

AN ACT TO REPEAL THE LOCAL GOVERNMENT DECREE,
TO MAKE BETTER PROVISIONS FOR, AND TO
CONSOLIDATE LAWS RELATING TO LOCAL GOVERNMENTS
AND TO PROVIDE FOR OTHER MATTERS CONNECTED
THEREWITH AND INCIDENTAL THERETO.

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ACT NO.3 OF 1986

I ASSENT

Idris Abdul Wakil

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

21st May 1986.

AN ACT TO REPEAL THE LOCAL GOVERNMENT DECREE,
TO MAKE BETTER PROVISIONS FOR, AND TO
CONSOLIDATE LAWS RELATING TO LOCAL GOVERNMENTS
AND TO PROVIDE FOR OTHER MATTERS CONNECTED
THEREWITH AND INCIDENTAL THERETO.

ENACTED by the House of Representatives of
Zanzibar.

PART I

PRELIMINARY

Short title and commencement. 1. This Act may be cited as the Local Government (District and Urban Authorities) Act, 1986 and shall come into operation on such a date as the Minister may by notice in the Gazette appoint.

Interpretation. 2. In this Part, in the second Part and in the Third Part unless the context requires otherwise -

"Constituency" means any election constituency established under the provisions of the Constitution;

"authority" and "local authority" both mean a local Government authority and when used in relation to a township, means the township authority for that township;

"Chairman" -

- (a) When used in relation to a district authority means the Chairman of that authority;
- (b) when used in relation to any committee or other body of persons, means the Chairman of that Committee or that other body of persons,

includes the Vice-Chairman of the district authority the committee or of the other body of persons, or any other person acting in the absence of the Chairman and the Vice-Chairman, when he exercises the functions or discharges the duties of the Chairman pursuant to this Act;

"local Government authority" means a district authority or an urban authority;

"Minister" means the Minister for the time being responsible for local government;

"the Party" means Chama cha Mapinduzi and, in appropriate context, refers to an appropriate committee or other person or body of persons authorized under the constitution of Chama cha Mapinduzi to perform the function relevant to the context in question for the purposes of this Act;

"Regional Commissioner" -

- (a) when used in relation to region, means the Regional Commissioner for the region concerned;
- (b) when used in relation to a district authority means the Regional Commissioner for the region in which that district authority is established;

"award" means an award made or registered by the Tribunal under this Act.

PART II

CONSTITUENT GOVERNMENT

Establishment of Constituent government. 3. Every constituency is hereby declared to be an area of a local government; and shall be deemed to have been registered as a local government accordingly.

Constitution of constituent government. 4. Any person may be qualified to be a member of the constituent government if, and shall not be so qualified unless -

- (a) he is a Zanzibari of the age of 21 years or above;
- (b) he is a member of the Party who fulfills all the requirements of membership as specified in the Party Constitution;
- (c) he has experience in the service of the Government;
- (d) he has completed the compulsory education.

Election of members of the constituent government. 5.(1) The Constituent government shall comprise of not less than ten members and not more than fifteen members who shall be elected from the Constituency itself.

(2) Each branch in that constituency shall be represented by an equal number of the members of the Council.

(3) Residents of any particular branch in that constituency shall elect their representatives who shall form part of the constituent government.

(4) There shall be a councillor of the council who shall be elected by all residents eligible for voting in that constituency.

(5) The secretary to the constituent government shall be employed by the constituent government itself.

Tenure of office and election of constituent government.

6.(1) Every member of the constituent government shall, unless he sooner ceases to be a member by death or resignation, continue to hold office as a member of that government until such time the constituent government next meets for the election of the members of the constituent government.

(2) Three months after the expiry of five years from the date when the constituent government was elected by the constituency members, shall arrange for election of new members of the government.

Councillor of government to be chief executive.

7. The Chairman of the constituent government shall be the chief executive of that government.

Functions and powers of a constituency government.

8.(1) A constituent government shall perform such functions as are conferred upon it under the Order issued by the Minister and may, subject to the approval of the Minister, make by-laws for any such objects as are necessary or desirable for the safety and well being of the inhabitants of its area or for the good rule and government of its area.

(2) In particular and without prejudice to the generality of the foregoing such by-laws may be for any of the following purposes :-

- (a) the preservation of public decency and suppression of prostitution;
- (b) the control of migration of young persons to towns;
- (c) subject to the provisions of any other law, the prohibition, regulation and licensing of any local trade or business;
- (d) the conservation and development of livestock and poultry;
- (e) the suppression of vermin or ownerless dogs;
- (f) subject to the provisions of any other law, the prohibition and regulation of ngomas and other dances and entertainments;

- (g) the control, management and regulation of social centres;
- (h) sanitation and other matters relating to public health;
- (i) the protection of crops;
- (j) the regulation of fishing;
- (k) the regulation of woodcutting;
- (l) the building of better houses;
- (m) regulating the removal of stone, sand, wood or such other natural resources as may be approved by the Minister responsible for natural resources;
- (n) the management and control of markets in the local government area;
- (o) regulating the storage of any goods in any building or place belonging to the local government;
- (p) to do all other things which they deem fit.

(3) The constituent government shall also be responsible for the implementation of the Party and Government directives which may from time to time be given by the Regional or District Political Committees.

Power to make by-laws.

9. The constituent government may make by-laws and such by-laws shall only come into operation after the approval of the Minister.

Voluntary contribution.

10.(1) A constituent government may by resolution provide for the collection of moneys within its area by voluntary contribution.

(2) Such resolution shall be of no effect unless it is approved by the Minister.

Revenues.

11. The following moneys shall be paid into the revenues of the constituent government:-

- (a) moneys raised by voluntary contributions under the provisions of section 10;
- (b) fees and charges paid under the provisions of any by-laws made by the constituent government;
- (c) payments made to the constituent government under the provisions of any other law;
- (d) any other moneys which the Minister of Finance may authorise to be paid into the revenues of the constituent government.

Meetings.

12. At every meeting of constituent government the chairman or in his absence the Vice-Chairman shall preside, or in the absence of the chairman and vice-chairman from any meeting, the members present shall elect one of their number to be chairman at that meeting.

Quorum.

13. At least one-half of the members of the constituent government must be present to constitute a quorum.

Attendance.

14. A member who for any reason fails to attend three consecutive ordinary constituent government meetings without informing the chairman before a meeting of his inability to attend shall forfeit his seat.

Voting.

