



**AN ACT TO REPEAL THE PRESIDENTIAL AFFAIRS ACT NO. 5 OF 1993 AND
TO ENACT THE PRESIDENTIAL AFFAIRS ACT WHICH PROVIDES
FOR CERTAIN MATTERS RELATING TO THE AFFAIRS OF
THE PRESIDENT AND OTHER MATTERS CONNECTED
THEREWITH AND INCIDENTAL THERETO**

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ACT NO. 3 OF 2020

I ASSENT

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

5th May

....., 2020

**AN ACT TO REPEAL THE PRESIDENTIAL AFFAIRS ACT NO. 5 OF 1993 AND
TO ENACT THE PRESIDENTIAL AFFAIRS ACT WHICH PROVIDES
FOR CERTAIN MATTERS RELATING TO THE AFFAIRS OF THE
PRESIDENT AND OTHER MATTERS CONNECTED
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ENACTED by the House of Representatives of Zanzibar.

**PART ONE
PRELIMINARY PROVISIONS**

Short Title
and
Commence-
ment.

1. This Act may be cited as the Presidential Affairs Act, 2020 and shall come into operation upon being assented to by the President.

Interpretation.

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

“Award” includes dignity, honor, medal or anything granted by the President in appreciation of service to any person under this Act;

“Committee” means the Advisory Committee established under section 11 of this Act;

“Constitution” means the Constitution of Zanzibar, 1984;



“Government” means the Revolutionary Government of Zanzibar;

“Minister” means the Minister responsible for matters relating to the Presidential Affairs;

“Office” means the Private Office established under section 3 of this Act;

“President” means the President of Zanzibar and Chairman of the Revolutionary Council;

“Presidential Staff” means staff working in the Private Office including assistants to the President as prescribed under section 3 of this Act;

“Subordinate” includes Vice President, Minister, Principal Secretary, Regional Commissioner, District Commissioner, Sheha or any other public servant.

PART TWO PRESIDENTIAL AFFAIRS, FUNCTIONS, POWERS AND IMMUNITY

Establishment
of the Office.

3.-(1) There is established the Private Office of the President.

(2) The President shall appoint a person as considered necessary to be staff to that Office.

(3) The President shall establish the Private Office for the Vice-President and appoint its staff.

(4) Presidential Staff shall be entitled to such salaries, allowances, facilities and privileges in accordance with the Public Service Act.

(5) The Office shall provide to the President such services as may be required for efficient and effective implementation of his affairs.

Functions of
the President
to establish
Ministries.

4.-(1) Subject to the provisions of the Constitution or any other laws establishment, abolition, amalgamation and re-organisation of the Ministries and Departments shall be exercised by the President.

(2) The Government shall comprise of Vice-President, Ministers, Special Department servants and public servants who shall be accountable to the President.



(3) Subject to provisions of subsection (1) of this section, appointment of the Ministers and Office bearers of the Departments shall be on the discretion of the President.

(4) It shall be the duty of every Minister in the Government to present report of the implementation of the annual ministerial budgets to the President.

Powers of the President to make Proclamation and Executive order.

5.-(1) The President may, in the exercise of the powers conferred upon him under the Constitution being Head of State and Head of Government, make proclamation and executive order to effect as appropriate for the implementation of his functions.

(2) Notwithstanding any other laws, where the President is satisfied that the existing circumstance renders it necessary for him to take immediate action, he may proclaim ordinances as circumstances appear to or require provided that such ordinances shall not be contrary to the Constitution.

Powers of the President in Relation to Public Holidays and Emergency.

6.-(1) Without prejudice to any other written laws, the President shall have the following powers:

- (a) to appoint any day to be a public holiday when he deems necessary; and
- (b) to declare an emergency in case of disaster which may affect the activities of the Government or persons.

(2) The day appointed under paragraph (a) or an emergency declared under paragraph (b) of this section shall be published in the Official Gazette.

Powers of the President to Delegate his Functions and duties.

7.-(1) Where it occurs or under any written law other than the Constitution, any function or duty conferred or vested to the President, the performance of such function or the discharging of such duty by the President may be executed by his subordinates.

(2) Nothing in this section shall apply to the power of the President to make Proclamations or power of the President in respect of being the Head of State other than such functions which by any other written law may be exercised through officer of the Government.

(3) Subject to the provisions of this section, a person shall not perform such functions or exercise powers specified to the President.

(4) A person who contravenes the provisions of this section, commits an offence and upon conviction, shall be liable to a fine of not less than One Million Tanzanian Shillings or imprisonment for a term not less than six months or both.



Immunity.

8.-(1) The President is immune from criminal charge or civil proceedings, arrest or requiring or compelling his personal appearance or attendance in the court or requiring or compelling him to produce any person or thing in the court.

(2) Subject to the provisions of this section, the President shall not be arrested for the offence committed while he was not President and after the completion of presidency or requiring or compelling his personal appearance or attendance in the court or requiring or compelling him to produce any person or thing in the court.

Remuneration
of the
President.

9. In respect of each financial year, there shall be charged on and paid out of the Consolidated Fund, such sum of money as may be certified by Paymaster General as being the sum required for and in respect of salary, allowances and other expenses of the President.

PART THREE AWARDS

Awards.

10.-(1) The President may institute and confer awards.

(2) For the purposes of this section, the President may grant the following awards:

- (a) The Zanzibar Revolutionary Medal 1964;
- (b) Distinguished Service;
- (c) Long Service and Meritorious Conducts for Special Departments;
and
- (d) Bravery.

(3) In the exercise of his powers under this section, the President may confer award as may be necessary.

(4) The President shall publish in the Official Gazette notification of the awards granted under this section in the manner provided under the First Schedule of this Act which includes name of the nominee and materials of the award.

