



**AN ACT FOR THE ADMINISTRATION OF THE HOUSE OF
REPRESENTATIVES AND OTHER MATTERS
RELATED THERETO**

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ACT NO. 6 OF 2019

I ASSENT

{DR. ALI MOHAMED SHEIN}
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF
THE REVOLUTIONARY COUNCIL

15th November, 2019

AN ACT FOR THE ADMINISTRATION OF THE HOUSE OF
REPRESENTATIVES AND OTHER MATTERS
RELATED THERETO

ENACTED by the House of Representatives of Zanzibar.

PART ONE
PRELIMINARY PROVISIONS

- Short title and Commencement. 1. This Act shall be cited as the Administration of the House of Representatives Act, 2019 and shall come into operation upon being assented to by the President.
- Application. 2. This Act shall apply to Members and Staff of the House of Representatives of Zanzibar.
- Interpretation. 3. In this Act, unless the context requires otherwise:
- “Office of the House” means the Office of the House of Representatives established in accordance with section 77(1) of the Constitution;
- “House” means the House of Representatives of Zanzibar established in accordance with the Constitution and it includes the Standing Committees, Committee of the whole House and any other organ of the House;



- “Committee” means the House Standing Committee established in accordance with section 85 of the Constitution and it includes any other Committee established by the House for exercising the duties of the House;
- “Standing Orders” means the Standing Orders of the House made in accordance with section 86(2) of the Constitution;
- “Constitution” means the Constitution of Zanzibar of 1984;
- “Clerk” means the Clerk of the House appointed in accordance with section 76(1) of the Constitution;
- “Leader of the Government Business in the House” means a Member of the House appointed as a Second Vice President in accordance with section 39 of the Constitution;
- “Member” means a Member of the House;
- “Government Whip” means the Minister nominated by the Government for assisting a leader of the Government Business in the House;
- “Steering Committee” means the Steering and House Business Committee established under section 14 of this Act;
- “Servant of the House” means any person employed by the Commission to exercise duties in the Office of the House and includes the Clerk;
- “Chairperson” means a Chairperson of the Commission;
- “Chairperson of the House” means a member of the House of Representatives elected by the members in accordance with the Standing Orders of the House to preside the business of the House after being directed by Speaker or Deputy Speaker and includes the Speaker, Deputy Speaker or Chairperson of the House when presiding the Committee of Whole House;
- “President” means the President of Zanzibar and Chairman of the Revolutionary Council;
- “Government” means the Revolutionary Government of Zanzibar;
- “Political Party Whip” means a leader appointed by members of Political Party which has members in the House from among themselves for coordinating the business of such party in the House;



“Speaker” means the Speaker of the House elected in accordance with section 73(1) of the Constitution;

“Deputy Speaker” means a Deputy Speaker of the House elected in accordance with section 74(1) of the Constitution;

“Commission” means the House Service Commission established under section 77(2) of the Constitution;

“Minister” means the Minister responsible for matters relating to the House.

PART TWO ADMINISTRATION OF THE HOUSE

Speaker. **4.** Speaker shall be a head of the House and shall implement the functions and supervise the powers prescribed in this Act, in connection with the functions prescribed in the Constitution or any other law.

Duty of Speaker. **5.**-(1) The Speaker shall have the duty of preparing and supervising the implementation of functions of the House including the provision of directives, presiding over sessions of the House and distributing administrative functions of running the House.

(2). The duty of the Speaker prescribed in subsection (1) of this section, may be implemented by the Deputy Speaker where the Speaker is absent.

(3). The Speaker or Deputy Speaker may, at any time require the Chairperson of the House to preside over the business of the House.

Private Office of the Speaker. **6.** There shall be a Private Office of the Speaker which shall have servants as approved by the Public Service Commission in accordance with the law relating to Public Service.

Appointment of the Personal Secretary of the Private Office of the Speaker. **7.**-(1) The Clerk, in consultation with the Speaker, shall recommend not less than three names for the Commission to appoint one among the recommended names to be a Secretary of the Private Office of the Speaker.

(2) The Personal Secretary of the Private Office of the Speaker shall be a servant of the Office of the House and shall be responsible to the Clerk.



Qualifications
of the
Personal
Secretary
of the
Private
Office of
the Speaker.

8. Subject to the provisions of the Public Service Act, a person shall qualify to be appointed as the Personal Secretary of the Private Office of the Speaker, if he:

- (a) is a Zanzibari;
- (b) holds at least a first degree in the field of Journalism, Mass Communication, International Relations, Public Administration, Social Relations or other related fields from the university recognised by the Government;
- (c) is a senior officer;
- (d) has ability to prepare and write speeches;
- (e) is ethical, loyal, honest, obedient and accountable; and
- (f) has ability to work on overtime basis.

