



# OFFICIAL GAZETTE OF THE REVOLUTIONARY GOVERNMENT OF ZANZIBAR

18<sup>th</sup>  
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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 9<sup>th</sup> September, 2026 and is gazetted for the public notice incorporating together with their object and reasons.

**ZANZIBAR**

18<sup>th</sup> August, 2026

(Ms. Mansura Mosi Kassim)  
*Secretary to the Revolutionary  
Council and Chief Secretary*



Notices Relating to the Estates of Deceased Persons, Termination of Partnership Agreements, Company information, Loss and Amendment of Government Documents and other Matters of Public Interest must be Published in the Official Gazette. Copies of Notices should be sent to the Chief Printer of the Revolutionary Government of Zanzibar- Tanzania, P.O. Box 261 Maruhubi, Zanzibar. Copies should be submitted before Thursday of each week.

**A BILL**  
*for*  
**AN ACT TO REPEAL THE OCCUPATIONAL SAFETY  
 AND HEALTH ACT, NO. 8 OF 2005 AND TO ENACT THE  
 OCCUPATIONAL SAFETY AND HEALTH ACT TO  
 SECURE SAFETY, HEALTH AND WELFARE OF  
 PERSONS AT WORK AND TO PROTECT  
 OTHER PERSONS AGAINST RISKS  
 ARISING FROM WORK ACTIVITIES  
 AND OTHER MATTERS RELATED  
 THEREWITH**

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**ENACTED** by the House of Representatives of Zanzibar.

**PART ONE  
 PRELIMINARY PROVISIONS**

Short  
title and  
commen-  
cement.

**1.** This Act may be cited as the Occupational Safety and Health Act, 2026 and shall come into operation upon being assented to by the President.

Application.

**2.** This Act shall apply for securing the safety, health and welfare of persons working in public and private institutions and at all workplaces operating its activities in Zanzibar.

Interpretation.

**3.** In this Act, unless the context requires otherwise:

“article” means anything that is in solid, liquid, gaseous state or any of their combination or any plant designed for use or operation at workplace;

“Authority” means the Occupational Safety and Health Authority established under section 4(1) of this Act;

“Board” means the Board of Directors established under section 8(1) of this Act;

“chemical substance” means any natural or artificial substance intended for use whether gaseous, liquid or solid;

“court” means a court with competent jurisdiction;

“Director General” means the Director General of the Authority appointed under section 14(1) of this Act;

“employee” means any person who:

- (a) is an apprentice
- (b) is employed by or works for an employer and who receives or is entitled to receive any remuneration; or
- (c) works under the directives or supervision of an employer or any other person;

“employer” means a person who employs or provides work for any person and remunerates that person;

“Government” means the Revolutionary Government of Zanzibar;

“health” in relation to work, means the physical and mental factors that affect a worker’s well-being and are directly or indirectly connected to safety and hygiene in the workplace;

“Inspector” means any person appointed under section 25(1) of this Act;

“machinery” means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to perform work, or which is used whether for developing, receiving, storing, containing, confining, transforming, transmitting, transferring or controlling any form of energy;

“Minister” means the Minister responsible for the occupational safety and health;

“owner” means a person who has legal title to property, premise, undertaking or equipment;

“plant” means any machinery, equipment, appliance, tool, device or installation used in connection with work activities;

“premise” means any building, land, structure, place, vehicle, vessel, aircraft or plant where work is carried out or which is used in connection with work activities;

“President” means the President of Zanzibar and Chairman of the Revolutionary Council;

“self-employed person” means a person who carries on any activity relating to business, profession or occupation for his own benefit and who is not employed by another person under contract of employment;

“supervisor” means a person who is authorised to direct and oversee workers or work activities at a workplace;

“supplier” means a person who designs, manufactures, imports or supplies any article, chemical substance or mixture of chemical substances to a receiver;

“worker” means a person who works for an employer for an exchange of wages or salary; and

“workplace” means all places or premises where work is performed.

## **PART TWO**

### **ESTABLISHMENT OF THE AUTHORITY**

Establish-  
ment of  
Authority.

**4.-(1)** There is established an Authority to be known as the Occupational Safety and Health Authority and its acronym shall be “OSHA”.

(2) The Authority shall be a body corporate with perpetual succession with a common seal and shall, by its corporate name, subject to the laws, be capable of:

- (a) suing and being sued;
- (b) acquiring, holding, purchasing or disposing of any movable or immovable property;
- (c) entering into any contract or transactions;
- (d) borrowing any such sum of money from any financial institution; and
- (e) performing or doing any act or thing which the Authority may be entitled to perform or do.

**5.-(1)** There shall be a seal and logo of the Authority in shape and size as may be determined by the Board.

Seal and  
logo of the  
Authority.

(2) The application of seal and logo of the Authority on any document shall be authenticated by the signature of Director General or any other officer of the Authority authorized by the Director General.

(3) A document purporting to be an instrument issued by the Authority shall be sealed with the seal of the Authority and authenticated in accordance with the provisions of subsection (2) of this section.

**6.** The functions of the Authority shall be to:

- (a) supervise all workplaces to ensure that they comply with the provisions of this Act;
- (b) oversee and coordinate the implementation of the occupational safety and health policy;
- (c) inspect workplaces, premises, plant and work processes for the purpose of ensuring compliance with occupational safety and health requirements;

Functions  
of the  
Authority.