15.(1) Resolution of a constituent government shall be passed by a simple majority of the members present and voting:

Provided that resolutions to levy rates or to pass the annual estimates of revenue and expenditure shall require to be approved by two-thirds of the members present and voting.

(2) In the event of an equality of votes the chairman shall have casting vote in addition to his vote as a member.

Minutes.

16.(1) Minutes of the proceedings of every meeting of constituent government shall be kept by the chairman or by some other person under his direction, in such form as the Minister may prescribe, and a copy of all such minutes shall be sent to the District Commissioner of the district in which the local government is established.

(2) The minutes of the proceedings of meetings of a local government shall at all reasonable times be open to inspection by any member of the constituent government or person normally resident in the constituent government area.

Regulations.

17.(1) The Minister may issue written regulations not inconsistent with the provisions of this Law -

- (a) for the better control and management of the financial business of constituent government;
- (b) for the regulation of the proceedings and business of constituent government and respecting the matters to be referred, and the functions to be delegated, to any committee thereof;
- (c) for the regulation of the procedure of committee of constituent government;
- (d) in respect of officers and employees or of any grade or class of officers or employee in the employment of local government for regulating them, discipline, appointment, remuneration, promotion, termination of appointment, dismissal and leave, the payment of allowances, the grant of advances and the terms and conditions of service generally.

(2) Any regulations issued under the provisions of this section may be issued either generally or with respect to any particular constituent government and

shall be observed and obeyed by the constituent government or Governments with respect to which such regulations have been issued.

Constituent
government
committees.

18.(1) Every constituent government shall establish the following standing committees -

- (a) a standing committee responsible for finance and planning;
- (b) a standing committee responsible for economic and social services;
- (c) a standing committee responsible for defence and security;
- (d) a standing committee responsible for education and development;
- (e) a standing committee responsible for
b production and trade; and
- (f) the law enforcement standing committee.

(2) The Minister shall appoint not more than two people who are competent in the field of constituent government to be members of each standing committee.

(3) The law enforcement committee shall inter alia, adjudicate on matters brought before the committee by the members of the constituency and shall also be responsible to adjudicate on any matter which is in contravention of the local government by-laws.

(4) Subject to the standing orders of the District Council or the provisions of other laws, a standing committee shall determine its own procedure.

Estimates.

19. Every constituent government shall in each year prepare and approve by resolution estimates of its revenue and expenditure for a period of twelve months beginning on the first day of July in that year, and shall submit such estimates to the Minister for approval.

Accounts.

20. Every constituent government shall cause accounts to be kept in such manner as the Regional Commissioner may direct, of its revenue and expenditure, and shall, as soon as may be after the end of the local government's financial year furnish the Minister of Finance with a summary of its revenue and expenditure for the period of twelve months ending on that date.

PART III

THE TOWNSHIP AUTHORITY

Power of Minister to establish township authority.

21.(1) The Minister may, by order published in the Gazette, establish a township authority or such number of township authorities in such places or areas as he may see fit or desirable for the purposes of establishing, promoting, developing and maintaining an effective and efficient system of local government.

(2) The area of jurisdiction of township authority shall be such area or place as shall be specified in the order made under subsection (1).

Contents of establishing order.

22. Every order made under section 21 shall -

- (a) specify the name or names of the township authority or authorities being established and the date or dates on which it or they shall be established;
- (b) define the area in which the township or authorities shall be established and over which it or they shall exercise jurisdiction;
- (c) prescribe the device and official seal of each township authority so established,

and may, in any appropriate case, include any ancillary matters such as the apportionment of

assets, the continuance of the application of by-laws, and the effect on existing local authorities in the neighbourhood, of the establishment of the new township authority or authorities.

Procedure for
establishment.

23. An order made under this Part, establishing a township authority shall not come into operation or be published in the Gazette, save after prior approval of the district council, in whose area of jurisdiction the township authority in question is to be established, signified by resolution, has been given to the proposal to establish the township authority.

Certificate
of
establishment.

24.(1) As soon as possible after an order providing for the establishment of a township authority has been published in the Gazette, the Minister shall furnish to the township authority established by the order a certificate under his hand signifying the approval of that district council to the establishment of township council and the incorporation of that township authority in the name specified in the order upon the commencement of the order.

(2) The certificate of establishment furnished by the Minister shall be displayed in a prominent position in the principal office or ordinary meeting place of the township authority.

Contents
and effect
of
certificate.

25.(1) The certificate of establishment furnished by the Minister pursuant to section 24 shall be conclusive proof of and provide final authority for, the establishment of the township authority.

(2) In addition to the name of the township authority being established, the certificate shall specify -

- (a) the total number of residents;
- (b) the number of elected and of appointed members;
- (c) the place where the principal office of the township authority shall be situated; and

- (d) such other particulars as the Minister may, by notice published in the Gazette with the prior approval of the House of Representatives determine.

Township
authority
to be body
corporate.

26. Every township authority established under this Part, and in respect of which there is furnished by the Minister a certificate of establishment in pursuance of section 24 shall, with effect from the date of commencement of the establishment order, be a body corporate, and shall -

- (a) have perpetual succession and an official seal;
- (b) in its corporate name be capable of suing or being sued;
- (c) subject to this Act, be capable of holding and purchasing, or acquiring in any other way, and disposing of any movable property.

Attainment
of town
authority
status.

27.(1) The Minister shall, by notice published in the Gazette, specify prerequisite qualifications for the attainment by a township authority to the status of a town council, in accordance with the national policy on urban development:

Provided that such township has attained the population of ten thousand people and or above.

(2) Upon the satisfaction of the qualifications referred to in subsection (1) of this section by a township authority, the township authority shall be conferred the status of a town council.

(3) Upon the attainment to the status of town council and the conferment of that status upon it, the township council shall cease to be a local government authority of that status and shall be governed in its constitution and operation by the provisions relating to urban authorities.

PART IV.

