



THE CIVIL SERVANTS (PARTICIPATION IN
POLITICS) ACT, 1992.

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ACT NO.15 OF 1992

I ASSENT

Salim Amour

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

11th February 1993.

AN ACT TO PROVIDE FOR THE TERMS, CONDITIONS
AND PROCEDURES FOR THE PARTICIPATION OF CIVIL
SERVANTS IN POLITICS AND FOR OTHER MATTERS
CONNECTED THEREWITH.

ENACTED by the House of Representatives of Zanzibar.

Short title and commencement. 1.(1) This Act may be cited as the Civil Servants (Participation in Politics) Act, 1992.

(2) This Act shall come into operation after being assented to by the President.

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

"civil servant" means a person holding a civil service office;

"Civil Service Office" means -

- (a) a paid civil service post in the service of the Revolutionary Government of Zanzibar but shall not include a political post;
- (b) any office declared by law to be a civil service office;



"Minister" means the Minister for the time being responsible for civil servants;

"Party" means a political party;

"political party" means a party registered as such under the Political Parties Act, 1992 and includes all bodies or associations affiliated to that political party;

"political post" means any executive or representative post in the party or the Government.

Party membership of a civil servant.

3.(1) Any civil servant is allowed to be a member of a political party of his choice.

(2) Notwithstanding the provisions of subsection (1), a civil servant shall not be allowed, in any way, to participate in political activities during office hours.

Top executives and other officers.

4.(1) All civil servants who hold top executive posts and with salary scales of above (MUS 10/MMU 10) and those who hold sensitive posts who are listed in the Schedule to this Act, shall not be allowed to hold any political post in a political party.

(2) Notwithstanding the provisions of subsection (1), any civil servant holding a post listed in the Schedule to this Act, may hold any political post; provided that he shall have to resign or retire from his post in the civil service before taking up that political post.

(3) Any civil servant who does not fall under the provisions of subsection (1), may be allowed to hold any such political post in a political party; save that he shall take leave without pay from his office.

Secondment.

5. No civil servant shall be seconded to work in any political party after the commencement of this Act.



- Students. 6. No student shall be allowed to participate in any political activity in or around the premises of any institution of learning.
- Prohibition to compulsory membership. 7. No employer of any private company or institution shall be allowed to compel any person to be a member of a particular party as a condition of his employment in that company or institution.
- Right to vote. 8. Any civil servant shall have the right to register his name as a voter and vote for any candidate during the Presidential, Parliamentary, House of Representatives and or Local Authority elections.
- Propagation and instigation of a party. 9. No civil servant shall be allowed to do the following :-
- (a) to propagate, instigate, show sympathy, insult any party or a leader of a party or involve himself in the political activities in public during office hours;
 - (b) to wear uniform, pictures, emblems of a party which show that he is in favour of that party;
 - (c) to take part in a demonstration organised by a party, to support a political party's delegation;
 - (d) to campaign for any party or a candidate for a party and to attend any secret meetings of a party; or
 - (e) to deliver speech in any political meeting, to air his political views in writing or to write open letters of insult against any leader of a party.
- Participation in demonstration. 10. Any civil servant may take part in any demonstration organised by the Government for any purpose whatsoever.



Rejoining
the civil
service.

11.(1) Any civil servant whose post is listed in the Schedule to this Act and who has submitted his resignation to engage in the political activities, if he wishes to rejoin to the civil service shall submit a new application to his employer for consideration.

(2)(i) Any civil servant whose post is not listed in the Schedule to this Act and who is allowed to take leave without pay in accordance with the provisions of section 4, shall give notice to his employer within a period of three months informing him if he has won the post in his party in order that his leave without pay to be confirmed.

(ii) any civil servant who fails to give such notice in accordance with the provisions of sub-paragraph (i), shall have dismissed himself forthwith.

(3) Any civil servant whose leave without pay have been confirmed may return to his office if he intends to do so after completion of his term of leadership in his party.

(4) Any civil servant who is rejected by his employer without reason shall have the right to petition to the court.

Members of
the
defence
force.

12. No member of a defence force shall be allowed to contest for Presidential, the House of Representatives or Local Authority elections unless he first submitted his resignation or retired from his service.

A civil
servant
to stand
for any
election.

13. Any civil servant shall have the right to contest for the Presidential, Parliamentary, the House of Representatives or Local Authority elections; save that he shall have to comply with the provisions of this Act.



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14. Any civil servant who is appointed by the President to hold a political post, shall take leave without pay immediately after receiving such appointment.

15.(1) Any civil servant who contravenes any of the provisions of this Act, shall be guilty of an offence and shall be liable to the following disciplinary actions :-

- (i) on first conviction is reprimand;
- (ii) on second conviction is severe reprimand;
- (iii) on third conviction is dismissal.

(2) In the case of student the same penalties provided for under subsection (1) shall apply.

(3) Notwithstanding the provisions of subsection (1), any civil servant who contravenes any of the provisions of this Act, may be summarily dismissed.

(4) In the case of an employer of a private company or institution who contravenes the provisions of section 7 shall be liable to a fine of not less than a hundred thousand shillings (100,000/-) or to imprisonment for a term of not less than six months or to both such fine and imprisonment.

Petitions.

16.(1) All petitions relating to the involvement of any civil servant in party politics contrary to the provisions of this Act, shall be submitted to the head of the civil service who is also the Secretary to the Revolutionary Council.

(2) Any civil servant who is not satisfied with the administrative decision may petition to the court.

Power of
the
Minister.

17.(1) The Minister may amend the list of specified civil service posts in the Schedule as he deems necessary.



(2) The Minister may make regulations and prescribe procedures for the better carrying out of this Act.

(3) All Regulations and procedures made under this section shall be published in the Official Gazette.

SCHEDULE

THOSE WHO ARE NOT ALLOWED TO
HOLD ANY POST IN A POLITICAL
PARTY.

1. Chief Justice.
2. Deputy Chief Justice.
3. A Judge of the High Court.
4. Deputy Attorney-General.
5. Chief Kadhi/Deputy Chief Kadhi.
6. Executive Chairman.
7. Chairman of the Civil Service Commission.
8. Principal Secretaries.
9. Deputy Principal Secretaries.
10. Executive Secretary.
11. Controller and Auditor General.
12. Head of Treasury.
13. General Manager.
14. Commissioner of Departments.
15. Directors.
16. Deputy Directors.
17. Officer in charge of the Ministry, Pemba.
18. Registrar General.
19. Executive Director.
20. Registrar of the High Court.
21. Government Chemist.
22. State Attorneys.
23. Magistrates,
24. Kadhis.
25. Qualified Doctors.
26. Pilots of Zanzibar Government.



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27. Engineers of Government Aircrafts.
28. Civil servants whose salary scale of or above MUS.10, MMU.10 or MWM.2 etc.
29. Matrons of Government Hospitals.
30. Civil Service Officers.
31. Office Supervisors.
32. All Civil Servants working with the House of Representatives,
33. All Civil Servants working with the Civil Service Commission.
34. Personal Secretaries of Leaders of Political posts, Principal Secretaries, Commissioners and Directors.

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

KJ Chande
KHAMIS JUMA CHANDE

CLERK TO THE HOUSE OF REPRESENTATIVES.