- (d) conduct, coordinate or facilitate training, awareness and capacity-building programs on occupational safety and health;
- (e) conduct research, collect data and publish information on occupational accidents, diseases, hazards and preventive measures;
- (f) register all workplaces, plant, machinery, pressure vessels, lifting equipment and other equipment;
- (g) maintain register and records relating to workplaces, occupational accidents and diseases, inspections, notices, certificates issued under this Act;
- (h) provide technical and professional advice concerning occupational health and safety matters at all workplaces;
- (i) develop, approve or recommend standards, guidelines, codes of practice and procedures relating to occupational safety and health;
- (j) conduct medical examination to workers;
- (k) conduct assessments and monitor workplace on issues relating to occupational safety and health;
- (l) cooperate with national, regional or international institutions on matters relating to occupational safety and health; and
- (m) perform any other function for the purpose of implementation of the provisions of this Act.

Powers  
of the  
Authority.

**7. The Authority shall have the powers to:**

- (a) issue directives to all workplaces relating occupational safety and health matters;
- (b) require the production of any register, certificate,

record, report, document or information relating to occupational safety and health;

- (c) require an employer, occupier, supervisor, worker or any other person relating to workplace to provide information or explanation relating to safety and health at work;
- (d) set and review the rates for fees and charges upon approval of the Board;
- (e) evaluate the capacity of workplaces relating to safety and health matters;
- (f) issue, suspend, cancel, vary or refuse to issue any certificate under this Act;
- (g) order the repair, alteration, maintenance, examination, testing or removal of unsafe plant, machinery, equipment or substance in a workplace;
- (h) close or restrict access to any workplace, part of a workplace, plant or operation where there is serious risk to life, health or safety;
- (i) investigate accidents, dangerous occurrences, occupational diseases and complaints;
- (j) require an employer or occupier of workplace to prepare and submit a safety and health policy, emergency plan, risk assessment and management report, audit report or compliance plan; and
- (k) approve or recognize competent persons, laboratories, training providers, medical practitioners or technical experts for purposes of this Act.

**PART THREE  
ADMINISTRATION AND MANAGEMENT  
OF THE AUTHORITY**

Establishment  
and  
composition  
of the Board.

**8.-(1)** There shall be the Board of Directors of the Authority which shall be composed of:

- (a) Chairperson who shall be appointed by the President;
- (b) Director General;
- (c) State Attorney from the Attorney General's Chambers;
- (d) one representative from:
  - (i) the Public Service Commission;
  - (ii) the Zanzibar National Chamber of Commerce;
  - (iii) the Zanzibar Employers Association; and
  - (iv) the Zanzibar Trade Union Congress.

(2) The members referred under subsection (1)(c) and (d) of this section shall be appointed by the Minister in consultation with the heads of the relevant institution based on their qualifications, knowledge, experience and gender.

Qualifications  
of the  
Chairperson.

**9.** A person shall qualify to be appointed as a Chairperson of the Board if the person:

- (a) holds at least first degree in the field of public administration, law, finance, business, economics or any other related field from an institution recognized by the Government;
- (b) has working experience of at least seven years in public service or private sector; and
- (c) has high level of integrity.

**10.-(1)** The Board shall appoint a staff of the Authority to be a Secretary of the Board.

(2) A person shall qualify to be appointed as Secretary of the Board if that person has:

- (a) at least first degree in the field of law or qualified corporate secretary from the institution recognized by the Government; and
- (b) working experience of not less than seven years in the public services.

(3) The Secretary of the Board shall be accountable to the Board and shall:

- (a) in consultation with the Chairperson, prepare the agenda of the meetings of the Board;
- (b) take accurate minutes of the meetings of the Board;
- (c) maintain the correct and sufficient records of the meetings of the Board;
- (d) give proper notification of the meeting of the Board to the members; and
- (e) perform any other function as may be assigned by the Board.

**11.** The functions of the Board shall be to:

- (a) advice the Minister on matters pertaining to occupational safety and health;
- (b) oversee the overall functions of the Authority;
- (c) supervise the implementation of this Act, regulations, policies and guidelines of the Authority;
- (d) provide strategic directives to the Authority; and
- (e) perform any other function for better implementation of the provisions of this Act.

Functions  
of the  
Board.

**12.** The Board shall, in execution of its functions, have powers, to:

- (a) direct the Director General to furnish it any information, report or other document which the Board considers necessary for performance of its functions;
- (b) establish Staff Regulations and Financial Regulations of the Authority;
- (c) review and approve policies, work plan, strategic plan, budget and reports of the Authority;
- (d) give specific instructions to the Director General when it deems necessary, relating to management and performance of the Authority;
- (e) take disciplinary actions against staff of the Authority in accordance with the provisions of the Public Service Act, No. 2 of 2011;
- (f) recommend organizational structure of the Authority subject to the provisions of the Public Service Act, No. 2 of 2011;
- (g) approve fees and charges; and
- (h) recruit staff in accordance with the provisions of the Public Service Act, No. 2 of 2011.

**13.** Provisions relating to proceedings of the meetings of the Board shall be prescribed in the Schedule of this Act.

**14.-(1)** There shall be the Director General of the Authority who shall be appointed by the President.

(2) A person shall qualify to be appointed as the Director General if that person has:

- (a) at least first degree in the field of occupational safety and health, medical doctor, engineering, accounting, law or

any other related field from an institution recognized by the Government;

- (b) working experience of at least seven years in public service or private sector; and
- (c) high level of integrity.

**15.-(1)** The Director General shall be the Chief Executive Officer of the Authority and shall be responsible for the day-to-day activities of the Authority.

Functions  
of the  
Director  
General.

(2) Without prejudice to the provisions of subsection (1) of this section, the Director General shall:

- (a) be the Chief Inspector of occupational safety and health;
- (b) manage all income, expenditure and properties of the Authority;
- (c) ensure staff of the Authority perform their responsibilities in ethical and responsible manner;
- (d) supervise disciplinary matters for staff of the Authority; and
- (e) perform any other function as the Board may direct.