URBAN AUTHORITIES

28. In this Part, unless the context otherwise requires -

"the House" means the House of Representatives of Zanzibar;

"authority" means an urban authority;

"Chairman" -

(a) when used in relation to an urban authority, means the Chairman of that authority, and in the case of a city or municipality, the Mayor of the city or the municipality, as the case may be;

(b) when used in relation to any committee or other body of persons, means the Chairman of that committee or that other body of persons, and includes the Vice-Chairman or the Deputy-Mayor of the urban authority, the committee or of the other body of persons, or any other person acting in the absence of the Chairman and the Vice-Chairman or the Deputy-Mayor, when he exercises the functions or discharges the duties of the office of Chairman or Mayor, as Chairman or Mayor, as the case may be, pursuant to this Act;

"city council" means a council established or deemed to have been established under this Act within the area of a city;

"the Council" -

(a) when used in relation to a town, means the town council for that town;

(b) when used in relation to a municipality means the municipal council for that municipality;

(c) when used in relation to a city, means the city council for that city;

"director" means -

- (a) in relation to a town, the Town Director appointed for that town;
- (b) in relation to a municipality, the Municipal Director appointed for that municipality;
- (c) in relation to a city, the City Director appointed for that city;

"Local government authority" means a district authority or an urban authority;

"Minister" means the Minister for the time being responsible for local government;

"municipal council" means a council established or deemed to have been established under this Act within the area of a municipality;

"Regional Commissioner" means -

- (a) in relation to a region, the Regional Commissioner for region concerned;
- (b) in relation to any urban authority, the Regional Commissioner for the region within which the urban authority is situated;

"town" means an area over which a town council is established or deemed to have been established under this Act;

"urban authority" means a town council, a municipal council or a city council.

Power to
establish
urban
authority.

29.(1) The Minister may, by order published in the Gazette establish any area an appropriate urban authority.

(2) In exercising the powers conferred upon subsection (1) of this section, the Minister shall comply with the national policy on the development of urban areas and may subject to this Act, establish such number and types of urban authorities in such area or areas as he may deem necessary for the purpose of promoting, developing and maintaining an effective and efficient system of local government.

- (3) The urban area of -
 - (a) a town council shall be known as a Town;
 - (b) a municipal council shall be known as a municipality;
 - (c) a city council shall be known as a city, and shall be such area as shall be specified in the order made under section 72 of this Act.

Content of establishment order.

30. Every order made under section 22 shall -

- (a) specify the name or names of the urban area or areas in which, and date or dates on which an urban authority or authorities shall be established;
- (b) define the area in which the urban authority shall be established and over which it shall exercise jurisdiction;
- (c) prescribe the device and official symbol of the urban authority,

and may, in any appropriate case, include any ancillary matters such as the apportionment of assets, the continuance of by-laws and the effect on existing urban authorities of the establishment of the new urban authority or authorities.

Procedure for establishment of urban authority.

31.(1) No urban authority shall be established except in accordance with the procedure prescribed by this section.

(2) Where it is intended to establish an urban authority in respect of any area or areas, the Minister shall, at least two months before making an establishment order under section 29, by notice published in the Gazette, and in any national newspaper, or as the case may be, any newspaper circulating in the area or areas in which it is intended to establish the urban authority, give notice of the intention, indicating the general direction of the boundaries, and such other matters as he deems necessary, and call upon all interested authorities or persons affected, to lodge with him

in writing any objections or other representations in such manner and within such time as may be prescribed.

(3) If, upon the expiration of the notice, no objection or other representations are received from any authority or person, the Minister shall proceed to make and publish in the Gazette the order under section 29.

(4) Where any objections or other representations are lodged in writing with the Minister pursuant to the notice given under subsection (2), the Minister shall cause to be delivered an acknowledgment to the authority or person lodging the objection or other representations concerned, and shall take into account the objections or representations in determining whether or not to establish the urban authority or determining the area of the urban authority to be established.

(5) As soon as possible after making the order under section 29, the Minister shall lay before the House a copy of the notice issued under subsection (2), together with a copy of the order subsequently made under section 29.

Certificate
of
establishment.

32.(1) As soon as possible after the order made under section 29 and the notice issued under section 30 in respect of any urban authority have been tabled before the House, and in any case not later than the date specified in the establishment order as its date of commencement, the Clerk of the House shall furnish to the urban council or councils established or to be established, or whose boundaries are varied or are to be varied, as the case may be, a certificate under his hand containing the particulars prescribed by section 33.

(2) Every certificate of establishment shall be in quadruplicate, and the Clerk of the House shall retain a copy and send these three remaining copies

one each to the Minister, the Principal Secretary to the Treasury and the Regional Commissioner for the time being responsible for the region in which the urban authority in question is established.

Contents
and effect
of
certificate.

33. A certificate of establishment furnished under section 32 shall specify -

- (a) the name of the urban authority being established;
- (b) the total number of residents;
- (c) the number of elected members and appointed members;
- (d) the place where the principal office of the authority shall be situated;
- (e) such other particulars as the Minister may from time to time determine.

Membership
of the
town
council.

34. Every town council shall consist of -

- (a) a competent Zanzibari of 30 years or above who has attained or otherwise exceeded the compulsory education and who is knowledgeable in the administration of government services and who may be eligible for election as a chairman;
- (b) all Councillors of constituent government from the constituencies within the town;
- (c) one member appointed by the Minister from amongst the Mass organisations who is experienced in the government administration;
- (d) a lawyer who shall be appointed by the Minister; and
- (e) not more than four other members appointed by the Minister from amongst the residents of the town.

By-laws.

35.(1) The legislative authority in relation to all matters and things within the town council is hereby vested in the town council.

(2) All by-laws shall not come into force until such time as the Minister has approved them.

(3) All by-laws made shall be subject to the provisions of any written law relevant to that matter or thing; and such by-law shall be read and construed subject to this Act.

Functions
of the
town
council.

36. It shall be the responsibility of each town council -

- (a) to maintain and facilitate the maintenance of peace, order and good government within its area of jurisdiction;
- (b) to promote the social welfare and economic well-being of all persons within its area of jurisdiction;
- (c) subject to the national policy and plans for rural and town council development to further the social and economic development of its area of jurisdiction;
- (d) for the suppression of crime, the maintenance of peace and good order and the protection of public and private property lawfully acquired;
- (e) for the regulation and improvement of agriculture, trade, commerce and industry;
- (f) for the furtherance and enhancement of the health, education, and the social cultural and recreational life of the people;
- (g) for the relief of poverty and distress and for the assistance and amelioration of life for the young, the aged and the disabled or infirm.

Duties of
the town
council.

