



THE LAND TRANSFER (AMENDMENT) ACT, 2007

ARRANGEMENT OF SECTIONS

SECTIONS

TITLE

PART I PRELIMINARY PROVISIONS

1. Short title and commencement.
2. Construction.
3. Amendment of Section 2.

PART I MISCELLENEOUS PROVISIONS

4. Amendment of Section 5.
5. Repeal and replacement of Section 9.
6. Repeal and replacement of Section 10(a).
7. Amendment of Section 11.
8. Amendment of Section 12.
9. Repeal and replacement of section 13.(2).
10. Amendment of section 16.
11. Repealing of section 17.



ACT NO. 10 OF 2007

I ASSENT

Amani Abeid Karume

**{AMANI ABEID KARUME}
PRESIDENT OF ZANZIBAR AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL**

18th DECEMBER, 2007

**AN ACT TO AMEND THE LAND TRANSFER ACT,
NO. 8 OF 1994**

ENACTED by the House of Representatives of Zanzibar.

**PART I
PRELIMINARY PROVISIONS**

- | | |
|-------------------------------|---|
| Short title and commencement. | 1. This Act may be cited as the Land Transfer (Amendment) Act, 2007 and shall come into operation immediately after being assented to by the President. |
| Construction. | 2. This Act shall be read as one with the Land Transfer Act No. 8 of 1994 in this Act referred to as the Principal Act. |
| Amendment of Section 2. | 3. Section 2 of the Principal Act is hereby amended by adding references relating to the definition of the following words: |



“Department” means Department for Lands and Registration;

“Director” means Director for Lands and Registration;

“Head of Department” means Head of Department of Lands and Registration, Pemba;

“Instrument” means a grant or other transfer of Public Land, a document or plan relating to transfer, charging or otherwise dealing with or affecting land, or evidencing title to it, and includes;

- (i) a grant of probate or administration or other trust instrument; and
- (ii) an Act;

“Transfer” includes a conveyance, grant and assignment;

“Transferee” includes a grantee, assignee and personal representatives;

“Transferor” includes a grantor, assignor and their legal representatives;

PART II MISCELLANEOUS PROVISIONS

Amendment of
Section 5.

4. Section 5 of the Principal Act is hereby amended as follows:



- (i) by deleting the words "Executive Secretary" which appears in subsection (2) and other provisions of the Principal Act and substituting for them the word "Director"
- (ii) by deleting the words "Commission of Lands and Environment appearing in subsection (2) and other provisions thereof and substituting for them the words "Department of Lands and Registration"
- (iii) by deleting the words "Deputy Executive Secretary" in subsection (2) and (3) and substituting for them the words "Head of Department".

Repeal and replacement of Section 9.

5. Section 9 of the Principal Act is hereby repealed and replaced as follows:

- (i) Sub-section (1) is repealed and replaced thereto by the following new sub section:

"Composition of the Board. 9.(1) There shall be a Land Transfer Board in Zanzibar which shall consist of the following members:-

- (a) Chairperson who shall be appointed by the President;
- (b) Director who shall be a Secretary to the Board;



(c) Head of department;

(d) Two other members who shall be appointed by the Minister”.

(ii) Sub-sections (2) and (3) are hereby repealed.

Repeal and replacement of Section 10(a).

6. Section 10 of the Principal Act is hereby repealed and replaced as follows:

(i) by repealing paragraph (a) and replaced therefore by the following new paragraph (a) as follows:

“10(a) The Director and Head of Department shall serve on the Board for as long as they hold their respective offices.”

(ii) by deleting the word “five” appearing in the first line in paragraph (b) and replaced thereto by the word “two”.

Amendment of Section 11.

7. Section 11 of the Principal Act is hereby amended in subsection (4) by deleting the words “shall be no” between words “there” and “appeal” and inserting the words “may be an”.

Amendment of Section 12.

8. Section 12 of The Principal Act is hereby amended by deleting the words “at least two from Pemba”.

Repeal and replacement of section 13.(2).

9. Section 13.(2) of The Principal Act is hereby repealed and replaced by the following new section 13.(2).



13.(2) In the case of Director or the Head of Department being dismissed from his Board responsibility, the next senior officer to that Department shall be a replacement member to the Board."

Amendment
of section 16.

10. Section 16 of the Principal Act is hereby amended as follows:

- (i) By deleting the words "one hundred and fifty thousand" appearing in paragraphs (a),(b),(c) and (d) and substituting thereto the words "one million shillings or imprisonment for the term not more than six months or both such fine and imprisonment."
- (ii) By deleting the word "executives" appearing in the first line in paragraph (b) and replaced thereto the word "execute".

Repealing of
section 17.

11. Section 17 of the Principal Act is hereby repealed.

PASSED in the House of Representatives the 22nd day of October, 2007.

{ **IBRAHIM MZEE IBRAHIM** }
CLERK OF THE HOUSE OF REPRESENTATIVES