



**AN ACT TO AMEND VARIOUS LAWS AND MAKE
BETTER PROVISIONS THEREOF**

ARRANGEMENT OF SECTIONS

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ACT NO. 7 OF 2021

I ASSENT

Dr. Hussein Ali Mwinyi
{DR. HUSSEIN ALI MWINYI}
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF
THE REVOLUTIONARY COUNCIL

24 January, 2022

**AN ACT TO AMEND VARIOUS LAWS AND MAKE
BETTER PROVISIONS THEREOF**

ENACTED by the House of Representatives of Zanzibar.

**PART ONE
PRELIMINARY PROVISIONS**

Short title
and Commencement.

1. This Act may be cited as the Written Laws (Miscellaneous Amendment) Act, 2021 and shall come into operation immediately after being assented to by the President.

Amendment of
certain Laws.

2. The Written Laws specified in various parts of this Act are amended in the manner specified in their respective parts.

**PART TWO
AMENDMENT OF THE OFFICE OF THE DIRECTOR OF
PUBLIC PROSECUTIONS ACT, NO. 2 OF 2010**

Construction.

3. This Part shall be read as one with the Office of the Director of Public Prosecutions Act, No. 2 of 2010, in this Part referred to as the "Principal Act".

Amendment
of section 5.

4. Section 5 of the Principal Act is amended by:



- (a) adding in subsection (1) the words “departments, divisions and” before the word “units”;
- (b) repealing subsection (2) and replacing it with a new subsection (2) as follows:

“(2) The Director shall, subject to the terms, conditions and in accordance with the Office Scheme of Service, appoint the heads of departments, divisions and units”.

PART THREE
AMENDMENT OF THE ZANZIBAR TOURISM
ACT, NO. 6 OF 2009

Construction.

5. This Part shall be read as one with the Zanzibar Tourism Act, No. 6 of 2009, in this Part referred to as the “Principal Act”.

Amendment
of section 5.

6. Section 5 of the Principal Act is amended by:

- (a) deleting in subsection (1), paragraph (a) and substituting it with a new paragraphs (a) and (b) as follows:

“(a) Chairman who shall be appointed by the President”.

(b) Executive Secretary”.

- (b) renumbering paragraph (b) of subsection (1) to be paragraph (c) respectively.

- (c) repealing subsection (2) and replacing it with a new subsection (2) as follows:

“(2) The Commissioners shall elect one among them to be a Vice Chairman”.

Addition of a
new section
5A.

7. The Principal Act is hereby amended by adding a new section 5A immediately after section 5 as follows:

“Secretary
of the
meetings
of the
Commission.

5A.-(1) The Commission shall appoint a lawyer who is employee of the Commission to be a Secretary of the meetings of the Commission.



(2) The Secretary shall be accountable to the Commission, and shall specifically be responsible to:

- (a) take accurate minutes of the meetings;
- (b) maintain the correct and sufficient records;
- (c) keep register of decisions of the meetings;
- (d) give proper notifications of the meetings;
- (e) provide the correct advice to the Commission when so needed; and
- (f) perform any other function as directed by the Commission”.

Addition of a new section 5B.

8. The Principal Act is hereby amended by adding a new section 5B immediately after section 5A as follows:

“Tenure of the Commission.

5B. Save for an ex-officio member, the Chairman and other members shall hold office for a term of three years from the date of the appointment and may be eligible for re-appointment for another one term only”.

Repeal of section 6.

9. Section 6 of the Principal Act is hereby repealed.

Amendment of section 8.

10. Section 8 of the Principal Act is amended by repealing subsections (2) and (3) and replacing them with new subsections (2) and (3) as follows:

“(2) The quorum of the meeting of the Commission shall be more than half of the total number of the Commissioners.

(3) All meetings of the Commission shall be presided by the Chairman and in his absence, the Vice Chairman shall preside the meeting”.

Amendment of section 11.

11. Section 11 of the Principal Act is amended as follow:

(a) by deleting subsection (3)(a);

(b) by deleting subsection (4).

Amendment of section 31.

12. Section 31 of the Principal Act is amended in subsection (2) by repealing paragraph (e).



PART FOUR
AMENDMENT OF THE PUBLIC FINANCE MANAGEMENT
ACT, NO. 12 OF 2016

Construction.

13. This Part shall be read as one with the Public Finance Management Act, No. 12 of 2016 in this Part referred to as the “Principal Act”.

Addition of a new section 133C.