Responsibilities
of the
Personal
Secretary
of the Private
Office of the
Speaker.

9. The Personal Secretary of the Private Office of the Speaker shall have the following responsibilities:

- (a) to supervise the Office of the Speaker on administrative facilities of its office;
- (b) to coordinate the communications of the Speaker relating to invitations, arrival of the guests and other matters relating thereto;
- (c) to supervise the preparation of the speech, or any other topic which shall be submitted by the Speaker including availability of the documents, information and different reports;
- (d) to provide information on any matter as the Speaker may direct;
- (e) to take minutes of the meetings of the Speaker and make follow up on the implementation of the undertakings made by the Speaker in the meetings;
- (f) to preserve the status of the Speaker; and
- (g) apart from his duties, he shall perform the duties of his subordinates in the Private Office of the Speaker and perform other duties relating to his responsibilities as assigned by the Speaker.



An Office of the Deputy Speaker.

10. There shall be an Office of the Deputy Speaker which shall have servants as approved by the Public Service Commission in accordance with the laws relating to Public Service.

Appointment of the Personal Secretary of the Office of the Deputy Speaker.

11.-(1) The Clerk, in consultation with the Speaker, shall recommend not less than three names for the Commission to appoint one name among the recommended names to be a Secretary of the Office of the Deputy Speaker.

(2) The Personal Secretary of the Office of the Deputy Speaker shall be a servant of the Office of the House and shall be responsible to the Clerk.

Qualifications of the Personal Secretary of the Office of the Deputy Speaker.

12. Subject to the provisions of the Public Service Act, a person shall qualify to be appointed as the Personal Secretary of the Office of the Deputy Speaker, if he:

- (a) is a Zanzibari;
- (b) holds at least a first degree in the field of Journalism, Mass Communication, International Relations, Public Administration, Social Relations or other related fields from the university recognised by the Government;
- (c) has working experience of the term of not less than five years;
- (d) has ability to prepare and write speeches;
- (e) is ethical, loyal, honest, obedient and responsible; and
- (f) has ability to work on overtime basis.

Responsibilities of the Personal Secretary of the Office of the Deputy Speaker.

13. The Personal Secretary of the Office of the Deputy Speaker shall have the following responsibilities:

- (a) to supervise the Office of the Deputy Speaker of the House on administrative facilities of its office;
- (b) to coordinate the communications of the Deputy Speaker relating to invitation, arrival of the guests and other relevant matters;
- (c) to supervise the preparation of speeches or any other topic to be addressed by the Deputy Speaker including availability of the documents, information and different reports.



- (d) to provide information on any matters as the Deputy Speaker may direct;
- (e) to take minutes of the meetings of the Deputy Speaker and make follow up on the implementation of the undertakings made by the Deputy Speaker in the meeting;
- (f) to preserve the status of the Deputy Speaker; and
- (g) apart from his assigned responsibilities, he shall perform the work of his subordinates in the private office of the Deputy Speaker and perform other duties relating to his responsibilities as assigned by the Deputy Speaker.

Steering and
House
Business
Committee.

14.- (1) There shall be a Steering Committee which shall have the following members:

- (a) Speaker who shall be the Chairperson;
 - (b) Deputy Speaker who shall be the Vice Chairperson;
 - (c) Head of the Government Business in the House;
 - (d) Political parties' whips in the House;
 - (e) Chairpersons of the House;
 - (f) Chairpersons of all standing committees of the House or in their absence, the Vice Chairpersons;
 - (g) Minister responsible for House affairs;
 - (h) Head of Department of the legal advice; and
 - (i) Clerk of the House who shall be Secretary to this Committee.
- (2) The Steering Committee may, through the directives of the Chairperson, invite any person who is not a member of such Committee to attend any meeting of the Steering Committee, provided that such invited person shall not have the right to vote.
- (3) The quorum of the meeting of the Steering Committee shall be more than half of all members of that Committee.



(4) All matters arising at the Steering Committee shall be decided by consensus and where the decision has not been reached by consensus, such matters shall be decided by majority votes of the members present.

(5) At the Steering Committee meeting, a Chairperson shall have a deliberative vote and in the event of an equality of votes, shall have a casting vote.

(6) The minutes of the proceedings at the meetings of Steering Committee shall be taken and kept by the Secretary and shall be approved in the subsequent meeting of Steering Committee.

(7) The minutes signed by the Chairperson shall be considered to be valid records of that meeting.