37. Subject to this Act, it shall be the duty of every town council authority within its area of jurisdiction -

- (a) to undertake all other works, matter and services necessary for or conduct to the public safety, health or conveyance, as it shall think fit, or which the Minister may from time to time decide to be the functions of the town council;
- (b) to regulate the use and conduct of public vehicles plying for hire and their fares to regulate the routes and parking places to be used by such vehicles, to appropriate particular routes, roads, streets and parking places to specified classes of traffic, and when necessary to provide for the identification of all licensed vehicles;
- (c) to keep clear all trunk roads within the area of the authority;
- (d) to make, keep and maintain clear and in good order and repair all streets and sewers together with all buildings, machinery, works and things belonging thereto which have or shall become vested in the authority, and to provide for the drainage of surface waters. The authority, shall have power to divert or alter the course of any of the said streets or sewers and to keep the same clear of obstructions so as not to be a nuisance or injurious to health;
- (e) to name or re-name where necessary all streets (such names to be affixed in conspicuous places therein), and to cause the buildings in such streets to be numbered;
- (f) to regulate any trade or business which may be noxious, injurious to the public health or a source of public danger, or which otherwise it is in the public interest

expedient to regulate, and to provide for the issue of licences or permits to facilitate the regulation of any such trade or business, and for the imposition of fees in respect of such licences or permits;

- (g) to provide for the prevention and abatement of public nuisances or of nuisances which may be injurious to the public health or to the good order of the area of the authority;
- (h) to provide for and maintain a supply of electric lighting or other means of lighting the streets and trunk roads (including bridges carrying trunk roads) and to provide such lamps, lamp posts, and other materials and apparatus as may be deemed necessary for lighting its area;

Committee of
the town
council.

38. Every town council shall establish the following standing committees :-

- (a) a standing committee responsible for Finance and Planning;
- (b) a standing committee responsible for Manpower Development;
- (c) a standing committee for economic development and Social Services;
- (d) a standing committee on Labour and Construction; and
- (e) a standing committee responsible for law and order.

Estimates
and
accounts.

39.(1) Every Town Council shall each year prepare and approve by resolution detailed estimates of its revenue and expenditure for the period of twelve months beginning on the 1st day of July in that year.

(2) Every town council shall cause accounts to be kept in such manner as the chairman of the council

shall direct, of its revenue and expenditure and shall, as soon as may be after the end of the Council's Financial Year furnish to the Minister of Finance with a summary of its revenue and expenditure for the period of twelve months ending on that date.

Day to day administration of the Government.

40.(1) The day to day administrative functions of the Town Council shall be discharged by the Chairman, the town director and the standing committees of the Town Council.

(2) The Chairman however, shall be the chief executive of the Council.

Functions of the law enforcement order committee.

41. The functions of this committee shall be similar to those of the Local Governments, but shall dispatch those functions only within the area of its jurisdiction.

Sources of revenue.

42.(1) The revenues, funds and resources of a town council authority shall consist of -

- (a) such proportion as the Minister may, with the approval of the Minister for the time being responsible for finance, determine, of the revenue collected by the Government;
- (b) fifty per centum of all the fees for licences granted under the licensing authority;
- (c) all money derived from the registration of taxicabs plying within the area of the town council;
- (d) all fees for licences granted within the area of the town council under the Auctioneers Laws;
- (e) all moneys derived from any trade, industry, works, services or other undertaking carried on or owned by the town council;
- (f) all assets vested in the town council authority;

- (g) all fees for licences in respect of theatres or other places of public entertainment within the area of the town council;
 - (h) all money derived from fees for licences, permits, dues or other charges payable pursuant to the provisions of any by-law made by the town council;
 - (i) all moneys derived from fines imposed by, or the value of all things and articles forfeited as a result of an order of, any court in consequence of a contravention of any provision of this Act, this Act or any by-law of the town council in relation to markets, animals, pounds or recreation;
 - (j) all moneys realised from the sale or other disposition of things and articles of the town council;
 - (k) all moneys derived from fees paid in respect of rents of shops, butcheries, market stalls, user charges, service charges and entertainment taxes;
 - (1) all moneys derived from rents or fees collected for renting or use of public houses or buildings owned by the town council.
- (2) A Town Council may charge fees or dues in respect of services provided by it and, moneys derived from fees or dues chargeable in respect of those services, activities and programmes.
- (3) Any other moneys lawfully derived by a town council from any other source not expressly specified in subsection (1) or (2) shall be and form part of the revenues, funds and resources of the town council.
- (4) All revenues of a town council shall be paid into the general fund of the town council.

(5) All revenues derived from the fees charged from the sale of movable property exceeding 3,000/- in value.

Town Council to work under the guidance of District and Party guidelines.

43. The Town Council shall at all times be subject to the directives of the district government and Party policies.

Appointment of Town Director.

44. The Town Director shall be appointed by the residents of the Town who are eligible for voting in accordance with the laid down procedure.

Composition of the Municipal Council.

45. Every Municipal Council shall consist of -

- (a) a Mayor who shall be elected by people eligible for voting and who shall be a Zanzibari of not less than 35 years of age and who has completed at least a universal primary education with long experience in the civil service;
- (b) a deputy Mayor who shall be elected from amongst the chairman of the local government from that municipality;
- (c) Councillor of the constituent government elected by the people from the constituencies of the municipality;
- (d) ex-officio members who shall not be the members of the Municipal Council.

By-laws.

46. The Municipal Council may, subject to the approval of the Minister, make its own by-laws for the better carrying out of the functions of the council.

Functions.

47. The Municipal Council may, in particular and without prejudice to other obligations do any and or all of the functions of Town Council as provided under section 36 of this Act, within its area of jurisdiction.

Duties of
the
Municipal
Council.

48. The Municipal Council shall within its area of jurisdiction do any and or all of the duties of the town council as provided under section 37 of this Act.

Committees
of the
Municipal
Council.

49.(1) Every Municipal Council within the area of its jurisdiction shall establish the standing committees to similar to those of the Town Council.

(2) The function of these committees shall, within the area of their jurisdiction be similar to those functions of the local governments and town council.

Sources of
revenue.

50.(1) The revenue, funds and resources of the Municipal Council shall consist of -

- (a) all moneys derived from any trade, industry, works service or undertaking carried on or owned by the Municipal Council;
- (b) all moneys from rents collected for renting public houses or buildings owned by the Municipal Council;
- (c) all moneys derived from any rate imposed by the Municipal Council under or in pursuance of this Act or any other written law;
- (d) all moneys derived from any dues payable on any agricultural or other produce produced in the area of the Municipal Council, imposed under this Act or any other written law;
- (e) all moneys derived from fees for licences granted under the Business Licensing Act;
- (f) one-half of all fines imposed by, and one-half of the value of all things and articles forfeited as a result of an order of, any magistrates' court within the area of the Municipal Council in consequence of a contravention of any provision of the Act, this Act or any other written law relating to local government affairs;

- (g) all moneys derived from licences, permits, dues, charges or fees specified by any by-law made by the municipal council;
- (h) moneys payable to the Municipal Council under the provisions of any other written law;
- (i) all revenue accruing to the Municipal Council from the Government, any public or statutory corporation or international organization as contributions, grants-in-aid, endowments or other manner of payment;
- (j) any particular public revenue which may be lawfully assigned to the Municipal Council;
- (k) interest on any of the funds of the Municipal Council invested by it, except where special provision is made in regard to them under this Act or any other written law.

