



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

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Schedule



ACT NO. 5 OF 2021

I ASSENT

{DR. HUSSEIN ALI MWINYI}
PRESIDENT OF ZANZIBAR AND CHAIRMAN OF
THE REVOLUTIONARY COUNCIL

12 October

....., 2021

**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 various
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 FOREST RESOURCES MANAGEMENT
AND CONSERVATION ACT, NO. 10 OF 1996**

Construction.

3. This part shall be read as one with the Forest Resources Management and Conservation Act, No. 10 of 1996, in this Part referred to as "Principal Act".

Amendment of
section 35.

4. Section 35 of the Principal Act is amended by repealing subsection (3) thereof.



**PART THREE
AMENDMENT OF THE FISHERIES ACT, NO. 7 OF 2010**

Construction. **5.** This part shall be read as one with the Fisheries Act, No. 7 of 2010, in this Part referred to as “Principal Act”.

Amendment of section 3. **6.** Section 3 of the Principal Act is amended by adding the interpretation of the following words in their alphabetical order:

“Aquaculture” means cultivation or practice of rearing or raising of fish or aquatic flora in the fresh water environment;

“Fish Landing Site” means an area at the beach of a village where local fishers usually land their catches or park their fishing vessels upon return from their fishing activities as well as use the area to make repair of their fishing vessels and carry out scientific research including data collection and any other activities approved by fishermen’s committees;

Addition of new section 12. **7.** The Principal Act is amended by adding a new section 12 immediately after section 11 as follows:

Establishment of Fish Landing Site. **“12.** There is established a Fish Landing Site, if necessary, in a coastal village along the beach within Zanzibar which shall be identified by the Department in collaboration with relevant Government Institutions and owned by the Ministry”.

**PART FOUR
AMENDMENT OF THE EDUCATION ACT, NO. 6 OF 1982**

Construction. **8.** This part shall be read as one with the Education Act, No. 6 of 1982, in this Part referred to as “Principal Act”.

Amendment of section 17. **9.** Section 17 of the Principal Act is amended by repealing subsection (3) thereof.

**PART FIVE
AMENDMENT OF THE OFFICE OF THE CHIEF
INSPECTOR OF EDUCATION ACT, NO. 10 OF 2018**

Construction. **10.** This part shall be read as one with the Office of the Chief Inspector of Education Act, No. 10 of 2018, in this Part referred to as “Principal Act”.



Amendment
of section 8.

11. Section 8 of the Principal Act is amended by repealing subsection (2) and replacing with a new subsection (2) as follows:

“(2) The report of inspected school shall be submitted to the Head Teacher of a school and the Principal Secretary of the Ministry.”

**PART SIX
AMENDMENT OF THE PUBLIC AND ENVIRONMENTAL
HEALTH ACT, NO. 11 OF 2012**

Construction.

12. This part shall be read as one with the Public and Environmental Health Act, No. 11 of 2012, in this Part referred to as “Principal Act”.

Amendment
of section
30.

13. Section 30 of the Principal Act is amended by adding a new subsection (2) immediately after subsection (1) as follows:

“(2) Buildings or premises or any parts of structures shall not be occupied until a health clearance has been issued by the inspector.”

Addition
of a new
section 51A.

14. The Principal Act is amended by adding a new section 51A immediately after section 51 as follows:

Demolition
of unfit
buildings.

51A.-(1) The Director in his opinion, in consultation with relevant authorities, and after attaining the demolition order of the court, may demolish any building or structure which:

- (i) dilapidated;
- (ii) defectively constructed;
- (iii) constructed at a public place, open space, path or any road reserve area; or
- (iv) situated that repairs or alteration of such building are not likely to remove the nuisance.

(2) The Director shall, before making any demolition under this section, serve twenty one days’ notice to the owner of such building or structure to quit the building before such date as may be specified in that notice.



(3) Where the owner fails to comply with a demolition notice under this section, commits an offence and shall, upon conviction, be liable to a fine of not less than Five Hundred Thousands Tanzanian Shillings and be required to pay the cost of demolition.”

Repealing and Replacement of section 58.

