disaster management programs in their respective locations;
- (b) take operational control in the event of a disaster or emergency so as to ensure that support is provided to the affected households;
- (c) mobilize needed financial and material resources for disaster management;
- (d) identify and map all hazards in their respective locations and conduct risk and vulnerability analysis;
- (e) establish civic groups for disaster management and operations;
- (f) oversee, empower and supervise disaster management activities at household level; and

(g) perform any other work as directed by the Commission.

Meetings of the Committees.

22.-(1) The Committees shall conduct their regular meetings quarterly a year.

(2) The meetings shall be presided over by the Chairman and in his absence members shall elect one among its members to preside that meeting.

(3) The Committees shall keep and maintain minutes of their meetings and such minutes shall be confirmed in the next regular meeting and shall be signed by the Chairman.

Decisions of the Committees.

23. Decisions of the Committees shall be determined by consensus but if the members fail to reach at a consensus on any decision, then the decision shall be decided by voting and upon equality of votes, the Chairman shall have the casting vote in addition to his deliberative vote.

Quorums of the meetings.

24.-(1) The quorum of the Committees in a regular meeting shall be more than half of the total number of members.

(2) In the event of an emergency situation, the presence of at least five members of the Committees shall constitute a quorum.

(3) The Committees may regulate their own procedures of the meetings.

(4) The Committees may co-opt any other person to participate on the specific issue in the Committees' meetings, but such person shall not be entitled to vote.

PART IV

DISASTER RISK REDUCTION AND MANAGEMENT PLANNING

Zanzibar Disaster Management Plan.

25.-(1) The Executive Director shall prepare the Zanzibar Disaster Management Plan which shall be approved by the Commission.

(2) The Zanzibar Disaster Management Plan shall include the followings:

- (a) mitigation, preparedness, response and recovery, based on a risk management process;
- (b) specific events under this Act;
- (c) roles and responsibilities of relevant bodies;
- (d) priorities for disaster risk reduction and management for the whole Zanzibar Islands including its territorial waters;
- (e) arrangements of provision of support from other nations and donor agencies;
- (f) issues regarding support and coordination of the District Disaster Management Committees; and
- (g) any other matter it considers appropriate.

26.-(1) The Officer responsible for disaster management in the District, shall prepare a District Disaster Management Plan which shall be approved by District Disaster Management Committee.

District
Disaster
Management
Plans.

(2) The District Disaster Management Plan shall include the followings:

- (a) mitigation, preparedness, response and recovery, based on a risk management process;
- (b) specific events that may happen in the district;
- (c) the roles and responsibilities of relevant entities;
- (d) priorities for disaster risk reduction for the district; and
- (e) any other matter it considers appropriate.

27. A respective Ministry, Department or Agency, shall prepare a Sectoral Disaster Management Plan in line with Zanzibar Disaster Management Plan.

Sectoral
Disaster
Management
Plans.

Guidelines. **28.** The Commission through the Executive Director may prepare and issue written Guidelines for District disaster management committees, Ministry, Department and Agency for the development of disaster management plans and any other matters that it considers necessary.

PART V

CLASSIFICATION, DECLARATION AND COMMUNICATION

Classifica-
tion of
Disasters.

29.-(1) A disaster shall be a local level if:

- (a) it affects a single Shehia in its geography or a single district;
- (b) the existing contingency arrangements adequately provide the Shehia or district concerned to deal with the disaster; and
- (c) other special circumstances justify the declaration of a local level of disaster as declared by District Commissioner.

(2) A disaster shall be a National level disaster if:

- (a) it severely affects community in terms of loss of human lives, and or illness or injury to humans, and property loss; and
- (b) other special circumstances justify the declaration of a Zanzibar state of disaster as declared by the President.

Declara-
tion of a
Local level
of
Disaster.

30. Where the Shehia or District Disaster Management Committees are satisfied that an emergency situation and or disaster is exceeded their capacity, the District Commissioner, in consultation with respective Regional Commissioner and upon approval by the Commission, shall declare a state of disaster for respective Shehia or District.

Declara-
tion of a
National
state of
Disaster.

31.-(1) Where the Commission is satisfied that an emergency and disaster situation aggregating to a disaster exists in any area of Zanzibar, and if the Government capacity to deal with such disaster is exceeded, the Chairperson of the Commission shall inform the President accordingly.

(2) Upon receiving such information, the President may declare a state of disaster that exists in Zanzibar.