**16.-(1)** The Authority shall, subject to the Public Services Act, No. 2 of 2011, establish departments, units and divisions as it deems necessary for proper performance of its functions.

Departments,  
units and  
divisions.

(2) The heads of departments and units shall be appointed by the Board based on their qualifications and experience.

(3) The heads of divisions shall be appointed by the Director General based on their qualifications and experience.

(4) The heads of departments, units and divisions shall be accountable to the Director General.

Staff of the  
Authority.

**17.** There shall be staff of the Authority to be employed in accordance with the provisions of the Public Service Act, No. 2 of 2011.

#### **PART FOUR FINANCIAL PROVISIONS**

Funds and  
resources  
of the  
Authority.

**18.** The funds and resources of the Authority shall consist of:

- (a) such sum of money as may be approved by the House of Representatives;
- (b) money received by the Authority for services rendered by the Authority;
- (c) lawful grants, gifts, donations, contributions or loans as the Authority may receive from any person or institution; and
- (d) any such other money that may be legally acquired by the Authority.

Budget.

**19.-(1)** The Director General shall, in respect of every financial year, submit to the Board for deliberation and recommendation on detailed estimates of the income and expenditure for the Authority for the next financial year.

(2) Upon deliberation and recommendation by the Board, the budget of the Authority shall be dealt in the same manner as part of the budget of the Ministry.

(3) The estimates of income and expenditure of the Authority shall be prepared subject to the provisions of the Public Finance Management Act, No. 12 of 2016 and any other directives as may, from time to time, be issued by the Government.

(4) The Director General shall ensure that all payments made by the Authority's funds are correctly made and properly authorized and adequate control is maintained over its property and over the incurring of liabilities by the Authority.

**20.**-(1) The Authority shall properly keep and maintain books of accounts which shall include all financial records and transaction for every financial year. Accounts and audit.

(2) The annual financial statements of the Authority shall be audited in accordance with provisions of the Public Finance Management Act, No. 12 of 2016 and other relevant financial laws.

**21.** The Authority shall, subject to the provisions of the Public Finance Management Act, No. 12 of 2016, open bank accounts for proper maintenance of its fund. Opening bank account.

## **PART FIVE REGISTRATION OF WORKPLACES**

**22.**-(1) The owner or occupier of a workplace who uses, occupies or operates a workplace shall apply for registration of such workplace to the Authority in accordance with the procedures as prescribed in the regulations. Application for registration of workplaces.

(2) A person who has been registered in accordance with the provisions of this Act shall be issued with a certificate of registration.

(3) Every plant, pressure vessel, lifting equipment, equipment or machine in a workplace shall be registered to the Authority.

**23.**-(1) The Authority shall establish and keep the register of matters relating to occupational safety and health. Register.

(2) The register shall be in the custody of the Director General.

(3) The particulars of the register under subsection (1) of this section shall be as prescribed in the regulations.

**24.** There shall be a Certificate of Compliance issued by the Authority in a manner and procedures as prescribed in the regulations. Certificate of Compliance.

## PART SIX

### INSPECTION AND INVESTIGATION

Appointment  
of  
Inspectors.

**25.-(1)** The Authority may appoint any person to be an Inspector to ensure compliance of the provisions of this Act or any other relevant laws.

(2) The Authority shall provide an identity card to an Inspector and the Inspector shall present such identity card on entry into any workplace that is to be inspected.

(3) An Inspector who has personal or direct interest that may affect the consideration of any matter before him shall not inspect on that matter and shall declare such interest.

Powers  
of the  
Inspector.

**26.** The Inspector shall have the powers to:

- (a) enter, inspect and examine any workplace, premise or plants where work is carried out;
- (b) enter any workplace at any time where the Inspector has reasonable grounds to believe that there is serious or imminent danger to the safety or health of any person;
- (c) require the employer, occupier of a workplace, supervisor, worker or any other person in charge of a workplace to provide information relating to safety and health at work;
- (d) require the production of a register, certificate, record, report, plan, risk assessment, safety and health policy of the respective workplace or other document required under this Act;
- (e) examine, copy or take extracts from any document, record or information relevant to occupational safety and health;
- (f) inspect, test or examine any plant, substance, material, process or system of work;
- (g) take photographs, videos, measurements, sketches, samples or recordings required for inspection or investigation;

- (h) take samples of any substance, material, article, air, water, soil, dust, fumes, gas or other thing found at a workplace for purposes of analysis or examination;
- (i) direct any plant or process to be tested, examined or certified by a competent person;
- (j) direct that any workplace, plant, machinery, equipment, or substance shall not be disturbed for such period as may be prescribed for inspection or investigation;
- (k) seize, detain or remove any article, equipment, material, document or thing which appears to be evidence of an offence or which presents a risk to safety or health;
- (l) investigate accidents, dangerous occurrences, occupational diseases, complaints or any matter relating to occupational safety and health;
- (m) interview an employer, occupier of a workplace, supervisor, worker or any other person who may have relevant information;
- (n) require an employer or occupier to prepare and submit a risk assessment, safety audit, medical surveillance report, emergency plan or compliance report;
- (o) issue an improvement notice requiring a person to remedy a contravention within a specified period;
- (p) issue a prohibition notice requiring immediate cessation of any activity, process, operation or use of plant where there is serious or imminent danger;
- (q) order any unsafe plant, machinery, equipment or substance to be repaired, altered, maintained, tested, isolated, removed or replaced;
- (r) require the employer or occupier of a workplace to temporarily evacuate, close or restrict access to any workplace or part of a workplace where there is serious risk to safety or health; and

- (s) be accompanied by a police officer, technical expert, medical practitioner, environmental officer, fire officer or any other authorized person where necessary.

