



THE NATIONAL LEADERS ACT, 2002

ARRANGEMENT OF SECTIONS

**PART I
PRELIMINARY**

<u>SECTIONS</u>	<u>TITLE</u>
1.	Short title and Commencement.
2.	Interpretation.

**PART II
PRESERVATION OF RECORDS**

3.	Preservation of records.
4.	Institutions to be given names of leaders.
5.	Special museum.
6.	Top national leader's day.

**PART III
FUNERAL ARRANGEMENT OF NATIONAL LEADERS**

7.	Type of funeral.
8.	Death announcement.
9.	Period of mourning.
10.	Funeral Committees.
11.	Duties of the National Funeral Committee.



12. Duties of the Executive Committee.
13. Funeral and cause of death.
14. Information of Chief Medical Practitioner.
15. Place of burial.
16. Procedure of giving the last respect.
17. The State Funeral.
18. Flag.
19. The Government Funeral.

PART IV
FINANCIAL REQUIREMENTS FOR ATTENDING
THE ACTIVITIES OF HONOURING THE LEADERS

20. Funds for honouring the leaders.
21. Expenditure of the fund.

PART V
MISCELLANEOUS

22. Invitation.
23. Secrecy.
24. A will.
25. Funeral of Government Leaders.
26. Offence and Penalty.
27. Regulations.



ACT NO. 10 OF 2002

I ASSENT

Amani
{ AMANI ABEID KARUME }
PRESIDENT OF ZANZIBAR
AND
CHAIRMAN OF THE REVOLUTIONARY COUNCIL

07 - NOVEMBER 2002

**AN ACT TO PROVIDE FOR THE PROCEDURE OF
HONOURING THE TOP NATIONAL LEADERS AND
OTHER MATTERS CONNECTED THEREWITH**

ENACTED by the House of Representatives of Zanzibar.

**PART I
PRELIMINARY PROVISIONS**

Short title and
commencement.

1. This Act may be cited as the National Leaders Act, 2002 and shall come into operation immediately upon being assented to by the President.

Interpretation.

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

"Chief Justice" means the Chief Justice appointed by the President of Zanzibar and Chairman of the Revolutionary Council;

"Chief Minister" means the Chief Minister of the Revolutionary Government of Zanzibar;



"Committee" means different committees established under this Act, for burial of the leaders;

"Government" means the Revolutionary Government of Zanzibar;

"Government leader" means a Minister, Attorney General, Deputy Minister, Member of the House of Representatives, Judge of the High Court, Regional Commissioner and Principal Secretary of the Revolutionary Council who dies in that office;

"Grave" means the area on earth in which the body of the deceased will be preserved;

"Honouring" means to preserve the records of their works together with having a clear procedure of their burial;

"Leaders special day" means the 7th day of April of every year;

"Minister" means the Minister responsible for the administration of this Act;

"Museum" means a place where the records of the leaders will be preserved for national use;

"National Leaders" means the President of Zanzibar and Chairman of the Revolutionary Council who is in office together with those who have attained the post of President of Zanzibar who are dead or retired;

"President" means the President of Zanzibar and Chairman of the Revolutionary Council;

"Speaker: means the Speaker of the House of Representatives of Zanzibar;



"Top Leaders" means the Chief Minister, Speaker of the House of Representatives, and Chief Justice who are in the office and those who have attained those posts and retired;

"Will" means things or activities which the deceased left in writing or verbally that he would or would not like to be done;

PART II

PRESERVATION OF RECORDS

Preservation of records.

3. The procedure for preserving the records of national leaders who have attained the post of President shall include the following:-

- (i) government documents delivered, such as speeches, photographs, books, pamphlets, personal diary on his or his family's, consent and Legislations which they have signed;
- (ii) all government information delivered and recorded in cassettes, video and slides;
- (iii) memorable things such as gifts presented to them, metal things, clothes or utensils Personal things shall be preserved by his or his family's consent;
- (iv) oral recordings and information about them given by people who know them.

Institutions to be given names of leaders.

4.(1) The Local Institutions such as airports, sports grounds, schools, colleges, clubs of sports, main roads and building may be given names of the national leaders as the way of honouring them.

(2) No person or institution shall be allowed to use the names of national leaders or top leaders for business purposes unless the Minister granted the permission to do so.



Special museum.

5. A special museum shall be established for preserving the records of the national leaders and moveable records shall be kept in that museum.

Top national leader's day.

6.(1) The 7th day of April of every year shall be a day of national leaders and different activities shall be conducted on that day which shall indicate the remembrance of leaders and other activities which are beneficial to the nation together with those showing bravery of the leaders.

(2) The 7th day of April of every year shall be a public holiday and the Government shall specify a place for memorial activities specified in subsection (1) of this section.

PART III
FUNERAL ARRANGEMENTS OF
NATIONAL LEADERS

Type of funeral.