32. The President's Declaration shall come into force on the date it is made and shall last for a period of not more than two months and may thereafter, if deemed necessary, be extended for further periods not exceeding two months at a time.

Period of the Declaration of the National state of Disaster.

33.-(1) The Chairperson of the Commission may give the Executive Director directives about the performance of his functions.

Communication and chain of command.

(2) The Commission through the Executive Director may give the District Disaster Management Committees directives about the performance of the District Disaster Management Committee's functions.

(3) The District Disaster Management Committee through the Chairperson may give the Shehia Disaster Management Committee directives about the performance of the Shehia Disaster Management Committee.

34.-(1) Where it appears to the Commission or District Disaster Management Committee that:

Requisition of resources during the state of disaster.

- (a) any resource with any person are needed for the purpose of prompt response;
- (b) any premise is needed for the purpose of rescue operations; or
- (c) any vehicle, vessel or aircraft registered in Zanzibar is needed for the purpose of transport to or from the disaster area or transport in connection with rescue or recovery,

such authority shall use such resources or premises for the purposes of dealing with the state of emergency and disaster.

(2) Whenever any resource, premises, vehicle, vessel, or aircraft is requested under this section, the period of such requisition shall not extend beyond the period of the declaration of a state of disaster by the President.

(3) In this section "resources" includes manpower, service and material resources such as stores, equipment, vehicles and facilities;

Power during state of emergency or Disaster.

35. During the period of a state of emergency and or disaster the Commission and or any other responsible institutions may exercise emergency powers necessary for the prevention of loss of human lives, illness or injury to humans or animals, loss or damage to property and damage to the environment.

PART VI FINANCIAL PROVISIONS

Funds of the Commission.

36.-(1) There shall be a separate Vote in which all moneys of the Commission as approved by the House of the Representative shall be kept.

(2) The Commission may, in the discharge of its functions and in accordance with the terms and conditions upon which its funds may have been obtained or derived, charge to the fund all remunerations, allowances, salaries, working expenses and all other charges properly arising, including any necessary capital expenditure.

Sources of the funds.

37.-(1) The appropriation of the fund shall be made by the Executive Director upon approval of the Commission.

(2) The Funds and resources of the Commission shall consist of:

- (a) such sum as may be approved by the House of Representatives in the form of subvention;
- (b) such donations, grants and loans as the Commission may, from time to time, receive from any person or organization; and
- (c) such other monies that may vest or accrue, whether in the course of its operation or otherwise.

Estimates.

38.-(1) The Executive Director shall, in respect of every financial year, submit to the Commission for deliberation and recommendation a detailed estimate of the income and expenditure for the Commission for the next year.

(2) Upon deliberation and recommendations by the Commission the budget of the Commission shall be dealt in the same manner as part of the budget of the parent Ministry.

39.-(1) The Commission shall cause to be made and kept the proper and complete books of accounts reflecting all incomes and expenditures of the Commission.

Audited
Accounts.

(2) The Executive Director shall, subject to such directives from the Commission, prepare in relation to the operations of the Commission, in respect of each financial year, statement of accounts which shall include:

- (a) financial statement and statement of income and expenditures; and
- (b) such other information in respect of financial affairs of the Commission as required under the Public Finance Act

(3) Within three months of closing of every financial year, the accounts including the financial statement of the Commission in respect of that financial year, shall be submitted to the Controller and Auditor General.

40. Subject to the Public Finance Act, there shall be a Zanzibar Disaster Management Fund which consist of:

Disaster
Management
Fund.

- (a) all funds approved by the House of Representatives in the annual budget estimates;
- (b) grants approved by the Government;
- (c) subscriptions by the public;
- (d) any other funds accrued from the Special Fund designated by the Government; and
- (e) any monies as the result of fines imposed as penalties under this Act; any other monies that may vest or accrue, whether in the course of its operation or otherwise;

41. The Fund shall be used for the following purposes:

Purpose of
the Fund.

- (a) use for disaster relief services;
- (b) rescue operations;

- (c) humanitarian assistance during emergency and or disaster at National and local levels;
- (d) hiring of land, equipment, procure materials and other facilities and establishment of temporary buildings during disaster; and
- (e) any other purpose of the use of fund which the Commission deems necessary for the disaster management.

PART VII OFFENCES AND PENALTIES

Offences
and
penalties.