(2) Any other moneys lawfully derived by Municipal Council from any other source not expressly specified in subsection (1) shall be and form part of the revenue, funds and resources of the Municipal Council.

(3) All revenues of Municipal Council shall be paid into the general fund of the Municipal Council.

Municipal Council to work under the central Government.

51.(1) The Municipal Council shall at all times be subject to the directive of the Central Government.

(2) The Municipal Council shall at all times obey and implement the Party directives and policies as may from time to time be given to it.

Chief executive officer of the Municipal Council.

52(1) The Mayor shall be the Chief Executive of the Council and may employ any person to work for the Municipal Council after getting an approval from the Municipal Council's Standing Committee on Manpower Development.

(2) Disciplinary action may be taken against any employee by the Mayor in accordance with the normal Civil Service procedure.

(3) The Mayor shall preside over all the meetings and in his absence, deputy Mayor shall preside over such meetings.

Principal assistant.

53. Deputy Mayor shall be the Principal Assistant of the Mayor and shall in the Mayor's absence act on behalf of the Mayor.

Municipal Clerk.

54.(1) There shall be a Municipal Director who shall be appointed by the Mayor in accordance with section 52 of this Act.

(2) The Municipal Director shall be the head of the employees of the Municipal Council and shall be responsible for the day to day administration of the Council.

Municipal Council lawyer.

55.(1) There shall be a Municipal Council lawyer who shall be appointed by the Mayor in accordance with the laid down procedure.

(2) The functions of the Municipal Council lawyer shall be -

- (a) to advise the Municipal Council on all legal issues;
- (b) to do any other thing which may be given to him by the Mayor.

Establishment of their Municipal Council.

56. Where any town council has population exceeding fifty thousand people, such Town Council shall cease to be a Town Council and shall forthwith be declared a Municipal Council.

PART V.

OTHER MATTERS RELATING TO URBAN AUTHORITIES IN GENERAL

Powers of Urban authorities.

57. For the purposes of the better performance of the functions conferred upon it by this Act, or any other law, a Town Council, or a Municipal Council or a City Council shall within the limits of its local jurisdiction have power -

- (a) to undertake works and measures for or in connection with any local government purposes;

- (b) to provide for the construction, leasing, sale and control of houses;
- (c) to open and operate banking accounts with any authorised bankers;
- (d) to provide for the establishment and maintenance of regional schools;
- (e) to provide for the control, use and licensing of vehicles other than motor vehicles;
- (f) to provide for the care and welfare of the aged and destitute;
- (g) to provide for the control and management of cinemas theatres, circuses, dance halls and places of public entertainment generally;
- (h) to prohibit or regulate the hawking of wares or the erection of stalls on or near any street;
- (i) to prohibit or regulate the establishment and conduct of markets other than public markets establishment of the authority;
- (j) to provide for the control, management and treatment of domestic animals;
- (k) to appropriate particular routes, roads and streets to the use of public vehicles employed in the transport services undertaken and conducted by the authority, to the exclusion of the use of such routes, roads and streets by other public vehicles plying for passenger hire; save always however that no such appropriation shall substantially affect to its detriment traffic proceeding of or from places outside the limits of the area of the authority;
- (l) to provide for the establishment and management of the provident fund for the benefit of the servants or any class of servant of the authority;
- (m) to provide for the licensing of building surveyors and for the examination of candidates for licences or otherwise for ensuring their technical ability, for the professional conduct

- of such building surveyors, for the cancellation of licences in cases of misconduct and for the scale of fees chargeable by licensed building surveyors for services rendered;
- (n) to provide for the imposition and fixing of charges to be paid in respect of services rendered by the authority;
 - (o) with the approval of the Ministers to provide any form of transport service;
 - (p) with the approval of the Minister to engage in any form of municipal trading or industry;
 - (q) to plant trees in any street and to erect tree guards to protect such trees; save that the streets shall not thereby be unduly obstructed;
 - (r) to design the layout of streets, building areas and other areas, and to provide for and authorise the adoption of such measures with respect to expropriation or limitation of user, and with respect to the assessment and time of payment of compensation, as the authority may consider necessary or desirable for the purpose of the convenient design and construction of such layouts; save that before any layout is made, the plan or plans of such layout or alteration shall be submitted for the approval of the Minister;
 - (s) to undertake the abatement of fire and the prevention of the spread thereof and for such purposes to enter any premises;
 - (t) to provide and maintain appliance for extinguishing fires, and water-buckets, pipes, fire escapes and other implements for safety or use in case of fire;
 - (u) to provide for the establishment, management, layout, planting, improvement, maintenance and regulation of parks, gardens, swimming baths, public libraries, museums and other places of public resort, recreation of entertainment for the use of the public, and to contribute to the

cost of maintenance of any parks, gardens, swimming baths, public libraries, museums and other places of public reserves recreation or entertainment provided by persons for the use of the public;

- (v) to construct any new and necessary works in connection with any of the functions under this Act.

Power to acquire land.

58. Any town council, Municipal Council or City Council may, and upon the approval of the Minister, acquire any land or right over or to the use of any land within or without its area of jurisdiction for the purposes of any of its use.

Power to accept gifts.

59. An urban council may accept, hold and administer any gift of property for any public purpose, or for the benefit of the inhabitants of the area or any part of it, and may execute any works, including works or maintenance and improvement, incidental or consequential on the exercise of the powers conferred by this section.

Power to Minister.

60.(1) For the purposes of discharging the responsibility in relation to local government imposed on him by the provisions of this Act, the Minister may, in addition to all other powers conferred on him by or under this Act -

- (a) subject to the provisions of any written law in that behalf cause modifications to be made in the development plans of any person or body of persons engaged in activities connected with or affecting the development and growth of local government authorities;
- (b) seek and secure modifications in the educational or training and development plans of any institution so as to facilitate the proper education and training of manpower for the staffing of local government institution;
- (c) subject to this Act and to any other written law in that behalf, do any other act or thing which in his opinion is designed to or may further the promotions of efficient and democratic local government, having regard at all times to the national interests and the interests of the people of the United Republic.

