THE ZANZIBARI ACT 1985.

ARRANGEMENT OF SECTIONS.

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ACT NO. 5 OF 1985.

I ASSENT,

ALI HASSAN MWINYI
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY
COUNCIL.

...........11 MAY........ 1985.

AN ACT TO DEFINE A ZANZIBARI AND TO PROVIDE FOR OTHER MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

ENACTED BY THE HOUSE OF REPRESENTATIVES, ZANZIBAR.

Short title and commencement. 1. This Act may be cited as the Zanzibari Act, and shall be deemed to have come into operation on the 12th day of January, 1985.

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

"full age" means the age of majority as defined in the Majority Decree, Cap.53;

"citizen" means a citizen of the United Republic of Tanzania as defined in the Citizenship Act of the United Republic;

"the Minister" means the Chief Minister;

"Zanzibar" means Zanzibar as defined in the Zanzibar Constitution.

A Zanzibari. 3.(1) Any person who is a citizen of Tanzania in accordance with the laws relating to Citizenship, and that he has been residing in Zanzibar before and upto 12th January, 1964 shall be a Zanzibari.

2/....

(2) Any person who, as from the 26th day of April, 1964 is a Citizen of Tanzania and that he was born in Zanzibar shall be a Zanzibari if both of his parents or his father or his mother is a Zanzibari in accordance with this Act.

(3) Any person who is a citizen, and that before the 26th day of April, 1964 was a Zanzibari shall be a Zanzibari if he has not lost his Tanzanian citizenship.

(4) Any person who is a citizen of Tanzania and that both of his parents or his father or his mother is a Zanzibari in accordance with subsections (1), (2) and (3) above shall be a Zanzibari.

A Zanzibari by naturalisation.

4. Any person who is a citizen of Tanzania in accordance with the laws relating to citizenship and -

(a) he has been residing in Zanzibar for a consecutive period of fifteen years; and

(b) he has sufficient knowledge to write and read Kiswahili; and

(c) that he is of a good character; and

(d) that he has lawfully entered Zanzibar and has obeyed all prevailing laws and regulations of Zanzibar; and

(e) that he is of full age; and

(f) that he intends to continue residing in Zanzibar,

may be eligible to be a Zanzibari.

Deprivation of status as Zanzibari.

5. A Zanzibari who is such by naturalisation shall cease to be a Zanzibari if -

(a) he is deprived of his Tanzanian citizenship; or

(b) he is deprived of his status as such by an order of the Minister and in accordance with the laid down procedures.

Minister to make regulations.

6. Subject to section 3 of this Act, the Minister may make regulations for -

(a) the renunciation by any person of his status as a Zanzibari;

(b) the deprivation of any person of his status as a Zanzibari; and

(c) any other thing which the Minister thinks fit to do and which is for the better carrying out of the provisions of this Act.

Repeal of Decree 11/66 on Regulation of Citizens and Residents.

7. The Regulation of Citizens and Residents Decree, No.11 of 1966 is hereby repealed.

Passed in the House of Representatives on the 2nd day of April, 1985.

IDI P. HASSAN
CLERK TO THE HOUSE OF REPRESENTATIVES.
ZANZIBAR.

SHERIA YA KUMUELEZEA NI NANI MZANZIBARI
NA MAMBO MENGINE YANAYOHUSIANA NA HAYO.

KIFUNGU

1. Jina fupi na tarehe ya kuanza kutumika.

2. Tafsiri.

3. Mzanzibari.

4. Mzanzibari kwa kuishi.

5. Watu wanaosita kuwa Wazanzibari.

6. Uwezo wa Waziri kufanya kanuni.

7. Kufutwa kwa Sheria ya Uandikishwaji Uraia na Ukaazi ya 11/66.

SHERIA NA. 5 YA 1985.

NAKUBALI,

ALI HASSAN MWINYI
RAIS WA ZANZIBAR NA
MWENYEKITI WA BARAZA LA
MAPINDUZI.

..............11 MAY.......1985.

SHERIA YA KUMUELEZEA NI NANI MZANZIBARI NA MAMBO MENGINE YANAYOHUSIANA NA HAYO.