14. The Principal Act is hereby amended by adding a new section 133C immediately after section 133B as follows:

“Publication of exemptions in Official Gazette.

133C.-(1) Subject to the provisions of any relevant laws or other laws, the Minister may, by Order published in the Official Gazette, publish the whole exemption or part of the tax, duty, levy, fee or any other charge.

(2) Notwithstanding the provisions of any relevant or other laws, the Minister may, by Order published in the Official Gazette, exempt the whole or part of the tax, duty, levy, fee or any other charge on public interest as may be approved by the Revolutionary Council.

(3) The Minister shall set procedures for administration of exemption under this section”.

PART FIVE
AMENDMENT OF THE VALUE ADDED TAX
ACT, NO. 4 OF 1998

Construction.

15. This Part shall be read as one with the Value Added Tax Act, No. 4 of 1998 in this Part referred to as the “Principal Act”.

Amendment of section 3.

16. Section 3 of the Principal Act is amended in subsection (4) by deleting the words “the United Republic of Tanzania Treasury” appearing between the words “to” and “according” and replacing them with the words “Tanzania Revenue Authority”.

PART SIX
AMENDMENT OF THE STONE TOWN CONSERVATION AND
DEVELOPMENT AUTHORITY ACT, NO. 4 OF 2010

Construction.

17. This Part shall be read as one with the Stone Town Conservation and Development Authority Act, No. 4 of 2010 in this Part referred to as the “Principal Act”.



Amendment
of section 7

18. Section 7 of the Principal Act is amended by:

(a) adding a new paragraph (g) immediately after paragraph (f) as follows:

“(g) to allow any commercial investment, residential and any other activity within the Stone Town of Zanzibar subject to the laws of the Country and Stone Town Conservation and Heritage Management Plan”.

(b) renumbering the remaining paragraphs respectively.

Amendment of
section 11.

19. Section 11 of the Principal Act is amended by:

(a) in subsection (1):

(i) in paragraph (c), deleting the word “Zanzibar” and substituting for it with the word “Urban”;

(ii) in paragraph (d), deleting the word “Archives.”;

(b) in subsection (3), deleting the words “section 10 of the Public Investment Act” and substituting for them with the words “provisions of the Public Service Act”.

Amendment
of section 12.

20. Section 12 of the Principal Act is amended by adding a new paragraph (e) immediately after paragraph (d) as follows:

“(e) oversee the administration of the Stone Town Conservation Fund”.

Addition of
a new Part
VA.

21. The Principal Act is amended by adding a new Part VA immediately after Part V as follows:

**“PART VA
ESTABLISHMENT OF STONE TOWN
CONSERVATION FUND**

Establishment
of Stone Town
Conservation
Fund.

40A. There shall be a Stone Town Conservation Fund which shall be vested to the Board and administered by the Director General in accordance with the directives of the Board.

Purposes of
the Fund.

40B. The purposes of Fund shall be to:



- (a) collect funds from various sources and finance in investment, programs and projects; and
- (b) utilize Fund effectively and efficiently for preservation; upgrading; renovation; rehabilitation and maintenance of infrastructure, recreation areas, open spaces and gardens within the Stone Town of Zanzibar.

Sources of the Fund.

40C. The sources of Fund shall be:

- (a) upfront payment from investment within Stone Town;
- (b) levies paid by persons investing in the World Heritage Site or person beneficiary within the World Heritage Site Services;
- (c) land lease rent collected within the World Heritage Site;
- (d) five percent from Infrastructure Fund of the Government;
- (e) properties tax collected within the World Heritage Site;
- (f) grants, gift, donations, bequest and other contribution made to the Authority;
- (g) proceeds from investments made by the Fund;
- (h) fees, fine or charge imposed by the Authority; and
- (i) any other lawful payments or properties received for the purpose of investment or development within the Stone Town of Zanzibar.

Expenditure of the Fund.

40D.-(1) The expenditure of the Fund shall be for investment, conservation, preservation, upgrading, renovation, rehabilitation and maintenance of infrastructure, Stone Town buildings, recreation areas, open spaces and gardens within the Stone Town of Zanzibar.

(2) Without prejudice the provisions under subsection (1) of this section, the Fund shall be used upon the approval of the Board.

Statement and report of the Fund's Account.

40E. The Fund shall be audited and reported in accordance with the Public Finance Management Act".



Amendment
of section 33.

22. Section 33 of the Principal Act is amended in subsection (3) by adding the words “responsible for lands” between the word “Minister” and the word “shall”.

Amendment
of section 34.