42.-(1) A person who:

- (a) refuses to perform his duties without reasonable cause;
- (b) exercises any unauthorized act; or
- (c) refuses to surrender his properties or refuses to provide service during disaster,

commits an offence and shall be guilty and liable on conviction to a fine of not less than One Million Tanzania Shillings and not more than Two Millions Tanzania Shillings or imprisonment for a term of not less than six months and not more than one year or both.

(2) A person who restrains an authorized person to perform his duties as provided for under this Act, commits an offence and shall be guilty and liable on conviction to a fine of not less than Five Hundred Thousand Tanzania Shillings and not more than One Million Tanzania Shillings or imprisonment for a term not less than three months and not more than one year or both.

Offences
relating to
refusal of
providing
informa-
tion.

43. A person who refuses to furnish any information required by the Commission related to a disaster, commits an offence and shall be guilty and liable on conviction to a fine of not less than Two hundred thousand Tanzania Shillings and not more than Five Hundred Thousand Tanzania Shillings or imprisonment for a term of not less than one month and not more than three months or both.

44. A person who gives wrong warning or wrong information which disturb or cause any inconvenience or damage to a person, commits an offence and upon conviction is liable to a fine of not less than Two Million Tanzania Shillings and not more than Three Millions Tanzania Shillings or imprisonment for a term of not less than one year and not more than two years or both.

Offence relating to Wrong warning.

PART VIII MISCELLANEOUS PROVISIONS

45. A suit shall not lie against an officer of the Commission for any act done in good faith, in the performance of any duty imposed upon such officer under this Act.

Indemnity of officer.

46. For the purpose of collecting proper disaster information, any person who conduct any disaster activities shall submit a report to the Commission.

Disaster information reports.

47. The Minister may make regulations generally for the proper carrying out of the provisions of this Act; and without prejudice to the generality of the foregoing, may make regulations:

Regulation.

- (a) providing for the better performance of the duties of the Commission;
- (b) providing for additional functions of committees;
- (c) authorizing the requisitioning or taking possession of any vehicle, vessel or other property;
- (d) prescribing the centers of operation of the committees, before, during and after a disaster;
- (e) providing for further development of the Zanzibar Disaster Preparedness and Response Plan;
- (f) better management of the Zanzibar Disaster Management Fund; and
- (g) regarding any other matter which is necessary or desirable for the purposes of the better giving effects to the purposes and provisions of this Act.

48.-(1) The Disaster Management Act No. 2 of 2003 is hereby repealed.

(2) Notwithstanding the repealed Act under sub-section (1) of this section, anything done or action taken under the provisions of the repealed Act, shall be deemed to have been done under the provisions of this Act.

OBJECTS AND REASONS

The main objects of this Bill is to enact a new legislation for providing a better legislative framework by making necessary changes that will eliminate gaps observed in the existing Disaster Management Act No. 2 of 2003. The new legislation will comply with Disaster Management Policy of 2011, Regional and International Treaties and Agreements on disaster risk reduction issues. This aims at minimizing the negative consequences and impacts of disasters to people's life, environment and properties.

This Bill is divided into Eight Parts.

Part I is about Preliminary Provisions which provides for short title and commencement date, application of the Act and interpretation of certain words used in the Bill.

Part II is about establishment of the Disaster Management Commission, Composition of the Commission, Functions of the Commission, Powers of the Commission, Appointment of Executive Director, establishment of the Secretariat of the Commission, Divisions of the Secretariat and Functions of the Secretariat.

Part III is about establishment of the Disaster Management Committees at National, Districts and Shehia levels, Composition of each committee, Functions of the Committees, meetings and decisions of the Committees.

Part IV is about development of Disaster Management Plans at National, District and Sectoral levels, includes preparation and issuing of written guidelines for development of those plans.

Part V is about classification of disasters and its declaration at National, District and Shehia levels, Period of declaration of the National state of disaster, communication and chain of command, requisition of resources during the state of disaster and powers during state of emergency or disaster.

Part VI is about the funds of the commission, sources of the funds, audited accounts, the establishment of Disaster Management Funds and its purpose.

Part VII is about offences and penalties which includes offences relating to refusal of providing information, refuses to perform duties without reasonable cause, exercises any unauthorized act, refuses to surrender properties or to provide service during disaster and offences relating to wrong warning.

Part VIII is about miscellaneous provisions which include indemnity of officer, disaster information report, regulations and repeal and saving of Disaster Management Act No. 2 of 2003.

**MOHAMED ABOUD MOHAMED
MINISTER OF STATE, SECOND VICE
PRESIDENT'S OFFICE**