7. Under this Act, funeral arrangements shall be for the leaders who have attained the post of President, Chief Minister, Speaker, Chief Justice, Minister, Deputy Minister, Attorney General, Member of the House of Representatives, Judge of the High Court, Regional Commissioner and Principal Secretary of the Revolutionary Council and shall be conducted with accordance to the status of the leader as follows:-

- (i) the President who is in office and those retired shall have a state funeral as specified in section 17(2) of this Act;
- (ii) the Chief Minister, Speaker and Chief Justice who are in office and those retired shall have a government funeral as specified in section 19 of this Act;
- (iii) Minister, Attorney-General, Deputy Minister, Member of the House of Representatives, Judge of the High Court, Regional



Commissioner and Principal Secretary of the Revolutionary Council who died in that position shall have a government funeral, but their funeral arrangements shall be different to that of leaders specified in paragraph (ii) as specified in section 19 of this Act;

- (iv) The president who has not stayed in that post for five years and his removal was by vote of no confidence from the members of the House of Representatives shall be excluded from this funeral arrangements in accordance with this Act.
- (v) The Chief Minister or Chief Justice whose appointment revoked by the President before completing five years but served more than three years his funeral arrangements shall be that of Minister.

Death
announcement.

8.(1) Immediately after the President received information on the death of Chief Minister, Speaker or Chief Justice shall, as soon as possible, convene the meeting of the Revolutionary Council and invite the Heads of Defence and Security forces of the Union Government who are in Zanzibar and Heads of the Special Department of the Revolutionary Government and do the following:

- (a) Deliver special announcement on the death of The deceased, time of death and cause of Death;
- (b) announce period of mourning and period for flag to fly half mast.

(2) Where the top leader dies outside the country, the Embassy of Tanzania shall be the first to deliver information to the President.



(3) Where the President who is in office dies, the Chief Minister shall convene the Revolutionary Council meeting and invites the Heads of Defence and Security forces of the Union Government and Special Department of Revolutionary Government and deliver information as specified in sub-section (1)(a) and (b) of this section.

(4) Where the Minister, Attorney-General, Deputy Minister, Member of the House of Representatives, Judge of the High Court, Regional Commissioner or Principal Secretary of the Revolutionary Council who is in office dies the Chief Minister shall deliver the death announcement to the mass media after receiving the death information from the family of the deceased.

Period of mourning.

9. The period of mourning shall depend on the post of the leader who died and shall be as follows:

- (i) for the President who is in office the period of mourning shall be 14 days and the flag shall fly half mast.
- (ii) for the retired President, the period of mourning shall be 7 days and the flag shall fly half mast.
- (iii) for the Chief Minister who is in office the period of mourning shall be 7 days and the flag shall fly half mast.
- (iv) for the Speaker and Chief Justice who are in office the period of mourning shall be 3 days and the flag shall not fly half mast.
- (v) for other leaders named in this Act the period of mourning shall be the day of the funeral and the flag shall not fly half mast.

Funeral Committees.

10.(1) There shall be established the National Funeral Committee which shall have the following members:-



- (i) Chief Minister - Chairman;
- (ii) Minister of State Chief Minister's Office - Vice Chairman;
- (iii) Minister of State (President's Office) Regional Administration and Special Departments;
- (iv) Minister of Finance and Economic Affairs;
- (v) Principal Secretary of the Revolutionary Council;
- (vi) Principal Secretary Chief Minister's Office - Secretary.

(2) There shall be the Executive Committee which includes the following members:-

- (i) Minister of State, Chief Minister's Office - Chairman.
- (ii) Heads of Defence and Security Forces of Union government who are in Zanzibar.
- (iii) Heads of Special Departments of Zanzibar Revolutionary Government.
- (iv) Chief of Protocol of Department of Foreign Affairs Zanzibar.
- (v) Principal Secretary - Chief Ministers' Office.
- (vi) Principal Secretary - Ministry of Finance and Economic Affairs.
- (vii) Principal Secretary - Ministry of Communication and Transport.
- (viii) Principal Secretary - Ministry of Regional Administration and Special Departments - Secretary.



(ix) Principal Secretary – Ministry of State President's Office, State House.

(x) Clerk of the House of Representatives.

Duties of the National Funeral Committee.

11. The National Funeral Committee shall have the following duties:-

- (i) to administer all arrangements of the funeral;
- (ii) to give information from time to time relating to different incidence of misfortune;
- (iii) to approve the budget for funeral activities.
- (iv) to receive directions from the higher level and deliver them to the Executive Committee;
- (v) to assist the Executive Committee in facilitating the funeral activities;
- (vi) to receive and discuss information and recommendation from the Executive Committee.

Duties of the Executive Committee.

12. The Executive Committee shall have the following duties:-

- (i) to prepare the budget and deliver it to the National Funeral Committee;
- (ii) to make the funeral plan together with managing the funeral activities;
- (iii) to give directions of performance to the executives of other committees established by the Minister;
- (iv) to synchronise the programme of the funeral activities;



- (v) to give information relating to the funeral;
- (vi) to prepare the funeral report.

Funeral and cause of death.

13.(1) The funeral of the leader shall be conducted according to the religion, custom and tradition of the deceased and taking into account the cause of death.

(2) Where the body of the deceased was not found because of plane crash, a death in the water, the funeral to be done is mourning and other religious activities and thereafter recitation of prayers in the hall of the House of Representatives.