(8) Where it happens that all Chairpersons of the Standing Committees of the House are males, Speaker shall appoint two female members who are not Ministers or Deputy Ministers to be members of the Steering Committee.

Functions of
the Steering
Committee.

15.-(1) The functions of the Steering Committee shall be as follows:

- (a) to consider, recommend and submit to the Government, matters related to salary, allowances and any other entitlement of the members;
- (b) to review annual estimates of expenditure of the Office of the House;
- (c) to monitor the development of functions of the House and its committees in accordance with the provisions of subsection (2) of this section;
- (d) to set guidelines of matters and type of services to be provided to members during the sessions of the House or its committees;
- (e) to prepare program for the House business;
- (d) to advise the House in executing its business;
- (g) to receive the reports and resolutions of the Executive Committee meetings; and
- (h) to perform any other functions as it deems necessary in this Act or any other law.



(2) In exercising function referred to in subsection (1)(c) of this section, the Steering Committee shall have the power to set time for completion of any business of any House committee; and before or after expiry of such time or extended time, the Chairperson of concerned committee shall submit the report of the committee in respect of such business.

Executive
Committee.

16.-(1) There shall be an Executive Committee of the office of the House which shall be composed of the following members:

- (a) Clerk who shall be the Chairperson; and
- (b) Heads of Departments.

(2) The Executive Committee shall appoint one among heads of departments to be Secretary of that committee.

(3) The Executive Committee may, through the directives of the Chairperson, invite any person who is not a member of such committee to attend any meeting of the Executive Committee, provided that such invited person shall not have the right to vote.

(4) The Executive Committee shall meet at least once in every three months.

(5) The Chairperson, at any time when the need arises, may convene an emergency meeting and shall do so by his own will or after receiving request in writing signed by not less than three members of the Executive Committee.

(6) The Executive Committee shall have a duty to submit its all reports to the Speaker after every meeting.

(7) The Speaker shall have power to give any directives in relation to the resolutions which are submitted by the Executive Committee.

(8) The quorum of the Executive Committee meeting shall be at least more than half of all members.

(9) All matters arising at the Executive Committee shall be decided by consensus and where the decision has not been reached by the consensus, such matters shall be decided by majority votes of the members present.



(10) Act the Executive Committee meeting, the Chairperson shall have a deliberative vote and in the event of an equality of votes, shall have a casting vote.

Functions of
the Executive
Committee.

17. The Executive Committee of the office of the House shall have the following functions:

- (a) to prepare plans relating to the business of the office of the House;
- (b) to receive in preliminary stage, recommendations of the budget of the office of the House before it is submitted to the Steering Committee;
- (c) to review the policy of the office of the House and to ensure its implementation;
- (d) to receive the quarterly implementation reports of the office of the House before their submitted to the government in the prescribed order;
- (e) to prepare and approve matters and procedures pertaining to sessions of the House for servants of the House and other persons who provide services to the House; and
- (f) to deal with any other matter related to the better implementation of the functions of the office of the House.

Standing
Committees
of the House.

18.-(1) Subject to the provisions of the Constitution, there shall be Standing Committees of the House which shall be formed pursuant to the Standing Orders of the House.

(2) For the purposes of this section, functions, numbers and names of the House Standing Committees shall be as provided under the Standing Orders of the House.

(3) The House may establish any other Committee as it deems fit.

PART THREE SERVICE OF THE HOUSE

Establish-
ment of
Departments,
Divisions
and Units.

19.-(1) There shall be various Departments, Divisions and Units to be recommended by the Office of the House and approved by the Public Service Commission for the better performance and efficiency of the functions of the House in accordance with the with Public Service Act.

(2) Departments of the House shall be as follows:



- (a) Department of Administration and Human Resources;
- (b) Department of the Business of the House;
- (c) Department of Legal Advise;
- (d) Department of Finance and Planning;
- (e) Department of supervising business of the House Committees; and
- (f) Department of Coordination in Pemba.

(3) Without prejudice to the provisions of subsection (1) of this section, there shall be a Budget Unit of the House which shall provide technical budgetary service to the House Budget Committee and Members of the House.

(4) The Office of the House may add departments, divisions and units by the consent of the Public Service Commission, as it deems fit.

Staff
of the House.

20.-(1) There shall be servants of the House comprising of the Clerk and all servants employed by the Commission who shall be part of the public service.

(2) In discharging their functions, servants of the House shall act in accordance with the Constitution, this Act, Public Service Act, other laws and Standing Orders of the House.

(3) A servant of the House shall be non partisan, and member of the House or any other person shall respect these provisions and shall not use his post to influence the servant of the House in the course of discharging his functions.

