
ACT No. 8 OF 2009

AN ACT TO AMEND THE
ZANZIBAR REVENUE BOARD

ACT, No. 7 OF 1996.



**THE ZANZIBAR REVENUE BOARD (AMENDMENT)
ACT NO. 8 OF 2009**

ARRANGEMENT OF SECTIONS

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ACT NO. 8 OF 2009

I ASSENT


{AMANI ABEID KARUME}

PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL

20th JAN, 2010

**AN ACT TO AMEND THE ZANZIBAR
REVENUE BOARD ACT NO. 7 OF 1996**

ENACTED by the House of Representatives of Zanzibar.

**PART I
PRELIMINARY PROVISIONS**

Short title
and
commence-
ment.
Construction.

1. This Act may be cited as the Zanzibar Revenue Board (Amendment) Act, 2009 and shall come into operation immediately after being assented to by the President.
2. This Act shall be read as one with the Zanzibar Revenue Board Act, No. 7 of 1996, in this Act referred to as the "Principal Act".

**PART II
AMENDMENT PROVISIONS**

Amendment
of section 2.

3. Section 2 of the Principal Act is hereby amended as follows:-
 - (a) by inserting the following interpretation of the word "Board of Directors" on its alphabetic order.
"Board of Directors" means the Board of Directors of the Zanzibar Revenue Board established under section 8;"
 - (b) by deleting the word "Board" appearing in the following sections and substituting for it with the words "Board of Directors":-



- (i) sections 9, 10, 11(1) and 13(1);
- (ii) section 15(2);
- (iii) sections 15(3) and 17;
- (iv) section 18(1); and
- (v) sections 18(2), 22, 23(2), 24(1), 24(2), 24(2)(d), 27(1)(b), 27(2)(d), 29(1), 29(4), 29(5), 29(7), 29(8), 30(2) and 30(3).

Amendment of sections 5 and 6. 4. The Principal Act is hereby amended by deleting sections 5 and 6 and substituting for them with the following new sections as follows:-

"Functions of the Board.

5.(1) The functions of the Board shall be:-

- (a) to ensure fair, transparent, efficient and effective administration and enforcement of:-
 - (i) the laws and Regulations concerning revenue collection in Zanzibar as set out in the Schedule to this Act;
 - (ii) any other legislation concerning the collection of revenue that may be assigned to the Board by a ministry, department or any authority which administers such legislation;
- (b) to assess, collect and account for all revenues to which laws referred to in subsection (1)(a) of this section apply;
- (c) to promote voluntary tax compliance and maximize revenue collection;
- (d) to maintain and preserve statistical data on revenue collection;
- (e) to take such measures as may be necessary to improve the standard of service given to taxpayers by the Board, with a view to improve the effectiveness;and
- (f) to collect and process the statistic needed to provide proper revenue forecasts and the effect on yield of any proposed changes in revenue laws".



"Powers of the Board.

6.(1) The Board shall in the discharge of its functions have the powers to:

- (a) take effective steps to counteract tax evasion, tax avoidance and loss of government revenue;
- (b) establish and maintain systems for the convenient and effectual identification of all taxable persons for the purpose of coordinated administration of the revenue laws in Zanzibar and shall have powers to take necessary steps in accordance with the provisions of the laws set out in the Schedule;
- (c) do all such acts and things as may appear to it to be necessary, advantageous or convenient for the efficient and effective discharge of its responsibilities and functions; and
- (d) act in accordance with all such directions of a general nature as the Minister may, by writing under his hand, give to the Board.

(2) without prejudice to the generality of subsection (1), the powers of the Board shall include powers:-

- (a) to utilise all movable and immovable properties of the Board, in such manner as may deem necessary including raising of loans by mortgaging such property;
- (b) to engage in any activity to promote better understanding of taxation among taxpayers; and
- (c) to do anything incidental to any of its powers."

Amendment of section 8.

5. The Principal Act is hereby amended by deleting section 8 and substituting for it with the following new section as follows:-

"Establishment and constitution of the Board of Directors

8.(1) There is hereby established a Board of Directors of the Zanzibar Revenue Board.

(2) The Board of Directors shall be constituted by the following members: -



- (a) Chairman;
- (a) Principal Secretary of the Ministry responsible for Finance and economic affairs;
- (b) the Commissioner of the Zanzibar Revenue Board;
- (c) one representative from the Attorney General's Chambers;
- (d) the Head of the Tanzania Revenue Authority based in Zanzibar; and
- (e) not more than three other members appointed by the Minister with professional knowledge and experience in finance, commerce, economics, taxation or laws who have no vested interest in the Board".

Addition of new sections 8A, 8B and 8C

6. The Principal Act is hereby amended by adding new sections 8A, 8B, and 8C immediately after section 8 as follows:-

"Appointment of a Chairman.

8A (1) The Chairman of the Board of Directors shall be appointed by the President.

(2) The Chairman shall hold office on such terms and conditions as are specified in his instrument of appointment for a period not exceeding three years in the first instance and may be eligible for re-appointment.

(3) The President may terminate the appointment of the Chairman for inability to perform the functions of his office, or misbehaviour or for any other sufficient cause.

Functions of the Board"

8B. The functions of the Board of Directors shall be:-

- (a) to supervise the Board on matters concerning the administration of revenue collection under this Act;
- (b) to formulate and supervise the implementation of the policies of the Board;



- (c) to propose amendments in laws and Regulations concerning revenue collection in Zanzibar for improving the administration and compliance relating to laws referred to under section 5(1)(a) or any other revenue legislation; and
- (d) to advise the Minister and other relevant organs of the Government on matters pertaining to fiscal policy and tax administration”.

8C.(1) Without prejudice to the generality of the provisions of section 8B of this Act, the Board of Directors shall, in discharge of its functions, have powers to:-

- (a) direct the Commissioner to furnish it with any information, reports or other documents which the Board of Directors considers necessary for performance of its functions;
- (b) give lawful instructions to the Commissioner relating to management and performance of the Board;
- (c) approve such organizational structure and work procedures as may be considered necessary for smooth discharge of the functions and responsibilities of the Board;
- (d) determine, subject to the approval of the Minister, the terms and conditions of service, staff regulations, salaries and other allowances including any other benefits for the employees of the Board;
- (e) approve realistic action plans, objectives and appropriate work targets for all departments and monitor their progress in achieving them on a continuous basis;
- (f) subject to Staff Regulations and Codes of Conduct, take corrective measures to erring employee of the Board;
- (g) enforce work ethics, discipline and professional standards of the employees of the Board; and
- (h) approve the annual expenditure budget of the Board.

(2) Except as provided otherwise in this Act or any other law for the time being in force, the Board of Directors shall have no power to intervene in determination of tax liability of particular taxpayers.



(3) The Board of Directors may however, issue general instructions for the guidance of the tax officials and may also detect mistakes through internal audit system and issue corrective guidelines, which shall be binding on all concerned.

(4) The Board of Directors shall hold ordinary meetings to deliberate monthly revenue collection reports in every month following the month of collection."

PASSED in the House of Representatives of Zanzibar on 20th day of October, 2009.

{ IBRAHIM MZEE IBRAHIM }
CLERK OF THE HOUSE OF REPRESENTATIVES
ZANZIBAR.