(3) The mourning shall be lead by the leaders of main religions present in Zanzibar.

Information of Chief Medical Practitioner.

14. Where a leader dies of any disease on which the burial requires need the advice of chief medical practitioner, according to this Act, the advice of the chief medical practitioner on the burial of the deceased shall be observed.

Place of burial.

15.(1) The family of the deceased shall decide on the place of burial and if the deceased has left the will on where and how he should be buried, his will shall be observed.

(2) The area surrounding the grave shall be planted trees and cleaned periodically but shall not be guarded except if it is necessary to do so on the permission of the Chief Minister and specific period for that shall be given.

Procedure of giving the last respect.

16.(1) The bier of the deceased shall be kept at the hall of the House of Representatives as soon as it is prepared for the public and guests to be able to give their last respect in accordance with religion of the deceased.



(2) The period of giving the last respect shall depend on the decision of the National Funeral Committee in the assistance of the family of the deceased and a leader of the religion of the deceased, but shall not exceed three days.

(3) The bier shall be taken from the House of Representatives to the nearby mosque or church for prayers and then taken to the place of burial.

(4) The bier of the deceased who shall be kept at the House of Representatives for the last respect ceremony are of national leaders and top leaders and those retired in that posts.

The State Funeral.

17.(1) There shall be a special parade of the Tanzania People Defence Forces on the day of the burial and shall be organised by defence force itself on the assistance of the Chief of Protocol.

(2) The parade for the late President who was in office shall be of 96 guards and 66 guards for the retired President and shall be conducted near to the place of burial.

(3). The Tanzania People's Defence Forces shall fire twenty-one guns at the time of burial near the place of burial.

Flag.

18.(1) The bier of the deceased shall be covered with a huge flag of the United Republic of Tanzania.

(2) The flag used for the late president who was in office or retired after being presented to the Chief Protocol shall be preserved to the national museum.

The Government Funeral.

19.(1) The procedure of government funeral to some extent shall be the same as that of state funeral except:-



- (i) the Chief Minister shall be entitled the parade of 66 guards from Tanzania People's Forces and nineteen guns;
- (ii) the Police forces shall arrange the parade for the funeral of Speaker and Chief Justice;
- (iii) there shall be no parade for burial of other leaders mentioned in this Act;
- (iv) the message and description of the deceased shall be read at the graveyard;
- (v) the Prayers shall be read in accordance with the religion of the deceased.

(2) The funeral arrangements for the deceased member of the House of Representatives and the Judge of the High Court shall be made by the office of Speaker and the Chief Justice respectively as may deem necessary to honour them.

PART IV
FINANCIAL REQUIREMENTS FOR ATTENDING
THE ACTIVITIES OF HONOURING THE LEADERS

Funds for
honouring the
leaders.

20. The funds for attending different activities of honouring the leaders, which are mentioned in this Act shall come from the Consolidated Fund in the following order:-

- (i) the applications for funds shall be submitted to the Principal Secretary, Ministry of finance with regard to the activity to be done.
- (ii) The Principal Secretary shall give the funds and be used as imprest.

Expenditure of the
fund.

21.(1) The funds requested from the Consolidated Fund shall be used for the activities of honouring the leaders only.



(2) Notwithstanding the provision of sub-section (1) of this section that fund shall be used for the following activities:-

- (i) for printing and recording the records of the leaders;
- (ii) for a renaming the grounds, streets and buildings, which shall be named after those leaders;
- (iii) for various requirement of the funeral of the leaders;
- (iv) for the expenses of transporting the body of the deceased and other things needed for the burial.
- (v) for any other expenses relating to the activities of honouring the leaders decided by the Minister.

PART V
MISCELLANEOUS

Invitation.

22.(1) The Minister shall have the power of inviting the participation of any person or institution for the purposes of facilitating any activity mentioned in this Act.

(2) For participating in the National Funeral Committee the Minister shall consult the Chairman of the Committee before giving the invitation.

Secrecy.

23. Members of all Committees shall keep the secret unless expressed otherwise by the Chairman of the Committee concerned.

A will.

24. A leader who before his death left a will which explaining the type of burial to be done, or not to be done that will shall be strictly observed on the assistance of the family of the deceased.



Funeral of
Government
Leaders.

25. The funeral of the Government leader (Minister, Attorney-General, Deputy Minister, Member of the House of Representatives, Judge of the High Court, Regional Commissioner and Principal Secretary of the Revolutionary Council) shall be funded by the Consolidated Fund and the Executive Committee shall make the funeral arrangements on the assistance of the family of the deceased.

Offence and
Penalty.

26. Any person or institution which reveals the secret or use the name of the leader for business purposes without the permission of the Minister shall be guilty of an offence and if convicted under this Act shall be liable to a fine of two million shillings or imprisonment for a period of twelve months or both.

Regulations.

27. The Minister shall have the power to make regulations for the better carrying out the purposes of this Act.

Passed in the House of Representatives on the 7th day of October, 2002.

KJC Chande

{ **KHAMIS JUMA CHANDE** }
CLERK OF THE HOUSE OF REPRESENTATIVES