THE MANAGEMENT COUNCIL ACT, 1986.

ARRANGEMENT OF SECTIONS

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ACT NO. 10 OF 1986.

I ASSENT

Idris Abdul Wakil

IDRIS ABDUL WAKIL
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY
COUNCIL.

.........15th July.......... 1986.

AN ACT TO REPEAL THE REVOLUTIONARY COMMITTEES DECREE AND TO MAKE PROVISIONS FOR THE ESTABLISHMENT OF THE MANAGEMENT COUNCIL TO PROVIDE FOR ITS POWERS AND FUNCTIONS AND TO PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO

ENACTED BY THE HOUSE OF REPRESENTATIVES, ZANZIBAR.

Short title and commencement.

1. This Act may be cited as the Management Council Act, 1986 and shall come into operation immediately upon being assented by the President.

Interpretation.

2. In this Act, unless the context otherwise requires -

"Government" means the Revolutionary Government of Zanzibar and includes its parastatals and Special Department;

"Special Department" means special departments as established by the Constitution;

"Independent Department" means department other than that which has a direct control from the Ministry.

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Establishment of the Management Councils.

3. There is hereby established -

(a) in every Ministry;

(b) in every Region and District;

(c) in every Independent Department;

(d) in every Public Enterprise; and

(e) in every Special Department,

a Management Council of that Ministry, Independent Department, Public Enterprise, Special Department or of the Region or District, as the case may be.

Composition of the Ministerial Committee.

4. The Management Council of each Ministry shall consist of -

(a) the Minister responsible for that Ministry as Chairman;

(b) the Deputy Minister as deputy chairman;

(c) the Principal Secretary as Secretary;

(d) Chief Accountant;

(e) Heads of all departments which fall under that Ministry;

(f) Chairman of the Chama cha Mapinduzi branch of that Ministry;

(g) Chairman of JUWATA branch of that Ministry;

(h) all managers of parastatals which fall under that Ministry;

(i) Officer in charge of the Ministry in Pemba;

(j) Accountant of that Ministry in Pemba; and

(k) not more than five people who shall be elected by the Members of that Ministry.

Regional and District Management Council.

5. The Management Council of each Region or District shall respectively be composed of -

(a) the Regional or District Commissioner as Chairman;

(b) the Regional or District Administrative Officer as Secretary;

(c) Representatives of each Ministry in that Region or District as members;

(d) Chief Accountant of the Region or District as members;

(e) Chairman of JUWATA and Party Branch of the Regional and District Government as members:

Provided that the Regional Management Council shall in addition to the above members have the District Commissioners of that Region with their Administrative officers and chief accountants as members.

Composition of the Independent Department and Public Enterprise Council.

6. The Management Council of each Independent Department and each Public Enterprise shall consist of -

(a) the head of that department or enterprise as a Chairman;

(b) Chief Accountant as Secretary;

(c) sectional heads within the Department or enterprise as members;

(d) Chairman of the Party Branch of that department or enterprise;

(e) Chairman of the JUWATA Branch of that department or enterprise;

(f) not more than five members of that department or enterprise appointed by the department or enterprise;

(g) for the department or enterprise having its offices in Pemba, the head and the accountant of that department or enterprise in Pemba.

Composition of Special Department's Council.

7. In every Special Department the Management Council shall consist of -

(a) the head of that Department as Chairman;

(b) Chief Accountant of the Department as Secretary;

(c) Political Commissor of that Department as member;

(d) not more than five members of the Special Departments appointed from amongst the members themselves;

(e) heads of the sections within that Special Department;

(f) Officer in charge and political commissar of Special Department in Pemba;

(g) Accountant of the Special Department in Pemba.

Ministries or Departments having offices in Pemba.

8. Every Ministry, Independent Department, Parastatal or Special Department which has its offices in Pemba shall establish the Management Council of that Ministry, Parastatal, Special Department or Independent Department in Pemba.

Composition.

9. The composition of the Management Council established under section 8 of this Act shall be composed of the following :-

(a) Officer in charge of that Ministry, Independent Department, Parastatal or Special Department as Chairman;

(b) Accountant of that Independent Department, Parastatal or Special Department as Secretary;

(c) heads of the sections of that Ministry, Independent Department, Parastatal or Special Department as members;

(d) Branch Chairman of C.C.M. as member;

(e) Branch Chairman of JUWATA as member;

(f) not more than five people who shall be elected by that Ministry, Independent Department, Parastatal or Special Department in Pemba:

Provided that the Political Commissar of each Special Department in Pemba shall also be a member.

Functions of the Management Council.