(2) Subject to the provisions of subsection (1) of this section, the owner, occupier of the workplace or his representative shall furnish means required by an Inspector necessary for an entry, inspection, examination, taking of samples or biological monitoring for the exercise his functions.

Confidentiality.

**27.**-(1) The Inspector shall not publish or disclose any information acquired in the course of his inspection unless such information is required by the court or to provide information is part of his work.

(2) The Inspector shall strictly maintain the confidentiality of the source of any complaint brought to their attention and shall not disclose to the occupier or his representative that the inspection was initiated as a result of the complaint.

Immunity of the Inspector.

**28.** The Inspector, while exercising powers conferred under this Act or other relevant law, shall not be liable for anything done or omitted to be done if such act is done or omitted in good faith.

Investigation.

**29.** An Inspector may investigate the circumstances of any incident which has occurred at or originated from a workplace or in connection with the use of any plant which has resulted into injury, illness or death of any person.

Complaints.

**30.**-(1) A person may lodge any complaint to the Director General concerning any contravention of the provisions relating to safety and health under this Act.

(2) The Director General shall, upon receipt of complaint under subsection (1) of this section, direct an Inspector to conduct a formal inquiry into such complaint in a manner as prescribed in the regulations.

**31.-(1)** An employer shall appoint a safety and health representative in a specific workplace who is a staff.

Safety and  
Health  
Represent-  
tatives.

(2) A Safety and Health Representative appointed under subsection (1) of this section shall have the following functions:

- (a) review and evaluate the effectiveness of health and safety measures;
- (b) identify potential hazards and major incidents at a workplace;
- (c) examine the causes of incidents occurring at the workplace in collaboration with the employer;
- (d) investigate complaints by employee relating to such employee's health or safety at work;
- (e) inspect documents related to occupational safety and health that the employer is required to maintain;
- (f) accompany an Inspector on any inspection and participate in any internal safety or health audit;
- (g) cooperate with the employer in all measures set out in this Act and any other law with a view to eliminate or minimize any risks to safety and health at work; and
- (h) report accidents, near misses, injuries, illnesses or death.

(3) An employer shall provide the necessary facilities, assistance and training required to enable the Safety and Health representative to effectively perform his functions.

**32.-(1)** An employer who has more than fifty employees in his workplace shall establish a Safety and Health Committee.

Safety and  
Health  
committees.

(2) The Safety and Health Committee established under subsection (1) of this section shall keep under review the measures taken to ensure the safety and health of employees in a specific workplace.

(3) The compositions and functions of the committee shall be prescribed in the regulations.

**PART SEVEN**  
**GENERAL DUTIES, RIGHTS AND RESPONSIBILITIES OF**  
**EMPLOYERS, EMPLOYEES AND SELF-EMPLOYED**

Duty of the  
employer.

**33.-(1)** An employer shall have the duty to ensure the safety, health and welfare of all employees at his workplace.

(2) Without prejudice to the provisions of subsection (1) of this section, the employer shall have the duty to:

- (a) report to the Director General any incident which has occurred at or originated at his workplace;
- (b) provide and maintain plants, systems and procedures of work that are safe and without risks to health;
- (c) make arrangements for ensuring safety and health in connection with the use, handling, storage and transport of equipment and substances;
- (d) ensure that persons not in his employment who may be affected by his undertaking shall not be exposed to risks of their safety and health;
- (e) provide information, instruction, training and supervision where necessary to ensure the safety and health at work of every person employed;
- (f) provide and maintain for ever person employed a working environment that is safe, without risks to health, and adequate facilities and arrangements for the employees' welfare at work;
- (g) inform all persons employed of:
  - (i) any risks from new technologies;
  - (ii) imminent danger; and

- (h) ensure that every person employed participates in the application and review of safety and health measures.

(3) The employer shall not compel employees to return to work where there is an imminent or serious danger to the life or health of the employees at the workplace.

(4) Where two or more employers undertake activities simultaneously at one workplace, the employers shall have the duty to collaborate in order to comply with the prescribed measures without prejudice to the responsibility of each employer for his employees.

**34. An employee shall, while at his work:**

Duty of  
employee.

- (a) ensure his own safety and health and that of other persons who may be affected by his acts or omissions at the workplace;
- (b) cooperate with his employer or any other person in the discharge of any duty or requirement imposed on the employer or that other person by this Act or any regulation;
- (c) at all times wear or use any protective equipment or clothing provided by the employer for the purpose of preventing risks to his safety and health;
- (d) comply with the safety and health procedures, requirements and instructions given by a person having authority over him for his own or any other person's safety;
- (e) report to the supervisor any situation which he has reason to believe that such situation presents a hazard which he cannot correct; and
- (f) report to his supervisor any accident or injury that arises in the course of, or in connection with his work.

Duty of self-employed person.

**35. A self-employed person shall have the duty to:**

- (a) take all necessary precautions to ensure his own safety and health and that of any other person in his workplace or within the environment of his workplace;
- (b) at all times use appropriate safe systems of work, preventive and control measures and where not feasible, use suitable personal protective appliances and clothing required under this Act;
- (c) comply with any safety and health regulations, instructions and procedures issued under this Act; and
- (d) report to the Director General on:
  - (i) any situation which he has reason to believe presents imminent danger or hazard which he cannot correct, and
  - (ii) any incident or injury that arises in the course of or in connection with his work, as required under this Act.

Duty to report.