(4) Without prejudice to the provisions of any other law, servants of the House, in the performance of their functions, shall not receive directives from any authority outside the service of the House.

Functions of
the Service of
the House.

21.-(1) The service of the House shall provide administrative and technical services to the House, Committees and Members.

(2) Without prejudice to the provisions of subsection (1) of this section, the functions of the service of the House shall be:

- (a) to provide legal advice and other legal support services for the effective performance of the business of the House;



- (b) to provide better executive services to enable the House and its Committees to execute their duties effectively;
- (c) to provide appropriate and timely advice on procedures of the business of the House;
- (d) to prepare, maintain and keep records of the business of the House, Committees and Members;
- (e) to provide better library and research services to the House, Committees and Members;
- (f) to administer, in accordance with the laws, regulations and existing rules, entitlements of Members, servants and other people providing service to the House; and
- (g) to perform such other functions as may be necessary for effective performance of functions of the House or as may be instructed by the Speaker.

Ethics of the
Service of the
House.

22.-(1) Without prejudice to the provisions of the Public Service Act, the Servant of the House in the course of discharging his functions, shall preserve the following ethics:

- (a) provision of services that considers honesty, transparency, time consciousness and non-partisanship;
- (b) provision of high quality services;
- (c) invoking powers justly and with wisdom;
- (d) avoiding of conflicts of interest;
- (e) issuance of decisions and advice with due regard to justice, unbiasedness and without conflict of interest;
- (f) better utilization of resources of the House;
- (g) ensuring freedom from discrimination and harassment;
- (h) maintenance of patriotism, respect, discipline, peace and national unity;



- (i) promotion of co-operation in the workplace;
- (j) laying conducive and safe working environment;
- (k) preserving secrets of the House; and
- (l) any other ethics as provided by the Commission.

(2) For the purpose of ensuring ethics of the service in the House are preserved, the Clerk shall effectively monitor the implementation of such ethics efficiently.

(3) The Commission may issue codes of ethics that prescribe other ethics for the servants of the House to be incorporated in the Regulations made under this Act.

(4) The Commission may take disciplinary measures against any servant who contravenes the code of ethics prescribed under this section in accordance with the Public Service Act.

Transfer of the
Servants.

23.- A Servant of the House shall not be transferred, except in accordance with the provisions of the Public Service Act.

Clerk.

24.-(1) There shall be a Clerk of the House appointed by the President in accordance with the Constitution.

(2) The Clerk shall be the Chief Executive officer and in-charge of all activities of the House and shall be responsible to the Speaker for day to day administrative business in the service of the House.

(3) Without prejudice to the provisions of the Constitution or any other law, the Clerk may appoint any servant of the House to perform the functions of the Clerk.

Functions
of the
Clerk.

25.-(1) The Clerk shall be responsible in providing advice and professional services to the Speaker and Members for effective implementation of businesses of the House.

(2) Without prejudice to the provisions of subsection (1) of this section, the Clerk shall have the following functions:

- (a) to exercise all functions of the service in the House as directed by the House or Speaker, save that if the office of the Speaker is vacant or the person holding the office of the Speaker is unable to exercise his duties for any reason, the Clerk at such time shall exercise his duties under the directives of the Deputy Speaker;



- (b) to be responsible in a day to day business of the House;
- (c) to be responsible in supervising servants of the House under him;
- (d) subject to the provisions of the Regulations, he shall be responsible in keeping all required records and reports, which shall be open for inspection by Members or any person in accordance with the procedures set forth;
- (e) to administer the House business including assigning duties to the servants of the House;
- (f) to prepare estimates of annual expenditure of the office of the House for the coming year; and
- (g) to discharge any other functions as directed in accordance with the Constitution, this Act, Public Service Act and Standing Orders.

Powers and authority of the Clerk.

26. Subject to the Public Service Act, the Clerk shall have power and authority to recommend before the Commission, appointment, salary increment, amendment of scheme of service, recruitment, confirmation of employees, promotions and disciplinary actions against servants under him.

The delegation of functions and authority of the Clerk.

27. Where the Clerk is temporarily absent, or Clerk's office is vacant, or the Clerk fails to carry out his duties or powers, the process of delegating or acting his authority shall be carried out as prescribed by the Constitution, law and guidelines of public service.

PART FOUR THE HOUSE SERVICE COMMISSION

House Service the Commission.

28.-(1) There shall be the House Service Commission as established under the Constitution and Public Service Act.

(2) Any communication made to the Commission shall be channeled through the secretary of the Commission.