10.(1) The Management Council shall be responsible for and ensure that -

(a) discipline is maintained;

(b) work is done efficiently, orderly with puntual and regular attendance and workers' duties and obligations are properly carried out;

(c) the problems and the welfare or rights of the workers in that area are entertained in accordance with the prevailing laws and regulations;

(2) The Management Council shall also be responsible for -

(a) examining the budget and studying or adopting the development plans and the working programmes submitted by all departments and public enterprises including sections of the Departments under the Ministry;

(b) planning the ministerial development plans, the working programmes and the budget;

(c) directing and supervising Government programmes and ensuring their implementation at every stage;

(d) ensuring that there is a proper and rational utilisation of manpower, machinery and materials;

(e) generally advising on the proper implementation of the development plan policy and co-operation among the ministries; and

(f) to do other things which the Council shall think fit.

Meeting of the Council.

11.(1) A Council shall meet at least once in every four months but may at any time if needed call and convene a meeting at such place on such date and such time as it shall determine.

(2) All the meetings shall be chaired by the Chairman and in his absence by the deputy Chairman, or where there is no deputy Chairman by the Principal Secretary as acting Chairman or where there is no Principal Secretary any person who deputises the head of that Department or parastatal in case the head is not available.

(3) One half of all the members of the Council shall constitute a quorum at any meeting.

(4) The Secretary shall cause to be recorded and kept details of all business conducted at its meeting and the minutes of the meeting shall be read and confirmed at the next meeting of the Council and shall be signed by the Chairman.

Decision of the Council.

12. All questions put before the Council for decision at any meeting shall be decided by a majority of the votes of the members present and voting and in the event of an equality of votes the Chairman or other member chairing shall have a casting vote in addition to his original vote.

Repeal of Decree No.1/79 and Savings.

13.(1) The Revolutionary Committees Decree number 1 of 1979 is hereby repealed.

(2) Any act done or rules made under the provisions of the Revolutionary Committees Decree shall be deemed to have been done under the corresponding provisions of this Act.

Passed in the House of Representatives, Zanzibar, this 13th day of June, 1986.

SALUM MZEE

ACTING CLERK TO THE HOUSE OF REPRESENTATIVES.

SHERIA YA KUFUTA SHERIA YA KAMATI ZA MAPINDUZI NA KUANZISHA KAMATI YA UONGOZI, KUELEZA UWEZO WA KAZI ZAKE PAMOJA NA MAMBO YANAYOHUSIANA NA HAYO.

Kifungu:

1.	Jina na tarehe ya kuanza kutumika.
2.	Ufafanuzi.
3.	Uanzishwaji wa Kamati za Uongozi.
4.	Wajumbe wa Kamati ya Uongozi ya Wizara.
5.	Wajumbe wa Kamati ya Uongozi ya Mkoa na Wilaya.
6.	Wajumbe wa Kamati za Uongozi za Maidara yanayojitegemea na Mashirika ya Umma.
7.	Wajumbe wa Kamati za Maidara Maalum.
8.	Mawizara au Maidara yenye Ofisi zake Pemba.
9.	Wajumbe.
10.	Kazi za Kamati ya Uongozi.
11.	Mikutano ya Kamati.
12.	Uamuzi wa Kamati.
13.	Kufutwa kwa Sheria Na. 1/79 na kubakishwa.

SHERIA NAMBA ..10 YA 1986

NAKUBALI

Idris Abdul Wakil

IDRIS ABDUL WAKIL
RAIS WA ZANZIBAR
NA MWENYEKITI WA
BARAZA LA MAPINDUZI

15th July, 1986

SHERIA YA KUFUTA SHERIA YA KAMATI ZA MAPINDUZI NA KUANZISHA KAMATI YA UONGOZI, KUELEZA UWEZO WA KAZI ZAKE PAMOJA NA MAMBO YANAYOHUSIANA NA HAYO.

Imetungwa na Baraza la Wawakilishi la Zanzibar.

Jina na tarehe ya kuanza kutumika.

1. Sheria hii itajulikana kama Sheria ya Kamati ya Uongozi ya 1986, na itaanza kutumika mara tu baada ya Rais kuikubali.

Ufafanuzi.

2. Katika sheria hii, isipokuwa kama itaelezwa vyenginevyo -

" Serikali" maana yake ni Serikali ya Mapinduzi ya Zanzibar na inajumuisha Mashirika pamoja na Maidara Maalum;

" Maidara Maalum" maana yake ni Maidara Maalum kama yalivyoanzishwa na Katiba;

" Maidara yanayojitegemea" ni yale maidara ambayo hayapo chini ya usimamizi wa moja kwa moja wa Wizara;

" Askari" inajumuisha na Afisa wa Cheo cha juu wa Idara hiyo.