**36. An employee shall immediately report to the supervisor of any situation that, on reasonable grounds, is believed to cause immediate or serious danger to his life, health or safety or life, health or safety of others in the same workplace.**

Employee's rights.

**37.-(1) An employee shall have the following rights to:**

- (a) remove himself from a work situation which he has reasonable justification to believe that presents an imminent and serious danger to his life; and
- (b) be provided with appropriate protective equipment for his safety and health.

(2) Subject to the provisions of subsection (1)(a) of this section, the employee shall not be punished or subjected to undue consequences

provided that the danger is confirmed by the Director General.

**38.** An employer or self-employed person shall display or provide safety guide precautions to all persons whether those persons are his workers or not, who may be affected by the manner in which the employer conducts the undertaking.

Display of  
safety guide  
precautions.

**39.-(1)** A person who has control of premises shall ensure that persons can safely enter, exit and move around the premises.

Duty to  
provide safe  
premises.

(2) A person shall, for the purposes of subsection (1) of this section, be treated as having control of any matter where, by virtue of any contract or tenancy, such person has an obligation to any extent in relation to:

- (a) maintenance or repair of any premise to which this section applies or any means of access thereto or exit from; or
- (b) safety and health arising from plant or substances in any premise.

(3) A person having control of premises under subsection (1) of this section shall ensure that the best practicable means are used to prevent the emission of any toxic, harmful or offensive substance into the atmosphere or to render such emission harmless.

## **PART EIGHT**

### **SAFETY, HEALTH AND WELFARE**

**40.-(1)** Any building or part of a building used as a workplace shall be of sound construction and maintained in a good state of repair.

Safe and  
sound  
building.

(2) A building referred under subsection (1) of this section shall be in standards and conditions as prescribed in the regulations.

**41.** Every workplace shall be kept in a clean state and free from effluvia arising from any drain, sanitary convenience or nuisance.

Cleanliness.

Healthy and  
safe working  
environment.

**42.** An employer shall ensure that his workplace has healthy and safe environment and availability of all basic services including sanitary conveniences, drinking water, washing facilities, personal protective and working equipment.

First Aid  
Box.

**43.-(1)** An employer or occupier of workplace shall provide and maintain first aid box or cupboard of the prescribed standard so as to be readily accessible.

(2) Each first aid box or cupboard shall be placed under the charge of a responsible person who has received first aid training from a recognized institute and who is always be readily available during working hours.

(3) The procedures for providing first aid shall be prescribed in the regulations.

Medical  
Exami-  
nation.

**44.-(1)** An employer shall conduct pre-placement, periodical, special or exit occupational medical examination where necessary for the fitness of the employees as may be authorized by the Director General.

(2) The medical examination referred under subsection (1) of this section shall be carried out by a qualified medical practitioner authorized by the Director General.

(3) The employer shall be responsible for all expenses of conducting medical examination other than pre-placement medical examination and maintain the confidentiality of the results of the medical examination of such employee.

Risk  
assessment.

**45.** An employer shall ensure that a risk assessment is conducted by the Authority at least once every year or whenever necessary in such a manner as may be prescribed in the regulations.

## PART NINE

### MACHINERY SAFETY PROVISIONS

**46.-(1)** All plant whether fixed or mobile for use either at the workplace or as a workplace, shall only be used for work which they are designed for and be properly installed, maintained and operated by a competent person.

Safe use of plant.

(2) Subject to the provisions of subsection (1) of this section, every dangerous part of any machine shall be securely fenced.

**47.-(1)** Where a fixed vessel, sump or pit contains scalding, corrosive or poisonous liquid and the edge of the vessel, sump or pit is less than one meter above the adjoining ground or platform, it shall be securely covered or fenced to at least that height.

Vessel containing dangerous liquids.

(2) Where a secure covering or fencing to that height is not reasonably practicable depending on the nature of the work,, all practicable measures shall be taken to prevent any person from falling into the vessel, sump or pit.

(3) A warning notice indicating the danger shall be marked on or attached to the vessel, sump or pit or posted conspicuously nearby.

**48.-(1)** Where a self-acting machine has a moving or traversing part and operates in a space over which persons may pass, the moving part and any material carried by it shall not approach within one meter of any fixed structure not forming part of the machine.

Self-acting machine.

(2) The occupier of a workplace or a person in charge of the machine shall take all practicable measures to ensure that no person is present in the space between a moving part of a self-acting machine and any fixed part of the machine towards which the moving part travels, unless the machine is stopped.

**49.-(1)** Every pressure vessel, including steam boilers, steam receivers and air receivers shall be of sound construction, adequate strength and properly maintained.

Pressure vessels and compressed Systems.

(2) A pressure vessel shall not be used unless fitted with prescribed safety devices to prevent excessive pressure.

(3) Every pressure vessel shall be examined and certified by an authorized person at prescribed intervals.

(4) A previously used pressure vessel shall not be taken into use unless examined and certified.

(5) Every pressure vessel and compressed system shall be required to be registered to the Director General in a manner prescribed in the regulations.

Duty of  
designer,  
manufacturer,  
supplier  
transporter  
and importer.

**50.-(1)** A person who designs, manufactures, supplies, transports or imports any plant or article for use at workplace shall ensure that:

- (a) the plant or article is designed and constructed to be safe and without risks to health;
- (b) arrangement for the carrying out of regular testing and examination are made to ensure their products are safe for the use are provided;
- (c) clear instructions including safety data sheets, technical certificates or clear hazard warnings for safe use, installation, operation, maintenance, transportation and their disposal are provided; and
- (d) the plant or article is appropriately classified according to its hazardous properties.

(2) Subject to provisions of subsection (1) of this section, the duties shall extend only to things done in the course of a trade or other business undertaking carried on by him.