(5) The Zanzibar Revolutionary Medal 1964 shall be the highest civil award of Zanzibar.

Advisory
Committee
on Grant of
Awards.

11.-(1) There shall be an Advisory Committee on the grant of Awards whose members and functions shall be as established in the Second Schedule of this Act.



(2) The President may consult with the Advisory Committee before exercising his powers under this section.

Citation.

12. Award shall be granted with citation to be signed by the President as provided in the Third Schedule of this Act.

Award is a Government property.

13.-(1) Subject to the provisions of this Act, the awards conferred under this Act shall be the Government properties.

(2) The President has the power to revoke any award provided under this Act in case of any abuse.

PART FOUR MISCELLANEOUS PROVISIONS

Powers of the Minister to make Regulations.

14.-(1) The Minister may make Regulations for the better performance of the provisions of this Act.

(2) Minister may, by order to be published in the Official Gazette make regulations for the criteria for the award specifying the required qualifications to a person to be awarded such award under section 10 of this Act.

Offences and Penalties.

15. A person who defaces, destructs, disfigures, dents or misuses any award under this Act, commits an offence and upon conviction, shall be liable to a fine of not less than One Million Tanzanian Shillings or imprisonment for a term of not less than six months or both.

General Penalty.

16.-(1) It shall be an offence to misuse or contravene delegated functions or deprive immunity to the President conferred under this Act.

(2) A Person who contravenes provisions provided under subsection (1) of this section, commits an offence and upon conviction, shall be liable to a fine of not exceeding Two Million Tanzanian Shillings or to imprisonment for a term not exceeding one year or both.

Repeal and Saving.

17.-(1) The Presidential Affairs Act No. 5 of 1993 is hereby repealed.

(2) Notwithstanding the repeal under subsection (1) of this section, anything done under the repealed Act shall be deemed to have been done under the provisions of this Act.



FIRST SCHEDULE

**THE PRESIDENTIAL AFFAIRS ACT, No. 3 OF 2020
NOTIFICATION
(Under Section 10)**

WHEREAS section 10 of the Presidential Affairs Act, 2020 empowers the President to institute and confer honours, dignities and awards;

AND WHEREAS I am satisfied that it is necessary and desirable to institute such honours, dignities and awards to be conferred upon person who has, by his meritorious acts or conduct, deserves such praise and distinction as warrants receipt of some form of recognition:

NOW THEREFORE, I, President of Zanzibar and Chaiman of the Revolutionary Council in exercise of the powers conferred upon me by section 10 of the Presidential Affairs Act, 2020, do hereby institute the honours described in the First Schedule to this notification which may be awarded to person specified in relation thereto. The insignia and the manner of wearing of the medals shall be described as illustrated hereto.

AWARDS	NAME	MEDALS (MATERIALS)
1. The Zanzibar Revolutionary Medal 1964	1. 2.	eg. Gold
2. Distinguished Service	1. 2.	
3. Long Service and Meritorious Conducts for Special Departments	1. 2.	
4. Bravery	1. 2.	

Insignia	Manner of wearing
1.
2.
3.



SECOND SCHEDULE
MEMBERS AND FUNCTIONS OF ADVISORY COMMITTEE
[Made under section 11(1)]

1. The Advisory Committee shall consist of the following members;
 - (a) Chairperson, who shall be a Minister responsible for Presidential affairs;
 - (b) Chief Secretary;
 - (c) Attorney General;
 - (d) Brigade Commander Nyuki Brigade; and
 - (e) Three other members appointed by the President who qualify for that purpose in respect of gender.

2. The Advisory Committee shall have an advisory role to the President on the following matters:
 - (a) on the selection of qualified persons to be awarded, any of the said awards;
 - (b) on the insignia and manner of wearing of the medal; and
 - (c) on any other matters relating to the awards.

3. The secretariat of the Advisory Committee shall consist of the following members:
 - (a) Principal Secretary of the President Affairs shall be Secretary to the Advisory Committee and the Chairman of the Secretariat of the Advisory Committee;
 - (b) Principal Secretary from the President's Office, Regional Administration, Local Government and Special Departments of the Revolutionary Government of Zanzibar;
 - (c) Principal Secretary from the Second Vice President Office;
 - (d) Deputy Secretary of the Revolutionary Council; and
 - (e) Deputy Attorney General.



4. The Secretariat Committee shall perform the following functions:

- (a) to facilitate the responsibilities of the Committee in organizing meetings, recording and keeping minutes;
- (b) to collect and scrutinize the name of a person recommended for the Award submitted to the Committee;
- (c) to facilitate the communication of decisions and directives of the Committee; and
- (d) to undertake such other functions as the Committee shall deem appropriate.



**THIRD SCHEDULE
CITATION
(Made under section 12)**



REVOLUTIONARY GOVERNMENT OF ZANZIBAR

TO:

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GREETINGS:

**I
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF THE REVOLUTIONARY
COUNCIL**

**UNDER THE PRESIDENTIAL AFFAIRS ACT
NO. 3 OF 2020**

**UPON THE ACCEPTANCE OF YOUR CONTRIBUTION TO THE REVOLUTIONARY
GOVERNMENT OF ZANZIBAR, I AWARDED MEDALS OF**

GRANTED AT THE STATE HOUSE UNDER MY SEAL AND SIGNATURE

DATE

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**PRESIDENT OF ZANZIBAR
AND CHAIRMAN OF THE REVOLUTIONARY COUNCIL**



PASSED by the House of Representatives of Zanzibar on 1st April, 2020

.....
(RAYA ISSA MSELLEM)

Clerk of the House of Representatives of Zanzibar.