- (d) make regulations for the election of members and chief executives of the local governments and any other thing which in the opinion of the Minister may be beneficial and furtherance of the local government.

(2) The Minister shall have power to take all measures which in his opinion are necessary, desirable or expedient for the enforcement of the performance by every town council of the functions conferred and the duties imposed on it by this Act; and may for that purpose invoke any of the powers vested in him by provisions of this Part, subject to the other provisions of this Act or any other written law.

Power to dissolve authority prematurely.

61.(1) If, after due inquiry, the Minister is satisfied that any urban authority has made default in the performance of any functions conferred or imposed upon it by this Act or any other written law for the time being in force, he may make an order, to be published in the Gazette, declaring the authority to be in default and may, by the same or any other order -

- (a) for the purpose of removing the default, direct the authority to perform such of its functions in such manner and within such time or times as may be specified in the order; or
- (b) transfer to such person or body of persons as he may deem fit such of the functions of the authority in default as may be specified in the order.

(2) If an urban authority in respect of which an order has been made under subsection (1) (a) of this section, fails to comply with any requirement of the order within the time or times, specified for the requirement to be complied with, the Minister may make an order under subsection (1) (b) of this section.

(3) Where an order made under subsection (1) (a) of this section involves default in the performance of any or a majority of, or the basic functions of the authority, the Minister may, by the same or a subsequent order, dissolve or suspend the authority for such time as he may think fit, from the performance of such of its functions as may be specified in the order and, where he dissolves the authority he shall specify a date, being not later than six months from the date of dissolution, for the holding of election to constitute a new authority, or nomination for re-election.

(4) Every order made under this section shall be laid before the House at its next meeting following the making of the order.

(5) Any person or body of persons to whom any of the function of an urban authority are transferred under this section shall, when performing the functions and in respect of them, be deemed to be that authority for the purposes of this Act, and when so acting shall have all the power of affixing its official seal.

By-laws
regulating
building in
urban
authorities.

62.(1) Without prejudice to the generality of the power of authorities to make by-laws, an urban authority may make by-laws for the control under permit or otherwise, of the construction of buildings and other structures and of the execution of work on existing buildings and structures and may by such by-laws prescribe the conditions subject to which the construction of buildings and other structures, and the execution of work on existing buildings and structures, may be undertaken and carried out.

(2) In pursuance of subsection (1), an urban authority may make by-laws which make provision -

(a) for reducing the risk of fire in buildings and ensuring sufficient means of exit from new or extended or altered buildings in the event of fire;

- (b) for the lighting and ventilation of buildings, the height of buildings and the dimensions of rooms and corridors;
- (c) for the level of the ground floor of buildings;
- (d) for building lines and the layout of buildings;
- (e) for the space about new buildings and buildings which are to be extended or altered, so as to ensure free circulation of air;
- (f) for the making and maintenance of passages, lanes and roads for the purpose of giving access to premises;
- (g) respecting the period of duration of any permit provided for under any regulations made under this section and the extension of such period, and for the revocation of such permit if the construction of the building or execution of the work to which it relates is not begun within a time specified in such permit;
- (h) regulating or prohibiting the construction of wells;
- (i) respecting the level, width and construction of streets;
- (j) for the drainage of streets, land compounds and new buildings;
- (k) for the designation of streets as residential streets or shopping streets or business streets, and prescribing special requirements to be satisfied by buildings constructed therein;
- (l) for cutting into, laying open and pulling down any work suspected to have been executed in contravention of any by-law made under this section or any permit granted under any such by-law;
- (m) respecting the provision of sanitary arrangements and conveniences of or in connection with new or extended or altered buildings;

- (n) prescribing the conditions to be satisfied by a site for any building or for any class of building;
 - (o) for the use of proper buildings scaffolding hoardings, machinery and appliances in connection with the construction, extension, alteration, repair and renovation of buildings and other structures;
 - (p) respecting the construction of hoarding and similar structures and temporary buildings;
 - (q) respecting the repair and renovation of buildings and other structures, and compelling necessary repairs and renovations to buildings and other structures to be carried out;
 - (r) preventing the construction of buildings and other structures which would be a disfigurement to the urban area or neighbourhood or not be in keeping with the architectural character of the neighbourhood and the execution of any work which would tend to make existing buildings and structures as disfigurement to the area or neighbourhood or not be in keeping with the architectural character of the neighbourhood;
 - (s) prescribing the fees to be paid in respect of any matter or thing prescribed by by-laws made under this section;
 - (t) for the refusal of a permit to an applicant who has not completed a building or any work under a permit previously granted to him;
 - (u) prescribing the forms to be used; and
 - (v) for matters connected with or incidental to the preceding matters.
- (3) The authority may further provide for the observance of such by-law including therein such provisions as it may think necessary as to the giving of notices, as to the deposit of plans, sections and specifications and other particulars by persons intending

to lay out streets or to construct, extend, alter, repair and renovate buildings, as to inspection by such officers as such provisions may specify and for the maintenance of building agents on the sites of works and the keeping of proper plans thereon.

(4) Such by-laws may be made with respect to the area of the authority generally, or with respect to particular areas, buildings or works in the area of the urban authority.

Staff.

63.(1) Subject to the provisions of a Town Council or Municipal Council and of any rules made by the Minister may, appoint to its service such officers and other staff, as it thinks necessary for the efficient discharge of its functions, and may, subject to this Act or any other written law, dismiss any person so appointed or employed.

(2) Subject to the preceding provisions of this section, a local government authority may pay to any officer or person so appointed or employed by it such reasonable remuneration as it may determine.

Appointment of seconded staff.

64. Notwithstanding the other provisions of this Act, ~~may~~ ^{the local government authority} with the approval of the Minister, appoint to any office in its service a public officer seconded to the service of the authority of Town Council or Municipal Council for that purpose, for such period and on such terms and conditions as the Minister may approve.

PART VI

THE DISTRICTS AND REGIONAL GOVERNMENTS

Constitution of district council.

- 65. The district council shall consist of -
 - (a) the District Commissioner who shall be the chairman;
 - (b) the Councillors of the constituent government of the constituencies in the District as members;
 - (c) the town director of the district as member;

- (d) members of the House of Representatives and those of Parliament elected within the district as members;
- (e) heads of the government departments based in that district as members;
- (f) District Administrative officer who shall by virtue of his post be the secretary of the council.