Duty of  
importers  
to get  
information.

**51.** A person who imports any plant or article for use at work shall have the duty to obtain adequate research information of its toxicity and harmful effects to the health of persons at work.

## PART TEN

### FIRE PREPAREDNESS

**52.-(1)** An occupier of workplace shall ensure that the workplace is designed, constructed and maintained so as to prevent, so far as is reasonably practicable, the outbreak and spread of fire. Duty to ensure fire safety.

(2) The occupier of workplace shall take appropriate measures to eliminate or reduce fire risks arising from work processes, equipment or substances used at the workplace.

**53.-(1)** An occupier of workplace shall provide and maintain adequate and suitable fire detection and fire-fighting equipment appropriate to the nature of the workplace and the risks involved. Fire extinguishing gadgets.

(2) Fire-fighting gadget shall be readily accessible and maintained in efficient working condition.

**54.-(1)** All stocks of highly flammable substances shall be kept in a fire-resistant store or in a safe place outside any occupied building. Safe keeping of flammable substances.

(2) A fire-resistant store shall not be located in a place that endangers the means of escape from the workplace or any part of it in the event of fire.

## PART ELEVEN

### MATERIALS AND HAZARDOUS PROCESSES

**55.** All electrical apparatus, fittings and conductors shall be of adequate size and capacity for the purpose for which they are intended and shall be so constructed, installed, protected, operated and maintained in a manner to prevent danger. Safety of electrical installations and apparatus.

**56.-(1)** Toxic materials shall not be used at a workplace where a non-toxic or less hazardous alternative is reasonably practicable and available. Toxic materials.

(2) Where toxic materials are used or present at a workplace, the employer shall ensure that:

- (a) exposure of employees is prevented or properly controlled;
- (b) the number of employees exposed is reduced to the lowest possible level; and
- (c) where a recognised antidote available, it shall be easily accessible.

(3) Where toxic materials may contaminate the air, adequate ventilation or other effective control measures shall be provided and maintained to prevent exposure that may endanger health.

(4) Worker shall not eat, drink or smoke in areas where toxic substances are handled or present, if there is a risk of ingesting or inhaling those substances.

(5) Where there is a risk of bodily contamination, suitable washing or decontamination facilities shall be provided and maintained in a convenient location.

(6) The Director General may, where necessary for the protection of health, require an employer to:

- (a) provide additional washing or bathing facilities;
- (b) arrange for periodic medical examination of exposed employees; or
- (c) provide appropriate personal protective equipment.

Drenching  
facilities for  
emergency  
cases.

**57.** Where dangerous or corrosive liquids are used, there shall be provided and maintained for use, in case of an emergency:

- (a) adequate and readily accessible means of drenching with water for any employee who becomes splashed with such liquids; and
- (b) sufficient and suitable means of flushing or irrigating the eyes conveniently situated and clearly indicated by a distinctive sign which is visible at all times.

**58.-(1)** An employer shall ensure that:

- (a) the packages of a hazardous chemical when delivered are labelled and that an appropriate chemical safety data sheet for the chemical has been delivered to the workplace;
- (b) a list or register of these data sheets is kept at the workplace prior to the handling of chemicals; and
- (c) prior to the handling of chemicals, copies of chemical safety data sheets and of the list of data sheets are given to the workers concerned or their representatives who shall be available for consultation at any time.

(2) The employer shall have the duty to ensure that all chemical containers maintain their original labels and quality in terms of colour, text and graphics.

**59.** A person who designs, manufactures, supplies, transports or imports any substance for use at workplace shall ensure that:

Duty of  
designer,  
manu-  
facturer,  
supplier,  
transporter  
and  
importer.

- (a) the substance is designed and constructed to be safe and without risks to health;
- (b) arrangement for the carrying out of regular testing and examination are made to ensure their products are safe for the use;
- (c) instructions including safety data sheets, technical certificates or clear hazard warnings for safe use, installation, operation, maintenance, transportation and their disposal are provided; and
- (d) the substance is appropriately classified according to its hazardous properties;
- (e) containers are clearly marked to identify the substance; and
- (f) containers are labelled in a durable and easily

understandable manner so as to enable safe handling and use.

## PART TWELVE OFFENCES AND PENALTY

Offence  
causing  
serious  
injury.

**60.** A person who contravenes any provisions of this Act or Regulations and thereby causes serious bodily injury commits an offence and shall upon conviction be liable:

- (a) in the case of an individual, to a fine of not less than Three Million Shillings or to imprisonment for a term not exceeding one year or, to both such fine and imprisonment; and
- (b) in the case of an institution, to a fine of not less than Ten Million Shillings.

Offence  
causing  
death.

**61.** A person who contravenes any provision of this Act or Regulations and thereby causes the death of another person commits an offence and shall upon conviction be liable:

- (a) in the case of an individual, to a fine of not less than Ten Million Shillings or to imprisonment for a term not less than three years, or to both such fine and imprisonment; and
- (b) in the case of an institution, to a fine of not less than Twenty Million Shillings.

Offence  
relating  
to safety  
information.

**62.** A person who fails to provide instructions including safety data sheets, technical certificates or clear hazard warnings for safe use, installation, operation, maintenance, transportation and their disposal, commits an offence and shall, upon conviction, be liable to a fine of not less than Five Million Shillings or imprisonment for a term not less than twelve months or, to both such fine and imprisonment.