Meetings of the Commission.

29.-(1) The Commission shall meet four times a year in its ordinary sittings.

(2) The Chairperson, at any time when the need arises, may convene an emergency meeting and shall do so by his own will or after receiving written request signed by not less than three members of the Commission.



(3) When the need arises to convene an emergency meeting and if the Chairperson is absent, Members of the Commission shall appoint one among them to preside over that meeting.

(4) The meeting of the Commission shall be valid if more than half of all Members of the Commission attend.

(5) The Commission may invite any person to deal with any matter as directed by the Commission provided that the invited person shall not have the right to vote.

(6) The validity of the decisions of the Commission shall consider the majority of the members present and voting for acceptance and when it comes to the equality of votes, the person presiding the meeting shall have a casting vote.

(7) Decisions of the Commission made under subsection (6) of this section, shall not be affected by any vacancy of the Member of the Commission.

(8) The Commission may establish the committee from among the members of the Commission or outside the Commission for the purpose of handling a matter as directed by the Commission, and such Committee shall submit its report before the Commission.

Delegation of functions.

30.-(1) Subject to the provisions of this Act, the Commission may delegate implementation of its functions to any committee established, except such functions conferred upon it in accordance with the Constitution.

(2) In any regulations made for the purpose of this section, the Commission shall specify the officers to which such delegation applies.

(3) The Commission may discharge any of such functions referred under subsection (1) of this section, notwithstanding the delegation thereof to other person.

PART FIVE SALARY AND ALLOWANCES OF THE MEMBERS

Salary and allowances of Members.

31.-(1) Subject to the provisions prescribed under subsection (3) of this section, a member shall be entitled to be paid salary as recommended by the Steering Committee.

(2) The Steering Committee shall recommend the rate to be paid for the following allowances:



- (a) the allowance which shall be paid to the Speaker, Deputy Speaker, Leader of the Government Business in the House, Government whip, Political Parties whip, Chairpersons of the House, Chairpersons of the Committees and Members of the House; and
 - (b) any other allowances as prescribed by the law relating to the matters of immunities, powers and privileges of the Members.
- (3) The recommendations of salaries and allowances of the Members after being recommended by the Steering Committee, shall be submitted to the Government for budget procedural process and advice the President for his decision.

PART SIX FINANCIAL PROVISIONS

Sources
of Funds.

- 32.** There shall be sources of funds of the Office of the House which shall include:
- (a) such sums as may be approved by the House of Representatives in the form of subvention or otherwise;
 - (b) such lawful donations and grants as the House may from time to time, receive from any person or organization;
 - (c) loans in accordance with the laws relating to loans to the public institutions; and
 - (d) any other legitimate sources.

Financial
Estimates.

33.-(1) At least three months before the commencement of each financial year, the Clerk shall prepare expenditure estimates of the House for the following year and such estimates shall observe the ordinary procedures of the Government Budget.

(2) The expenditure estimates referred to under subsection (1) of this section, shall be presented before the Steering Committee for the purpose of discussion.

(3) After the approval of the expenditure estimates referred to under subsection (2) of this section, the Minister shall present such estimates to the Government Budget for other budgetary procedures.



**PART SEVEN
MISCELLANEOUS PROVISIONS**

Annual
Statement.

34. Upon completion of the financial year, the Minister, at a time to be determined by the House, shall submit before the House an annual statement which shall contain activities and the performance of the House Business for the respective year.

Save that such report shall not be submitted before the House until it has been approved by the Steering Committee.

Delegation.

35.-(1) Except for the office of the Clerk, where any post of the Office of the House is vacant for the period not exceeding one month, the Clerk, after consultation with the Executive Committee, may appoint a person among the servants of the House to hold the position temporarily.

(2) Without prejudice to the provisions of subsection (1) of this section, if any post is vacant for a period of more than one month, the Clerk, after consultation with the Executive Committee, may appoint a person among the servants of the House to temporarily hold that position and inform the Commission at the next session and where necessary, the Commission shall decide on how to fill that post.

History of
the House.

36. The House, without prejudice to laws governing museums and heritage preservations, and in conjunction with institutions administering museums and heritage preservations, shall preserve the history of the House Businesses.

Regulations.

37. Upon consultation with the Steering Committee, the Minister shall make Regulations for effective implementation of the provisions of this Act.

Saving.

38. Duties discharged and decisions made before the commencement of this Act, shall be deemed to have been made under the provisions of this Act.

PASSED by the House of Representatives of Zanzibar on 19th September, 2019.

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(RAYA ISSA MSELLEM)

Clerk of the House of Representatives of Zanzibar.