Functions of
the district
council.

66.(1) It shall be the duty of every district council to discharge the functions conferred upon it as such, and as a local government authority, by this Act or by any other written law, and for that purpose, a district council may, within the limits of the functions so conferred, either by its own officers or by duly appointed agents, do all such things and acts as are lawful and necessary for the performance of its duties.

(2) Save where the contrary is expressly provided for or appears from the context of the function or duty to be permitted or intended, every function conferred upon a district council shall be exercised in respect of all persons within its area of jurisdiction or the category or description of persons within its area of jurisdiction as are concerned in relation to the function in question.

(3) In addition to the functions and duties conferred or imposed on local government authorities under section 8(1) of this Act, it shall be the function of every district council, in relation to its area of jurisdiction -

- (a) to formulate, co-ordinate and supervise the implementation of all plans for the economic, commercial, industrial and social development in its area of jurisdiction and from the local governments;
- (b) to monitor and control the performance of the duties and functions of the council by departments of the council and its offices and staff;

- (c) to ensure the collection and proper utilization of the revenues of the council;
- (d) to make by-laws applicable throughout its area of jurisdiction, and to consider and approve by-laws made by local councils within its area of jurisdiction;
- (e) to consider, regulate and co-ordinate development plans, projects and programmes of villages and township authorities within its area of jurisdiction, so as to ensure the more beneficial development and mobilization of productive forces in the village and township authorities and their application towards -
 - (i) the enhancement of productivity;
 - (ii) the acceleration of social and economic development of village; and
 - (iii) the amelioration of rural life;
- (f) to regulate and monitor the collection and utilization of revenue of village councils;
- (g) to ensure the fulfilment of the requirements of the Human Resources Utilisation Act at a district level;
- (h) subject to laws in force, national policies and programmes and to directive of the Party, to do all such acts and things as may be done by the People's Government at the district level.

(4) In particular, but without prejudice to the generality of subsection (1), and for the better performance of its functions, every district council shall, in relation to its area of jurisdiction, have power to -

- (a) take all necessary measures for the prevention of soil erosion and the protection of crops;
- (b) prohibit or regulate the cultivation of crops or a category of crops;

- (c) prohibit or regulate the cultivation or possession of poisonous or noxious plants, drugs or poisons;
- (d) prohibit or regulate the use of any agricultural land;
- (e) prescribe steps to be taken by the occupier of any agricultural land for the purposes of maintaining and improving its productivity and preserving the fertility of the soil;
- (f) make provision for the prohibition or regulation of livestock husbandry, and may in that behalf -
 - (i) prohibit or regulate the movement of any livestock in or through any area;
 - (ii) prescribe methods of husbandry in relation to the keeping or grazing of any livestock;
 - (iii) restrict the kinds or numbers of livestock which may be kept on any agricultural land;
 - (iv) require male stock to be castrated and provide for or restrict the cross-fertilization or breeding of livestock; or
 - (v) provide for the licensing, control and destruction of dogs;
- (g) prepare, undertake, regulate and control schemes for improved housing layout and settlement;
- (h) prepare planning schemes and undertake measures required by any law for the time being in force relating to development in the area;
- (i) control the gaining of building minerals such as stone, sand, clay and lime;
- (j) provide for the primary education of children;
- (k) provide for the compulsory attendance at schools of pupils enrolled there;

- (1) require adult resident of the area who occupy agricultural land in accordance with customary law to cultivate that land, and other residents to take measures to acquire and cultivate land subject to the by-laws of the council.

Executive
of the
Council.

67.(1) The Chief executive of the District Council shall be the District Commissioner.

(2) The District Administrative Officer shall be the principal adviser to the Chief Executive of the Council.

District
Council's
decision
to be
considered.

68. In discharging out his functions, the District Commissioner shall at all times consider the District Council's advice given to him but shall in no way be of binding effect to him.

Constitution
of the
Regional
Council.

69.(1) There shall be a Regional Development Committee in every Region.

(2) The Regional Development Committee shall consist of -

- (a) the Regional Commissioner of that Region as Chairman;
- (b) four members of the National Executive Council of the Party who represents that Region;
- (c) the Regional Party Secretary as member;
- (d) The Regional Party Chairman as member;
- (e) the District Commissioners of that Region;
- (f) two councillors;
- (g) district Party chairman of that Region;
- (h) district Party secretary of that Region;
- (i) members of the House of Representatives and the Parliament elected within the district; and
- (j) the Regional Administrative Officer of that Region as Secretary.

Functions of
the
Regional
Council.

70.(1) The functions of the Regional Development Committee shall, within the limits of its jurisdiction do all or any function or obligations of the district council.

(2) Without prejudice to section 70(1), the Regional Development Committee shall also -

- (a) consider and analyse the local governments, town council and Municipal Council's budget;
- (b) to give directives and advise over the local, town and Municipal Councils;
- (c) monitor and supervise the implementation of the Regional Development Plan;
- (d) to co-ordinate the development plans of that Region.

PART VII

GENERAL PROVISIONS

General
penalty.

71. Any person who is guilty of any offence against the provisions of this Act shall, for every such offence, be liable on conviction for it to the penalty expressly prescribed by this Act and, if no such penalty is prescribed, to an imprisonment not exceeding one year or to a fine of not less than two thousand shillings but not exceeding ten thousand shillings or to both such imprisonment and fine.

Declaration
of a city.

72.(1) Where the Minister is satisfied that a particular Municipality has attained the status of a city, he shall upon consultation with the President, and with the approval of the Revolutionary Council, declare such Municipality a city.

(2) Such declaration shall be by a notice published in the Gazette.

(3) Upon such a declaration the Municipality shall forthwith become a city and it shall be deemed to have been registered accordingly.

Existing
Municipal-
ities.

73.(1) For the purpose of this Act and any other law the town of Zanzibar shall be known as and shall acquire the name of Municipality.

(2) Any town in Zanzibar shall acquire the status of Municipality only -

- (a) when it has attained the population of one hundred thousand people; and
- (b) the Minister declares it to be so by a notice in the Gazette.

Existing towns.

74.(1) For the purpose of this Act and any other law, the towns of Wete, Chake and Mkoani shall each be known as and shall acquire the name of and have the status of Town Council.

(2) Any township in Zanzibar shall acquire the status of a Town Council in accordance with section 27(1) of this Act.

Tenure of office.