Uanzishwaji wa Kamati za Uongozi.

3. Hapa panaanzishwa -

(a) katika kila Wizara;

(b) katika kila Mkoa au Wilaya;

(c) katika kila Idara inayojitegemea;

(d) katika kila Shirika la Umma; na

(e) katika kila Idara Maalum.

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kamati ya uongozi ya Wizara au Idara inayojitegemea au Shirika la Umma au Idara Maalum kwa mujibu wa itakavyokuwa.

Wajumbe wa Kamati ya Uongozi ya Wizara.

4. Kamati ya Uongozi ya kila Wizara itakuwa na wajumbe wafuatao -

(a) Waziri anaehusika na Wizara hiyo akiwa ndiye Mwenyekiti;

(b) Naib Waziri akiwa naibu Mwenyekiti;

(c) Katibu Mkuu akiwa kama Katibu wa Kamati;

(d) Mhasibu Mkuu;

(e) Wakuu wa Maidara yote yaliomo kwenye Wizara hiyo;

(f) Mwenyekiti wa Tawi la Chama cha Mapinduzi wa Wizara hiyo;

(g) Mwenyekiti wa Tawi la JUWATA la Wizara;

(h) Mameneja wote wa Mashirika yaliyo chini ya Wizara hiyo;

(i) Afisa Mdhamini wa Wizara hiyo aliyeko Pemba;

(j) Mhasibu wa Wizara hiyo aliyeko Pemba;

(k) Wajumbe wengine wasiopungua watano ambao wataoteuliwa na wafanyakazi wa Wizara hiyo.

Wajumbe wa Kamati ya Uongozi ya Mkoa na Wilaya.

5. Kamati ya uongozi ya Mkoa na Wilaya, kwa mpangilio, itakuwa na wajumbe wafuatao -

(a) Mkuu wa Mkoa au Mkuu wa Wilaya akiwa ni Mwenyekiti;

(b) Afisa Tawala Mkoa au Afisa Tawala Wilaya akiwa Katibu;

(c) Wawakilishi wa Mawizara walioko Mkoa ule au Wilaya ile wakiwa wajumbe; na

(d) Wahasibu wa Mkoa au Wilaya wakiwa wajumbe;

(e) Mwenyekiti wa Chama na wa JUWATA waliopo katika Serikali hizo:

Ila ijuilikane kwamba mbali na wajumbe waliotajwa hapo juu wa Mkoa, basi wataongezeka Wakuu wa Wilaya, Afisa Tawala na Wahasibu wao wa Wilaya wakiwa ni wajumbe vile vile.

Wajumbe wa Kamati za Uongozi za Maidara yanayojitegemea na Mashirika ya Umma.

6. Kamati ya Uongozi ya kila Idara inayojitegemea na Shirika la Serikali itakuwa na wajumbe wafuatao –

(a) Mkuu wa Idara au Shirika hilo akiwa ndiye Mwenyekiti;

(b) Mhasibu Mkuu akiwa ndiye Katibu;

(c) Wakuu wa Seksheni ambazo zimo kwenye Idara au Shirika;

(d) Mwenyekiti wa Tawi la Chama katika Idara au Shirika;

(e) Mwenyekiti wa Tawi la JUWATA katika Idara au Shirika;

(f) Wajumbe wasiozidi watano walioteuliwa na Idara au Shirika miongoni mwa wafanyakazi wao;

(g) Kwa yale Maidara, na Mashirika yenye Ofisi zake Pemba, Wakuu wa Idara au Shirika hilo waliopo Pemba pia watakuwa wajumbe;

(h) Mhasibu wa Idara au Shirika hilo aliyepo Pemba.

Wajumbe wa Kamati za Maidara Maalum.

7. Katika kila Idara Maalum, wajumbe wa Kamati ya Uongozi watakuwa –

(a) Mkuu wa Idara hiyo akiwa Mwenyekiti;

(b) Mhasibu Mkuu akiwa Katibu;

(c) Kamisaa wa siasa ya Idara hiyo;

(d) Wajumbe wasiozidi watano walioteuliwa miongoni mwa askari wa Idara Maalum;

(e) Wakuu wa Seksheni katika Idara Maalum;

(f) Mkuu wa Idara hiyo Pemba;

(g) Mhasibu wa Idara Maalum Pemba; na

(h) Mwanasiasa wa Idara Maalum Pemba.