23. Section 34 of the Principal Act is amended by:

(a) in subsection (1):

- (i) adding the words “responsible for lands” between the word “Minister” and the word “approves”;
- (ii) deleting the words “of Lands and Registration” between the words “the Director” and the word “shall” and substituting for them with the words “responsible for lands”;

(b) in subsection (2), adding the words “responsible for lands” after the word “Minister”.

Amendment
of section 41.

24. Section 41(1) of the Principal Act is amended by:

- (a) in paragraph (a), deleting the words “grants, gift, donations, bequest and other contributions made to the Authority”
- (b) repealing paragraph (b) thereof;
- (c) renumbering the remaining paragraphs respectively.

Amendment
of section 42.

25. Section 42 of the Principal Act is amended by:

(a) in subsection (1):

- (i) deleting the number (1);
- (ii) deleting the words “from the following”;

(b) repealing subsections (2), (3) and (4) thereof.

**PART SEVEN
AMENDMENT OF THE NATIONAL LEADERS HONOURING
ACT, NO. 5 OF 2019**

Construction.

26. This Part shall be read as one with the National Leaders Honouring Act, No. 5 of 2019 in this Part referred to as the “Principal Act”.



Amendment
of section 2.

27. Section 2 of the Principal Act is amended by repealing and replacing the interpretation of the words “A Week of Honouring State Leaders”, as follow:

“A Week of Honouring State Leaders, Founders of Zanzibar Revolution and the First Afro Shirazi Party Secretary” means a week from the date of 1st to 6th April of every year.

Amendment
of section 4.

28. Section 4 of the Principal Act is amended in subsection (2) by adding a new paragraph (g) immediately after paragraph (f) as follows:

“(g) bust image of other Presidents who have held the post of Zanzibar presidency and short information describing their periods of presidency”.

Repeal and
Replacement
of section 8

29. Section 8 of the Principal Act is repealed and replaced with a new section 8 as follows:

“A Week of Honouring State Leaders, Founders of Zanzibar Revolution and the First Afro Shirazi Party Secretary.

8.-(1) There shall be a Week of Honouring State Leaders, Founders of Zanzibar Revolution and the First Afro Shirazi Party Secretary from 1st to 6th April of every year.

(2) Week of Honouring State Leaders, Founders of Zanzibar Revolution and the First Afro Shirazi Party Secretary shall include various activities that aimed at honouring them.

(3) 7th day of April of each year shall be a Karume Day which shall be a public holiday and the Minister, in consultation with the Revolutionary Council, shall specify a place for performing the memorial activities of the day.

(4) Karume Day shall be a Memorial day for the late Sheikh Abeid Amani Karume where different activities shall be conducted to indicate remembrance of his excellent achievements and outstanding leadership.

(5) For the purpose of this section “Founders of Zanzibar Revolution” means Zanzibaris who led the movement of the Zanzibar Revolution of 1964 under the leadership of the late Sheikh Abeid Amani Karume as prescribed in the Schedule of this Act”.

Amendment of
section 14.

30. Section 14 of the Principal Act is amended in subsection (3) by deleting the words “for the purpose of mourning”.



SCHEDULE
THE FOUNDERS OF THE ZANZIBAR REVOLUTION OF 1964
[Made under section 8(5)]

S/N	NAME
1	RETIRED COLONEL, THE LATE SEIF BAKARI OMAR
2.	RETIRED BRIGADIER GENERAL, THE LATE RAMADHAN HAJI FAKI
3.	THE LATE MOHAMED ABDALLA KAUJORE
4	THE LATE SAID IDDI BAVUAI
5.	THE LATE HAMID AMEIR ALI
6.	THE LATE PILI KHAMIS MPERA
7.	THE LATE SAID WASHOTO MNYUKE
8	RETIRED SENIOR ASSISTANT COMMISSIONER OF POLICE, THE LATE KHAMIS DARWESH MDINGO
9.	THE LATE HAFIDH SULEIMAN ALMASI
10.	RETIRED COMMISSIONER OF POLICE, THE LATE EDDINGTON HERBERT KISSASSI
11.	RETIRED MAJOR GENERAL, THE LATE ABDALLA SAID NATEPE
12.	RETIRED BRIGADIER GENERAL, THE LATE YUSSUF HIMID MAFTAH
13.	THE LATE ABDULLA M FARANYAKI

PASSED by the House of Representatives of Zanzibar on 22nd December, 2021.

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(RAYA ISSA MSELLEM)

Clerk of the House of Representatives of Zanzibar.