



THE WRITTEN LAWS (MISCELLANEOUS AMENDMENTS) ACT, 1997

ARRANGEMENT OF SECTIONS

SECTIONS	TITLE
1.	Short title
2.	Amendment of certain written laws.



ACT NO.2 OF 1997

I ASSENT

**SALMIN AMOUR
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE
REVOLUTIONARY COUNCIL**
12th Oct., 1997

**AN ACT TO MAKE MISCELLANEOUS
AMENDMENT TO CERTAIN WRITTEN LAWS**

ENACTED by the House of Representatives, Zanzibar

Short title

1 This Act may be cited as the Written Laws (Miscellaneous amendments) Act, 1997 and shall be read as one with the Zanzibar Free Economic Zones Act, 1992 and the Zanzibar Free Economic Zones Authority Act, 1992 hereinafter referred to as the Principal Acts.

Amendment of
certain written laws

2. The written laws set forth in the First column of the schedule to this Act are hereby amended in the manner specified in the second column of the said schedule.



FIRST COLUMN

1. Act No. 16 of 1992. The Zanzibar Free Economic Zones Act

2. Act No. 17 of 1992. The Zanzibar Free Economic Zones Authority Act

SECOND COLUMN

1. Section 2 of the Principal Act is amended by repealing the interpretation of the word "investor" and substituting thereof the following. "Investor" means a foreign national, a Zanzibari or a Tanzanian other than a Zanzibari who has invested assets in any of the Free Economic Zones in Zanzibar and shall include their operating in the Free Economic Zone.

1. Section 2 of the Principal Act is amended by repealing the interpretation of the words "Investors" and "Minister" and substituting thereof the following and add thereto the interpretation of "Board". "Board" means the Board of Directors appointed under this Act, "Investor" means a foreign national, a Zanzibari or a Tanzanian other than a Zanzibari who has invested assets in any of the Free Economic Zones in Zanzibar, and shall include their operating in the Free Economic Zone.



"Minister" means the Minister for the time being responsible for investments.

- b) By repealing paragraph (c) and substituting thereof the following:
"(c) Directors of the all directorates of the Authority as the Minister shall, in consultation with the Authority, establish who shall be appointed by the President".

2. Subsection (1) of Section 4 of the Principal Act is amended as follows:-

- a) by repealing paragraph (b) and substituting thereof the following:
"(b) The legal secretary who shall be appointed by the Board".
- b) by repealing paragraph (c) and substituting thereof the following:



"(c) Directors of all directorates of the Authority as the Minister shall, in consultation with the Authority, establish who shall be appointed by the President".

3. Subsection (2) of section 4 of the Principal Act is amended by repealing the said subsection and substituting thereof the following:
"(2) The legal secretary shall be the secretary to the Board and shall, in consultation with the Chairman, convene Board meetings and keep records thereof".
4. Subsection (1) of section 5 of the Principal Act is repealed and substituting thereof the following:

"(1) The Director-General and the Directors shall be appointed by the President".



5. Subsection (2) of section 5 of the principal Act is repealed and substituting thereof the following:
"(2) The Director-General shall, before taking up the office, take oath of allegiance before the President".
6. Subsection (1) of Section 6 of the Principal Act, is amended by repealing paragraphs (e) to (g) and substituting thereof and add thereto the following:
 - (e) to provide workers needed by Enterprises in the Free Economic Zones and protect the legitimate rights and interest of the workers and investors;
 - (f) to maintain law and order in the Free Economic Zones and protect, in accordance with the law, the assets of investors in the Free Economic Zones against encroachment;



- (g) to prescribe and provide maps of areas which are intended to be declared as Free Economic Zones;
- (h) to prepare Free Economic Zones development plans and to finance important services therein;
- (i) to scrutinize Investment applications in the Free Economic Zones.
- (j) to scrutinize and determine all licence applications for goods manufactured in the Free Economic Zones and to issue required licences;
- (k) to promote and publicize the Free Economic Zones areas to investors;



- (l) to issue original documents of the goods manufactured in the Free Economic Zones with regard to national and international agreement;
- (m) to be the one stop centre whereby Investors of Free Economic Zones can process their permit applications and other services offered by the Authority;
- (n) to prepare building plans and to issue permit thereof in consultation with the institution responsible for that matters;
- (o) to do all administrative work in respect of that particular Free Economic Zones area as may normally be done by the administrative authority of that area;
- (p) to keep statistics of the projects operated in the Free Economic Zones;



(q) to make bye Laws and rules relating to custom clearance and other matters to avoid misuse of the Free Economic Zones;

(r) to advise the Minister to suspend or cancel a licence of investor who contravenes the provisions of the law or fails to comply with the conditions contained in the licence or any regulation;

(s) to do all such other acts as may be incidental or conducive to the attainment of the objectives of the Free Economic Zones.

7. Section 7 of the Principal Act is amended by repealing paragraphs (e) of subsection (1) and substituting thereof the following:

"(e) Determine the entry of workers and other persons into the Free Economic Zones, and".



The Principal Act is amended by adding the following new section 8A immediately after section 8 as follows:

Remedial measures

by the Authority 8A (1) The Authority shall have power to intervene in the affairs of any enterprise operating in the Free Economic Zones for the purpose of taking remedial measures it may deem necessary against any investor whom the Authority is satisfied that:

- (a) has breached any of the terms or conditions of operation within the Free Economic Zones or of the agreement between him and the Authority and that he has failed to rectify such default after being required to do so by the Authority;



- (b) has abandoned or neglected duties and responsibilities pertaining to his investment in the Free Economic Zones where such abandonment or neglect has caused denial of due payments to the employees or other creditors of the investor;
- (c) after being granted licence of operation fails, within six months or within such period as may be extended by the Authority, to carry out the authorised business of his enterprises.



(2) Remedial measures to be taken by the Authority may include revocation of a lease, permit or any authorization, take over management of the project or appoint an agent to do the same, sublet the property and any other act that may be appropriate to recover the due amount or protect the property.

9. Subsection (4) of section 8 of the Principal Act is repealed and replaced by the following:

"(4) The annual budget of the Authority shall be subject to approval of the Ministry responsible and any funds generated in excess of the amount appropriated in the budget of the Authority shall be paid into the Consolidated Fund."

10. Section 11 of the Principal Act is repealed and replaced by the following:



Board of

Directors 11" (1) There shall be a Board of Directors 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) Members appointed under subsection (1) shall include a Member of the House of Representative, Commissioner of labour, Chairman of the Chamber of Commerce and person with experience in finance, administration or any other qualification as the Minister may think fit.

(3) There shall be a Chairman of the Board who shall be appointed by the President for a term of three years.

(4) The chairman and members of the Board shall be eligible for reappointment.



(5) The Board shall be responsible for general supervision of the management of the affairs of the Authority and shall perform such other functions as assigned to it by the Minister subject to the provisions herein provided and without prejudice to the generality of the day to day management and executive functions and powers of the Authority shall lie to the Director General.

(6) The Board shall meet at least once in every three months.

Passed in the House of Representatives on 25th day of March, 1997

KJ Chande
(KHAMIS JUMA CHANDE)
CLERK OF THE HOUSE
OF
REPRESENTATIVES