Mawizara au Maidara yenye Ofisi zake Pemba.

8. Kila Wizara, Idara inayojitegemea, Shirika au Idara Maalum yenye ofisi zake Pemba itaanzisha Kamati yake ya Uongozi huko Pemba.

Wajumbe.

9. Wajumbe wa Kamati ya Uongozi itakayoanzishwa chini ya kifungu cha 8 cha sheria hii watakuwa hawa wafuatao -

(a) Afisa Mdhamini wa Ofisi hiyo ambaye atakuwa Mwenyekiti;

(b) Mhasibu wa Idara hiyo akiwa Katibu;

(c) Wakuu wa Seksheni katika Wizara wakiwa ni wajumbe;

(d) Mwenyekiti wa Tawi la CCM akiwa ni Mjumbe;

(e) Mwenyekiti wa Tawi la JUWATA akiwa ni mjumbe; na

(f) Si zaidi ya watu watano wa Afisi hiyo wataoteuliwa na wafanyakazi wa Afisi hiyo.

Ila ijuilikane tu kwamba wanasiasa wa kila Idara Maalum walioko Pemba nao watakuwa wajumbe.

Kazi za Kamati ya Uongozi.

10. (1) Kamati ya Uongozi itakuwa dhamana na itahakikisha kwamba -

(a) nidhamu inafuatwa;

(b) kazi inatendwa kwa utaratibu na katika kiwango kinachotakiwa na kwamba wafanyakazi wanahudhuria kazini kila siku na katika wakati uliopangwa na wanatekeleza vilivyo majukumu yao;

(c) matatizo, maslahi na haki za wafanyakazi zinashughulikiwa;

(2) Kamati ya Uongozi vile vile itawajibika -

(a) kuangalia bajeti, mipango ya maendeleo pamoja na mipango ya kazi itakayowasilishwa na maidara, na mashirika yote ya umma, ikiwa ni pamoja seksheni za maidara yaliyo chini ya Wizara husika;

(b) kupanga mipango ya maendeleo ya Wizara, mipango ya utekelezaji na bajeti;

(c) kuongoza na kusimamia mipango ya Serikali na kuhakikisha utekelezaji wake katika kila hatua;

(d) kuhakikisha matumizi ya hali ya juu ya wafanyakazi, mashine na bidhaa (materials);

(e) kutoa ushauri wa jumla katika uetekelezaji wa sera za mipango ya maendeleo pamoja na mashirikiano baina ya Mawizara;

(f) kufanya kitu chengine chochote ambacho Kamati itahisi inafaa.

Mikutano ya Kamati.

11 (1) Kamati itakutana angalau mara moja kwa kila miezi minne, lakini inaweza kukutana wakati wowote katika pahala na tarehe itakayoamua iwapo kuna haja ya kufanya hivyo.

(2) Mikutano yote itakuwa chini ya uenyekiti wa Mwenyekiti wa Kamati na iwapo Mwenyekiti hayupo basi naib wake au ikiwa hayupo basi Katibu Mkuu, na kwa pale ambapo hapana Katibu Mkuu mtu yeyote ambae humshikia madaraka mkuu huyo ikiwa ameondoka.

(3) Mkutano unaweza kufanyika iwapo wajumbe wasiopungua nusu wamehudhuria.

(4) Katibu atarikodi na kuweka kumbukumbu ya shughuli zote zilizozungumzwa katika mkutano na kumbukumbu hizo zitasomwa na kuthibitishwa katika mkutano utakaofuata na Mwenyekiti ataweka sahihi yake.

Uamuzi wa Kamati.

12. Masuala yote yaliyopo mbele ya Kamati yataamuliwa kwa wingi wa kura za wajumbe waliohudhuria na kupiga kura, na iwapo kura za kukubali na kukataa ni sawa basi Mwenyekiti au mjumbe anaeshikilia uenyekiti atakuwa na kura ya uamuzi baada ya ile aliyonayo kikawaida.

Kufutwa kwa Sheria Na. 1/79 na kubakishwa.

13. (1) Sheria ya Kamati za Mapinduzi nambari 1 ya 1979 inafutwa.

(2.) Kitendo chochote au kanuni zozote zilizotungwa chini ya sheria hiyo iliyofutwa zitahesabiwa kama kwamba zimetungwa chini ya Sheria hii mpya.

Imepitishwa na Baraza la Wawakilishi hii leo tarehe .... Juni, 1986.

SALIM MZEE
KAIMU KATIBU
BARAZA LA WAWAKILISHI

ZANZIBAR.

JUNE, 1986.