IMETUNGWA NA BARAZA LA WAWAKILISHI LA ZANZIBAR.

Jina fupi na tarehe ya kuanza kutumika.

1. Sheria hii itajulikana kama Sheria ya kufafanua Mzanzibari na itaanza kutumika kuanzia tarehe 12 Januari, 1985.

Tafsiri.

2. Katika Sheria hii, ila pale ihitajiwapo vyenginevyo :-

"umri kamili" maana yake ni umri wa kuwa mtu mzima kama ilivyotafsiriwa katika Sheria ya Utu-uzima Sura ya 53 Sheria za Zanzibar;

"raia" maana yake ni raia wa Tanzania kama ilivyotafsiriwa katika Sheria za Uraia za Tanzania;

"Waziri" maana yake ni Waziri Kiongozi;

"Zanzibar" maana yake ni Zanzibar kama ilivyo tafsiriwa katika Katiba ya Zanzibar.

Mzanzibari.

3.(1) Mtu yeyote ambae ni raia wa Tanzania kwa mujibu wa Sheria za Uraia za Tanzania na kwamba amekuwa akiishi Zanzibar kabla na hadi kufikia tarehe 12 Januari, 1964 atakuwa Mzanzibari kwa mujibu wa Sheria hii.

2/....

(2) Mtu yeyote ambae, kuanzia tarehe 26 April 1964 ni raia wa Tanzania na kwamba amezaliwa Zanzibar atakuwa Mzanzibari ikiwa wazazi wake wote wawili au baba yake au mama yake ni Mzanzibari kwa mujibu wa Sheria hii.

(3) Mtu yeyote ambae ni raia wa Tanzania, na ambae kabla ya tarehe 26 April, 1964 alikuwa Mzanzibari ataendelea kuwa Mzanzibari ikiwa hakupoteza uraia wake wa Tanzania.

(4) Mtu yeyote ambae ni raia wa Tanzania na kwamba wazazi wake wote wawili au baba yake au mama yake ni Mzanzibari kwa mujibu wa vijifungu (1), (2) na (3) vya kifungu hichi atakuwa Mzanzibari.

Mzanzibari kwa kuishi.

4. Mtu yeyote ambae ni raia wa Tanzania kwa mujibu wa Sheria za Uraia za Tanzania na :-

(a) ameishi Zanzibar kwa muda wa miaka kumi na tano mfululizo; na

(b) ana uwezo wa kutosha wa kuandika na kusoma Kiswahili; na

(c) ni mtu mwenye tabia nzuri; na

(d) kwamba ameingia Zanzibar kihalali na kufuata Sheria na kanuni zote za Zanzibar; na

(e) ni mwenye umri kamili; na

(f) anakusudia kuendelea kuishi Zanzibar, anaweza kuwa Mzanzibari.

Watu wanaosita kuwa Wazanzibari.

5. Mzanzibari atasita kuwa Mzanzibari ikiwa :-

(a) ameyanganywa Uraia wake wa Tanzania; au

(b) Waziri, kwa mujibu wa Kanuni zilizowekwa ataamuru hivyo.

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Uwezo wa Waziri kufanya kanuni.

6. Bila ya kuathiri kifungu cha 3 cha Sheria hii, Waziri anaweza kuweka kanuni kwa namna ya :-

(a) kukanushwa kwa mtu yeyote kwa Uzanzibari wake;

(b) kunyanganywa kwa mtu yeyote kwa Uzanzibari wake;

(c) kuweka utaratibu mwengine wo wote ambae Waziri atahisi unafaa kwa madhumuni ya utekelezaji mzuri wa Sheria hii.

Kufutwa kwa Sheria ya Uandikishwaji Uraia na Ukaazi ya 11/66.

7. Sheria ya Uandikishaji Uraia na Ukaazi Nambari 11 ya 1966 inafutwa.

Imepitishwa katika Baraza la Wawakilishi tarehe 2 Aprili, 1985.

IDI P. HASSAN
KATIBU
BARAZA LA WAWAKILISHI
ZANZIBAR.