75. Every elected member of the local government whether in the electoral constituency level or regional level, shall, if not specified in the relevant Parts to this Act, remain in office for the period of five years from the date the general election was held.

Co-option of non members.

76. Any committee of the local government may, subject to prior approval of the council, accept as members of the committee such number of persons who are not members of the council as it may deem necessary for the efficient execution of any task undertaken by it.

Delegation of powers to committees.

77.(1) Subject to subsection (2) of this section, and to any restrictions or conditions as it may deem fit to impose, any local government may delegate to nine committees the power to discharge any function on behalf of the council.

(2) A local government shall not delegate to any committee the power -

- (a) to make and levy rate;
- (b) to make by-laws;
- (c) to impose fees and charges;
- (d) to adopt estimates of revenue and expenditure of the council.

(3) Any function discharged or power exercised by a committee in pursuance of the delegation made to it under this section shall be deemed to have been discharged or exercised by the local government concerned.

(4) A local government may withdraw or alter any delegation to a committee, but no such withdrawal or alteration shall affect any thing done in pursuance of any decisions lawfully taken by the committee.

Functions and powers of Regional and District Commissioners.

78.(1) The Regional Commissioner appointed under the provisions of the Zanzibar Constitution shall be responsible for -

- (a) taking charge of all the Government functions in the Region for which he is appointed;
- (b) the general administration and maintenance of law and order in the Region;
- (c) as Chairman of the Regional Development Committee be answerable and accountable to the Party and the Government for the activities of the Committee as well as every Government department or public institution in the Region in the implementation of the Development Plan projects and programme affecting Agriculture, Public Health, Education, Trade, Industry, Ujamaa and Co-operative Movements, Natural Resources, Public Works, Water, Land and any Related Social and Economic activity in the Region.

(2) The District Commissioner shall exercise similar powers in the District for which he is appointed as those vested in the Regional Commissioner under subsection (1) of this section.

Powers of arrest.

79.(1)(a) When a Regional Commissioner has reason to believe that any person is likely to commit a breach of the peace or disturb the public tranquility or to do any act that may probably occasion a breach of the peace and that such breach cannot be prevented otherwise than by detaining such a person in custody, such Regional Commissioner may arrest or order a police officer either verbally or in writing to arrest such a person.

(b) A person arrested under the powers provided for under the provisions of this section shall as far as is practicable be taken to a competent court of law to be charged for the offence relating to the breach of the peace.

(c) Within forty-eight hours after the arrest if such a person arrested under the powers vested under the provision of this section is not taken before the court, he shall be released.

(d) Where a Regional Commissioner arrests or orders the arrest of any person under the powers conferred by this section, he shall at the time of arrest or shortly thereafter record his reasons in writing which shall be delivered to the court at the time the person arrested is brought before the court or, if he is released earlier and not taken to court, a full report setting out the reasons for the arrest shall be submitted to the President.

(2)(a) The powers of arrest conferred by the Regional Commissioner in his region are hereby conferred to the District Commissioner in his district:

Provided that a person detained by the District Commissioner under this subsection shall be taken to court within twenty four hours otherwise shall be released forthwith.

(b) Where a District Commissioner arrests or orders the arrest of any person, under the powers conferred by this section, he shall at the time of arrest or shortly thereafter record his reasons in writing which shall be delivered to the court at the time the person arrested is brought before the court or, if he is released earlier and not taken to court, a full report setting out the reasons for the arrest shall be submitted to the Regional Commissioner who shall cause it to be submitted to the President.

Appointment of
Administrative
Officers and
other staff.

- 80.(1) The President of Zanzibar shall appoint -
- (a) in respect of each region a Regional Administrative Officer;
 - (b) in respect of each district a District Administrative Officer.

(2) There shall be appointed for, by each Minister concerned, or posted to every region and every district, such number of Regional and District Staff Officers responsible for the departments of Health, Education, Natural Resources, Trade Co-operatives, Public Works, Land, Water and Planning in the Region or District.

Functions
Administra-
tive
Officers
and other
staff.

81.(1) The Regional Administrative Officer for the region in which he is appointed shall be the principal assistant to the Regional Commissioner responsible for the day to day running of Government business in the Region. He shall also be the head of the public officers posted to the Region.

(2) The District Administrative Officer shall likewise, discharge similar functions as those of the Regional Administrative Officer in so far as this district is concerned.

(3) The Regional and District Staff Officers posted to the region or district shall be responsible for assisting the Regional or District Administrative Officers in the performance of their functions in the Region or District.

Repeals.

82. The following laws are hereby repealed :-

- (a) the Local Government Decree Cap.87 of the Laws of Zanzibar;
- (b) the Revolutionary Committees Decree No.1 of 1979;
- (c) the Administrative Authority Act, No.3 of 1981;
- (d) the Zanzibar Municipal Council Decree No.5 of 1960;
- (e) the Town Decree, Cap.79 of the Laws of Zanzibar;
- (f) Townships Decree, Cap.80 of the Laws of Zanzibar; and
- (g) Zanzibar Municipal Council (Appointment of Councillors) Decree No.19 of 1964 as amended by Decree No.14 of 1967.

Saving.

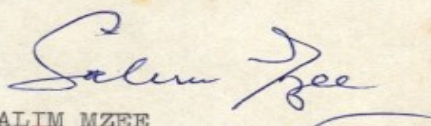
83.(1) All officers and staff appointed to hold offices under any of the Laws repealed and whose appointments are in force immediately before the commencement of this Act shall, unless their offices are abolished by virtue of this Act or until the appointments are terminated or new officers are appointed in their places, continue to serve in those offices and shall, for that purpose, be deemed to be serving in those offices in pursuance of this Act.

(2) All licences, permits, authorizations and other instruments or documents granted or given by local governments shall, so long as they subsist on the date of commencement of this Act, continue in full force and effect until they expire, cease to have effect or are replaced by new ones issued or granted under this Act.

(3) All proceedings pending in court by or against any local government shall be continued and completed against the local government established in the area formerly under the jurisdiction of that local government, but no financial liability shall lie against the local government authority as a result of those proceedings.

(4) All subsidiary legislation made prior to the commencement of this Act in relation to the area of a new local government authority by a former local government shall remain effective and in force in the area of the authority unless it is sooner amended, revoked or replaced by legislation made under this Act, and may be enforced by that authority as if it were subsidiary legislation made by that authority.

Passed in the House of Representatives on the 1st day of April, 1986.



SALIM MZEE

ACTING CLERK TO THE HOUSE
OF REPRESENTATIVES.