

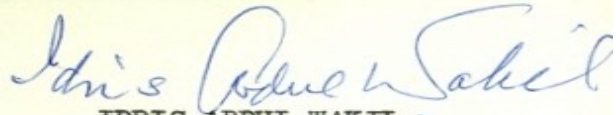
THE RENT RESTRICTION (AMENDMENT) ACT, 1987

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement.
 2. Application.
 3. Substitution of section 3.
 4. Substitution of section 5.
 5. Substitution of section 6.
 6. Amendment of section 19.
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I ASSENT



IDRIS ABDUL WAKIL -
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY
COUNCIL.

... 2 December 1987.

AN ACT TO AMEND THE RENT RESTRICTION
DECREE

ENACTED BY THE HOUSE OF REPRESENTATIVES OF
ZANZIBAR.

Short title
and
commencement.
Cap. 98.

1. This Act may be cited as the Rent Restriction (Amendment) Act, 1987 and shall be read as one with the Rent Restriction Decree, (hereinafter referred to as the principal Decree).

Application.

2.(1) This Act shall apply to all dwelling houses and or business premises, furnished or unfurnished, situate or in course of erection or hereafter to be erected in any area in Zanzibar in which a Rent Restriction Board has been established or is deemed to have been established under this Act.

(2) Notwithstanding the provision of subsection (1) of this section the Minister may by publication in the Gazette exempt any premises from the application of all or any provision of this Act.

Substitution
of
section 3.

3. Section 3 of the principal Decree is repealed and the following section is substituted :-

"Meaning of
expression
'original
rent'.

3.(1) "Original rent" in relation to any premises means rent assessed by the Board as rent at which such premises is reasonably worth.

(2) For the purposes of this Act any premises let under an agreement or lease for a fixed period entered into before this Act is passed and still in force shall on the expiry or sooner determination of such agreement or lease be deemed to be subjected to assessment of rent by the Board.

(3) The Board in assessing and fixing the rent shall catagorise the premises into classes and in doing so the Board shall take into consideration location in which the premises is situated, utility, condition and size of the premises.

(4) Notwithstanding the provision of this section a landlord and tenant may fix and agree upon a rent:

Provided that any rent fixed and agreed upon shall not contradict the provision of this Act."

Substitution
of section
5.

4. Section 5 of the principal Decree is repealed and the following section is substituted :-

"Establishment
of the Rent
Restriction
Board.

5.(1) There is hereby established a body in the Islands of Unguja and Pemba respectively to be known as the Rent Restriction Board.

(2) Notwithstanding the provisions of subsection (1) of this section the Minister may, by notice in the Gazette, establish for the purpose of this Act a Rent Restriction Board for any area in Zanzibar and each such Board shall exercise and perform within the said area the powers and functions conferred upon such Board by the provisions of this Act."

Substitution
of section
6.

5. Section 6 of the principal Decree is repealed and the following sections are substituted:-

"Composition
of the
Rent
Restriction
Board.

6.(1) A Rent Restriction Board appointed under the provisions of this Act shall consist of a Chairman, who shall be appointed by the President, a Secretary and such other members whose number shall not exceed five as the Minister may by notice in the Gazette from time to time appoint.

(2) The President may if he thinks fit appoint the same person to be Chairman of more than one Board.

(3) The President may appoint either generally or for any particular period a Deputy Chairman who may not be a member of the Board to act as the Chairman of the Board in the absence or inability of the Chairman to perform his functions.

(4) No person shall be qualified to be appointed as Chairman or Deputy Chairman, unless he holds a degree in law or its equivalent from a recognised University and has at least three years experience in legal profession.

(5) Notwithstanding the provision of subsection (4) of this section the President may if he deems fit appoint any person to be a Chairman or Deputy Chairman to the Board.

(6) A member of the Board shall hold office for a period of three years but shall be eligible for re-appointment.

Board's
meeting.

6A.(1) The Board shall ordinarily meet at such times and places as it deems necessary for the transaction of its business but shall meet at least once in every three months.

(2) The Chairman or in his absence, the Deputy Chairman shall preside at every meeting of the Board. In the absence of both the Chairman and the Deputy, the members present shall appoint an acting Chairman from amongst themselves to preside over the meeting.

(3) Three members of the Board in addition to the Chairman and the Secretary shall constitute the quorum at any Board meeting.

(4) At any Board meeting any matter to be considered and be given decision on that matter shall be decided by a majority of votes of members present and voting and in the event of equality of vote the Chairman or Deputy Chairman or any person presiding shall have a casting vote in addition to his deliberative vote.

(5) The Secretary of the Board shall keep and record at the Board's meeting all the business conducted or transacted by the Board at its meeting and the minutes of each meeting of the Board shall be read and confirmed or amended and confirmed at the next meeting of the Board and shall then be signed by the person presiding at the meeting."

Amendment
of
section 19.

6. Section 19 of the principal Decree is amended -

- (a) by repealing paragraph (g) of subsection (1) thereof and substituting new paragraph (g) which reads -

"(g) the tenant without the written consent of the landlord or the consent or approval in writing of the Board, assigns, sublets, transfers the possession of the premises or any part thereof:

For the purpose of this paragraph, where the tenant is a private limited Company or partnership, the transfer, without the consent of the landlord, or more than fifty per centum of the share capital of the Company or the interest of the partners in the partnership shall be deemed to be an assignment of the premises, or"

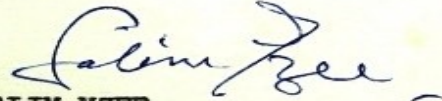
- (b) by inserting paragraph (n) in subsection (1) immediately after paragraph (m) :-

"(n) the tenant uses the premises or allows to be used for immoral purposes."

- (c) by inserting subsection (9) therein immediately after subsection (8) :-

"(9) Where an order is granted by the Board or Court in favour of the landlord for vacant possession the tenant shall leave the premises in a tenantable condition and shall not interfere with the water system, electrical installation, any other fixtures and shall make sure that he has settled all the bills including arrears to the relevant authorities and the Board."

Passed in the House of Representatives
on the 22nd day of September, 1987.



SALIM MZEE

ACTING CLERK TO THE HOUSE
OF REPRESENTATIVES.