**63. A person who:**

- (a) forges or counterfeits any certificate required by, under or for the purposes of this Act;
- (b) gives or signs any certificate knowing it to be false in any material particular;
- (c) knowingly makes use of any forged, counterfeited or false certificate;
- (d) personates any person named in any certificate;
- (e) falsely pretends to be an occupational safety and health officer;
- (f) wilfully makes a false entry in any register, notice, certificate or document required for the purposes of this Act to be kept, served or sent;
- (g) wilfully makes or signs a false declaration required for the purposes of this Act;
- (h) knowingly makes use of any such false entry or declaration,

commits an offence and shall, upon conviction be liable to a fine of not less than One Million Shillings or to imprisonment for a term not less than six months, or to both such fine and imprisonment.

**64. A person who obstructs, hinders or assaults an Inspector in the execution of his duties commits an offence and shall be liable to a fine of not less than One Million Shillings or to imprisonment for a term not less than six months, or to both such fine and imprisonment.**

Obstruction  
of  
Inspector.

**65. A person who uses or operates a workplace without being registered, commits an offence and shall, upon conviction, be liable to a fine of not less than Three Million Shillings or imprisonment for a term not less than six months, or to both such fine and imprisonment.**

Operation  
and use of  
workplace  
without  
registration.

**66.**-(1) Where an occupier or owner of a workplace is convicted of an offence under this Act, the court may, in addition to or instead of imposing a penalty, order that person to take specified measures within a specified period to remedy the contravention.

(2) The court may, on application by a person under subsection (1) of this section, extend the period for compliance.

(3) A person shall not be liable for the continuation of the contravention during the period allowed by the court for compliance with the order.

(4) Where the order is not complied with after the expiry of the period originally specified or as extended, the occupier or owner commits an offence and shall be liable to a fine not exceeding Twenty Thousand Shillings for each day during which the non-compliance continues.

**67.**-(1) The Director General may compound an offence committed by a person under this Act or its regulations by requiring the person committed such offence to pay fine not less than half of the fine prescribed for such offence if that person:

- (a) admits that he committed the offence; and
- (b) pays all his default payment under this Act.

(2) The procedures relating to compounding an offence shall be prescribed in the Regulations.

(3) The imposition of the fine under subsection (1) of this section, shall not be regarded as convictions for the alleged offence and provided that the default payment is paid in full, no prosecution for the alleged offence shall be instituted or maintained.

## PART THIRTEEN MISCELLANEOUS PROVISIONS

**68.**-(1) A person who is aggrieved by the decision of the Authority may, within fourteen days from the date of such decision, appeal to the Board. Appeal.

(2) The Board shall, within twenty-one days from the date of receiving the appeal, determine such appeal.

(3) Where a person is not satisfied by the decision of the Board may, within fourteen days from the date of such decision appeal to the Minister.

(4) The Minister shall, within twenty-one days from the date of receiving the appeal, determine the appeal.

**69.**-(1) The designer, manufacturer, transporter, importer and supplier shall be jointly and severally liable to ensure that any plant, article or substance is safe and without risks to health. Joint and  
several  
liability.

(2) Notwithstanding the provisions of subsection (1) of this section, the receiver shall not be liable for any loss or injury arising from any inherent defect of any article or chemical substance or mixture of chemical substance.

**70.**-(1) The Minister may make regulations for the proper implementation of the provisions of this Act. Regulations.

(2) Without prejudice to the provisions of subsection (1) of this section, the Minister may make regulation relating to:

- (a) procedures and conditions for registration;
- (c) procedures for handling complaints;
- (d) safety and health measures to be taken by employers, employees and users in a workplace;
- (e) procedures for the notification of workplace injuries, occupational diseases or other danger;

- (f) composition and functions of the Health and Safety Committees;
- (g) the occupational hygiene measures to be implemented by employers or occupier; and
- (h) measures to reduce risk of fire breaking out in any workplace.

Repeal and  
saving.

**71.-(1)** The Occupational Safety and Health Act, No. 8 of 2005 is hereby repealed.

(2) Notwithstanding the repeal under subsection (1) of this section, anything done or purported to have been done under the repealed Act, shall be deemed or purported to be done under the provisions of this Act.

## SCHEDULE

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### PROCEEDINGS OF THE MEETINGS OF THE BOARD [Made under section 13]

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- 1.** The members of the Board shall elect one among them to be a Vice Chairperson of the Board.

Vice-Chairperson.
- 2.** Save for ex-officio members, the Chairperson and other members of the Board shall hold the office for a term of three years from the date of their appointment and may be eligible for re- appointment for another term only.

Tenure of the members.
- 3.-(1)** The Board shall ordinarily meet once in every three months and may meet for extraordinary meeting at any time when need arises for the discharge of its functions.

Meetings of the Board.
- (2)** All meeting of the Board shall be presided by the Chairperson and in his absence, the Vice Chairperson shall preside the meeting of the Board and if the Chairperson and the Vice-Chairperson are absent, the members present shall elect one among themselves to preside the meeting.
- 4.** More than half of the total number of the members shall constitute quorum at any meeting of the Board.

Quorum.
- 5.** Decisions of the Board shall be made by consensus, where there is no consensus, the decisions shall be made by vote and where there is an equal vote, the Chairperson shall have a casting vote.

Decisions of the Board.
- 6.** Subject to the provisions of this Act, the Board shall regulate its own procedures in respect of the meetings and proper conduct of its activities including Committees of the Board.

Procedures of the meeting.
- 7.** The Board may co-opt any person to attend in any deliberation of the meeting of the Board as an expert but the co-opted member shall have no right to vote.

Co-opted member.

Minutes  
of the  
meetings of  
the Board.

**8.** The minutes of the meetings of the Board shall be confirmed by the Board at the next meeting and signed by the Chairperson and the Secretary.

Committees  
of the  
Board.