15. Section 58 of the Principal Act is hereby repealed and replaced by a new section 58 as follows:

Notification of infectious diseases.

“58. -(1) Where the owner or occupier of any premises used for human habitation is suffering from any infectious disease or any disease symptoms of which may raise a suspicion that may be an infectious disease, the following provisions shall have effect:

- (a) a medical practitioner attending on or called in to visit the patient shall forthwith, on becoming aware that the patient is suffering from infectious disease or suspected to be infectious, send to the District Medical Officer a report stating the name and sex of patient, the situation of the premises, potential sources and disease cause from which, in the opinion of such medical practitioner, such patient is suffering or suspected to be suffering;
- (b) any patient or relative of the patient who is diagnosed or suspected from contracting an infectious disease shall be informed by medical practitioner and obliged to comply with specified directives and measures addressed by medical practitioner; and
- (c) the occupier or owner of the premises shall, as soon as he becomes aware that the patient is suffering from an infectious disease or is suspected to be suffering from an infectious disease, send a prospective notice of such disease thereof to the in-charge of a nearby health facilities who will notify the District Medical Officer where such person resides.

(2) For the purpose of this section, the ship or any vessel, while in any port of Zanzibar, shall be deemed to be premises and the master or owner or occupier of such



premises shall be deemed to be the head of the household or the owner or occupier of such premise, provided that, in any case of any such ship or any other vessel, the notification referred to in subsection (1) of this section shall be made to the Port Health Officer.

(3) A person required by this section to send a notice or certificate fails forthwith to send the same, commits an offence and shall, upon conviction, be liable to a fine of not less than Five Hundred Thousand Tanzanian Shillings or imprisonment for a term of not less than twelve months or both such fine and imprisonment.

(4) For the purpose of this section, port includes any port of Zanzibar whether official or not official”.

PART SEVEN
AMENDMENT OF THE LOCAL GOVERNMENT AUTHORITY
ACT, NO. 7 OF 2014

- Construction. **16.** This part shall be read as one with the Local Government Authority Act, No. 7 of 2014, in this Part referred to as “Principal Act”.
- Amendment of section 2. **17.** Section 2 of the Principal Act is amended by deleting the interpretation of the words “agriculture”, “aquaculture”, “aquatic flora” and “fishing landing site”.
- Repealing of section 12. **18.** Section 12 of the Principal Act is hereby repealed.
- Amendment of section 25. **19.** Section 25 of the Principal Act is amended in subsection (1) by repealing paragraph (e).
- Amendment of section 26. **20.** Section 26 of the Principal Act is amended by:
- (a) repealing paragraph (i), (j) and (n) in subsection (1);
 - (b) repealing subsection (2) thereof; and
 - (c) renumbering subsection (3) to be subsection (2).
- Repealing of sections 26A, 26B, 26C, 39A, 86A, 86B and 86C. **20.** Sections 26A, 26B, 26C, 39A, 86A, 86B and 86C of the Principal Act are hereby repealed.



Addition of a
new section
93A.

21. The Principal Act is amended by adding a new section 93A immediately after section 93 as follows:

Guidelines. **“93A.** The Minister may set standards for preparation of guidelines to be made by the Councils for proper implementation of the provisions of this Act.”

Repealing
of the First
Schedule.

22. The First Schedule of the Principal Act is hereby repealed.

Repealing
and
replacement
of the Third
Schedule.

23. The Third Schedule of the Principal Act is repealed and replaced with a new Third Schedule as follows:



THIRD SCHEDULE

**OATH OR SOLEMN AFFIRMATION
(Made under section 29)**

I,, having been elected/ appointed as Councillor, do hereby swear/solemnly affirm that I take that office upon myself, and will dully faithfully fulfil my duties according to the Constitution of Zanzibar and established laws so help me God.

Public sitting held on, in the Council Chamber of the City Council/Municipal Council/Town Council/District Council of

.....
Signature

Sworn/Affirm before me..... the Regional Magistrate, thisday of.....; 20.....

PASSED by the House of Representatives of Zanzibar on 9th September, 2021.

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(RAYA ISSA MSELLEM)
Clerk of the House of Representatives of Zanzibar.