



THE ZANZIBAR FREE ECONOMIC ZONES
AUTHORITY ACT, 1992.

ARRANGEMENT OF SECTIONS.

<u>SECTIONS</u>	<u>TITLE</u>
1.	Short title and commencement.
2.	Interpretation.
3.	Establishment of Free Economic Zones Authority.
4.	Composition of the Authority.
5.	Appointment of the Executives.
6.	Functions of the Authority.
7.	Power of the Authority to make Rules.
8.	General Fund and annual budget of the Authority.
9.	Accounts etc. of the Authority.
10.	Disclosure of information.
11.	Committee.
12.	Overriding power of the Act.



ACT NO.17 OF 1992

I ASSENT

Salmin Amour

SALMIN AMOUR
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL.

11th February..... 1993.

AN ACT TO ESTABLISH THE ZANZIBAR FREE
ECONOMIC ZONES AUTHORITY AND OTHER
MATTERS CONNECTED THEREWITH.

ENACTED by the House of Representatives of
Zanzibar.

PART I
PRELIMINARY

Short title
and
commencement.

1. This Act may be cited as the Zanzibar Free
Economic Zones Authority Act, 1992 and shall come into
operation immediately after being assented to by the
President.

Interpretation.

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

"Authority" means the Zanzibar Free Economic
Zones Authority;

"Director General" means the Director General of
Zanzibar Free Economic Zones Authority;

"Executive Secretary" means Executive Secretary
of Zanzibar Free Economic Zones Authority;

"Free Economic Zones" means Fumba and Micheweni Free
Economic Zones Area and any other sites
hereinafter designated as such by the President;



"Government" means the Revolutionary Government of Zanzibar;

"Investor" means a foreign national, a Zanzibari or Tanzanian other than Zanzibari who has invested assets in Zanzibar;

"Minister" means Minister responsible for Finance;

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

PART II

THE ZANZIBAR FREE ECONOMIC
ZONES AUTHORITY

Establishment
of Free
Economic
Zones
Authority.

3.(1) There is hereby established an authority to be known as the Zanzibar Free Economic Zones Authority.

(2) The Authority shall be an autonomous Government organ with a Common Seal and shall be capable in its name of -

- (a) suing and being sued;
- (b) borrowing and lending money; and
- (c) taking, purchasing, or otherwise acquiring, holding, changing and disposing of movable and immovable property.

(3) The Authority shall have exclusive jurisdiction in the administration of Free Economic Zones.

(4) The Authority shall be answerable to the Minister.

Composition
of the
Authority.

4.(1) The Authority shall consist of the following members :-

- (a) the Director-General, who shall be Chief Executive of the Authority;
- (b) the Executive Secretary, who shall be an assistant to the Director-General;



- (c) the Director of Finance and Administration and the Director of Estate Development who shall be assistants to the top executives.

(2) The Executive Secretary shall convene meetings of Advisory Committee at least once after every three months, after consultation with the Director-General, who shall preside at all meetings of the Authority.

Appointment
of the
Executives.

5.(1) The Director-General, the Executive Secretary and the Directors shall be appointed by the President.

(2) The Director-General and the Executive Secretary shall both take oath of allegiance before the President.

(3) The Authority may appoint such other officers and staff as it considers necessary for the efficient discharge of its responsibilities and functions.

Functions
of the
Authority.

6.(1) The Authority shall exercise the following functions :-

- (a) to draw up development plans for the Free Economic Zones and organize the implementation;
- (b) to examine and approve the investment projects of investors in the Free Economic Zones;
- (c) to handle registration of industrial and commercial enterprises and land allotment in the Free Economic Zones;
- (d) to co-ordinate working relations among the banking, insurance, taxation, customs, frontier inspection, postal and telecommunications and other organizations in the Free Economic Zones;
- (e) to provide the staff members and workers needed by enterprises in the Free Economic Zones and protect the legitimate rights and interest of the staff members and workers;
- (f) to maintain law and order in the Free Economic Zones and protect, in accordance with the law, the persons and property in the Free Economic Zones against encroachment;



(g) to do all such other acts as may be incidental or conducive to the attainment of the objectives of the Authority under the provisions of this Act.

(2) For the purpose of carrying out the functions and objectives specified in subsection (1), the Authority shall perform the following powers :-

- (a) to advise the Minister on all aspects of development of the Free Economic Zones; and
- (b) to implement the policies and programmes of the Government with regard to development of the Free Economic Zones.

Power of the Authority to make Rules.

7.(1) Without prejudice to the generality of the powers conferred under this Act, the Authority shall make such rules as may be required for the purpose of ensuring orderly and fair development of Free Economic Zones and in particular rules to :-

- (a) determine application procedures and criteria for the approval of any investor in the Free Economic Zones;
- (b) determine procedures for providing the benefits accruing to investors in the Free Economic Zones;
- (c) ensure adequate security within the Free Economic Zones;
- (d) determine the form of the licences to be issued under this Act, and the procedures for amendment and revocation of such licences;
- (e) determine entry of personnel into the Free Economic Zones; and
- (f) require any information from any investor or enterprise in the Free Economic Zones.

(2) All rules made under this section shall be approved by the Minister and shall be published in the Gazette.



General Fund
and annual
budget
of the
Authority.

- 8.(1) The Authority shall have its own general fund.
- (2) There shall be paid into the general fund -
- (a) all such sums of money as may be paid as fees under this Act; and
- (b) all such sums of money as may be received by the Authority for its operations from any other source.
- (3) There shall be paid out of the fund all such sums of money required to defray the expenditure incurred by the Authority in the exercise, discharge and performance of its objectives, functions and duties under this Act.
- (4) The annual budget of the Authority shall be subject to approval by the Ministry of Finance and any funds generated in the general fund in excess of the amounts deemed appropriate by the Minister shall be paid into the consolidated fund.

Accounts etc.
of the
Authority.

- 9.(1) The Authority shall cause proper books of accounts to be kept of its income and expenditure, assets and liabilities and all other transactions of the Authority.

(2) The Authority or any person officially authorized in that behalf by the Authority may, by notice in writing, require any licensee to furnish to the Authority or to an authorized person, within such period as is specified in the notice, not being less than thirty days, all such returns or information as specified in such notice:

Provided that nothing in this section shall compel a licensee to disclose his patented commercial secrets.

Disclosure
of
information.

- 10.(1) The Authority or any officer or staff of the Authority shall not disclose to any unauthorised person or use any return or information acquired under section 9(2) except for the purpose of achieving the objectives of the Authority or if required by the court or by any Government institution which is allowed to get such information.



(2) Any officer or staff of the Authority who contravenes this section shall be guilty of an offence and shall be liable to a fine not exceeding two million shillings or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

Committee. 11.(1) There shall be an advisory committee constituted of not less than five and not more than ten members who shall be appointed by the Minister for a term of three years.

(2) The Advisory Committee shall play an advisory role to the Authority.

(3) The Advisory Committee shall meet with the Authority members quarterly (after every three months).

(4) The Authority may appoint committees, whether of its own members or otherwise, to carry out such general or specific functions as may be specified by the Authority, and may delegate to any such committee such of its powers as the Authority may deem appropriate.

Overriding power of the Act. 12. This Act shall override the provisions of any other Act to the extent which they contradict with the provisions of this Act.

Passed in the House of Representatives on the 8th day of December, 1992.

K Chamde
KHAMIS JUMA CHANDE

CLERK TO THE HOUSE OF REPRESENTATIVES.