**9.** The Board may, for the purpose of facilitating the performance of its functions, establish committees to perform specific functions as may deem necessary.

Delegation  
of the  
functions of  
the Board.

**10.-(1)** The Board may, if deems fit for the proper discharging of its functions, delegate some of its functions to the committees of the Board.

(2) Where the Board delegates its functions under subsection (1) of this section, it shall give directives in writing as may be necessary to ensure the proper performance of the functions.

Cessation of  
membership.

**11.** The member shall cease to hold office upon the occurrence of the following:

- (a) resignation;
- (b) if is absent without reasonable excuse for three consecutive meetings of the Board;
- (c) if he becomes incapacitated to perform his duties by reasons of physical or mental health;
- (d) if he ceases to be a representative of the institution which nominated that member;
- (e) if he is terminated by the Minister where he does not meet the expectation of the Authority; or
- (f) death.

Disclosure  
of the  
interest.

**12.-(1)** The member of the Board who has direct or indirect personal interest in a matter being considered or about to be considered by the Board shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at the beginning of the meeting of the Board.

(2) A disclosure of interest under subsection (1) of this section, shall be recorded in the minutes of the meeting and the member making such disclosure shall not:

- (a) be present during the deliberation of the Board for making of the determination; or
- (b) influence any other member in making the determination.

**13.** The Chairperson and other members of the Board shall be entitled to be paid such allowances in accordance with the Public Service Act, No. 2 of 2011.

Allowances  
of the  
members of  
the Board.

## **OBJECTS AND REASONS**

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This Bill proposes to repeal the Occupational Safety and Health Act, No. 8 of 2005 and to re-enact the Occupational Safety and Health Act, for the purpose of establishing an Authority vested with the powers and functions to administer, regulate, coordinate and enforce matters relating to occupational safety and health at workplaces in Zanzibar.

The Bill further seeks to strengthen the system for the administration, regulation, inspection and enforcement of occupational safety and health in accordance with the standards and regulations of the International Labour Organization, as well as to enhance the implementation of laws, regulations, guidelines and standards relating to occupational safety and health.

Furthermore, the existing institutional framework for the administration of occupational safety and health, which is based on the Directorate of Occupational Safety and Health does not adequately meet the current operational and institutional requirements, particularly in enhancing operational autonomy, power to administer and regulate occupational safety and health matters, and also capacity to enter into contracts, agreements and partnerships with various stakeholders. This situation has resulted into challenges in the effective implementation, administration and regulation of activities relating to occupational safety and health.

From the aforementioned challenges, the Bill proposes the establishment of an Authority with a effective legal and institutional framework to strengthen the administration and enforcement of occupational safety and health and to correspond with the changes in the working environment, advances in science and technology, changes in the nature and forms of employment, and developments in systems of production and service delivery.

Furthermore, the Bill also seeks to strengthen the capacity of the Government to administer, regulate and enforce occupational safety and health matters by establishing a strong, modern and sustainable legal and institutional framework aimed at preventing accidents,

injuries and occupational diseases; protecting the health, safety and welfare of workers and other persons who may be affected by activities carried out at workplaces; and promoting and ensuring safe and healthy working environments in all workplaces in Zanzibar.

The Bill is divided into Thirteen Parts:

**Part One:** provides for preliminary matters, including the short title and commencement of the Act, its application, and the interpretation of key terms used in the Act.

**Part Two:** provides for the establishment of the Authority. This Part sets provisions for the establishment and legal status of the Authority, the functions of the Authority, and the powers of the Authority in administering and regulating occupational safety and health matters.

**Part Three:** is about the Management and Administration of the Authority. This Part provides for the establishment and composition of the Board, qualifications of the Chairperson, appointment of the Secretary to the Board and his functions, functions and powers of the Board, appointment of the Director General, and the internal administration and management of the Authority.

**Part Four:** provides for Financial Provisions including the sources of funds of the Authority, budget, account and audits of the funds.

**Part Five:** is about registration of workplaces, issuance of certificates and maintenance of records relating to all workplaces.

**Part Six:** This Part provides for inspection and investigation. Also provides for the appointment and powers of inspectors, as well as his powers, receipt and handling of complaints, establishment of occupational safety and health committees, and appointment and functions of occupational safety and health representatives.

**Part Seven:** This Part provides for the general duties, rights and responsibilities of employers, employees and self-employed persons. It further provides for the provision of guidelines and safety precautions at workplaces, the duty to report incidents together with the rights of employees.

**Part Eight:** This Part explains for the safety, health and welfare of workers, including requirements relating to safe buildings, safe working environments, cleanliness and sanitation, lighting, and medical examination to workers.

**Part Nine:** provides for the provisions of safety of mashines used at workplaces, including the safe use of plant, machines, hazardous chemicals and substances and pressure equipment.

**Part Ten:** This Part provides for fire preparedness, duties relating to fire safety, means of escape in the event of fire and fire-fighting equipment.

**Part Eleven:** provides for hazardous equipment and processes in relation to occupational safety electricity equipment, emergency washing facilities, labelling of hazardous chemicals, and the duties of manufacturers and suppliers of equipment and other materials used at workplaces.

**Part Twelve:** provides for various offences and their penalties together with procedures for compounding offences.

**Part Thirteen:** provides for miscellaneous provisions, including the power of the Minister to make regulations and the repeal and saving of the Occupational Safety and Health Act, No. 8 of 2005.

Finally, there is a Schedule which provides for the proceedings of the meetings of the Board.

**ZANZIBAR**

18<sup>th</sup> August, 2026



(HON. SHARIFF ALI SHARIFF)  
**MINISTER FOR LABOUR AND  
INVESTMENT**



