



**THE PERSONS WITH DISABILITIES (RIGHTS AND PRIVILEGES)  
ACT 2006**

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ACT NO. 9 OF 2006

I ASSENT

( AMANI ABEID KARUME )  
PRESIDENT OF ZANZIBAR AND  
CHAIRMAN OF THE REVOLUTIONARY COUNCIL

5<sup>th</sup> DECEMBER 2006

**AN ACT TO ESTABLISH THE RIGHTS AND PRIVILEGES OF THE  
PERSONS WITH DISABILITIES AND OTHER MATTERS  
CONNECTED THEREWITH**

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ENACTED by the House of Representatives of Zanzibar.

**PART I**

**PRELIMINARY PROVISIONS**

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|-------------------------------|---|
| Short title and commencement. | 1. This Act may be cited as the Persons with Disabilities (Rights and Privileges) Act, 2006 and shall come into operation immediately after being assented to by the President.                     |
| Application.                  | 2. The provisions of this Act shall apply to and be carried into effect by government and, or non-government organs and, or private individuals.  |
| Interpretation.               | 3. In this Act unless the context otherwise requires:<br>"accessibility" means enabling or allowing person or persons with disability or disabilities to have access in the most integrated setting |





possible, to the benefits of public in all spheres of society and in any aspect it includes access to "education, information," communication and physical environment such as sign language, interpretation for people with hearing disabilities, tapes, Braille, computer based information and programmes and making physical environment such as houses, buildings, public transport and streets accessible for them;

"Council" means the Zanzibar National Council for Persons with Disabilities established under section 26 of this Act;

"discrimination" means accord different treatment directly or indirectly to a person solely as a result of his disability;

"disability" means a state of restricted participation that results from the interaction between persons of impairments, conditions, health needs or similar situations, and environmental, social, and attitudinal barriers, where the impairments, conditions, health needs or similar situations may be permanent, temporary, intermittent or imputed, and include those that are inter alia, physical, sensory, cognitive, psychosocial, neurological, medical or intellectual or a combination of those;

"discriminate" means to accord different treatment to different person solely or mainly as a result of their disabilities and includes using words, gestures or caricatures that demean, scandalize or embarrass persons with disabilities and includes to limit, segregate or classify in a way that adversely affects the



opportunities or status of a person with disability;

"employer" means an employer as defined under the Employment Act No. 11/2005.

"Employers Association" means the Employers Association as defined under the Employment Act No. 11/2005.

"Fund" means the Zanzibar Development Fund for Persons with Disabilities established under section 38 of this Act;

"Government" means the Revolutionary Government of Zanzibar;

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

"Minister" means the Minister for the time being responsible for persons with disabilities;

"Organization of persons with disabilities" means association or society formed by persons with disabilities for their welfare and protection;

"Organization for persons with disabilities" means association or society formed by persons with or without; or with and without disabilities for the welfare and protection of persons with disabilities;

"person with disability" means any person who has a physical or sensory or mental disability wholly or partly, either congenital or not causing functional limitation or an activity restriction of one or more of major life activities of such individual;



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

"private sector" means economic, business or services sector where more than half of its assets and management are owned by private individuals or body corporate;

"Public building" means any building that gives services to public;

"reasonable accommodation" means measures to make existing facilities, programmes and services readily accessible to and usable by a person with disability;

"relative" means parent or guardian;

"Sheha" means the head of a Shehia established under the Regional Administration Act 1 of 1998.

## **PART II**

### **RIGHTS AND PRIVILEGES OF PERSONS WITH DISABILITIES**

Care and maintenance of persons with Disability.

4.(1) Every relative of a person with disability shall have an obligation to provide rights and privileges to a person with disability according to his means.

(2) A relative who fails to abide by the provisions of sub-section (1) of this section, commits an offence.

(3) Where it is established that a relative has been guilty of willful neglect to provide rights and privileges to a person with disability, the court may, on application of either the person with disability or the Council, order that rights or





privileges to be provided, as the court deems just, having regard to the means of the relative.

(4) The court shall have power from time to time under this section to vary or discharge any previous order in this regard.

Realization of rights of persons with disabilities.

5.(1) Every person including Government shall take steps to the maximum of available resources with a view to achieve the full realization of rights to persons with disabilities.

(2) The standards laid down in this Act are the minimum legally obligatory standards for the realization of rights of persons with disabilities and without prejudice to the rights of persons with disabilities individually or collectively through their organization to request or bargain for a contract for higher standards, which shall then become the minimum standards legally applicable to persons with disabilities.

Discrimination on employment.

6.(1) No employer shall discriminate directly or indirectly against any person with disability, in any employment policy or practice on ground of disability.

(2) It is not discrimination:

- (a) to take affirmative action or measures consistent with the promotion of equality or elimination of discrimination against persons with disabilities;
- (b) to exclude a person who is unable to perform the essential job functions, with or without reasonable accommodation, the employer shall give the reason in doing so.

(3) For the purposes of this Part:

- (a) "employment" includes access to vocational training apprenticeship access to employment and to particular occupations and terms and conditions of employment;





(b) 'an employment policy or practice' means any policy or practice relating to and includes:

- (i) recruitment procedures, advertising and selection criteria and process;
- (ii) appointment and appointment process;
- (iii) job classification grading, promotion and demotion;
- (iv) remuneration, employment benefits and terms of employment;
- (v) the working environment and facilities;
- (vi) training and development;
- (vii) disciplinary measures;
- (viii) termination of employment; and
- (ix) job retention and return to work.

Employment.

7. Subject to the provision of the laws related to employment and vocational training no person shall deny a person with disability that has minimum qualification in such employment.

Duty to offer employment.

8.(1) It shall <sup>be</sup> the duty of every employer to:

- (a) give employment to persons with disabilities who meet the minimum qualification for such employment on the same terms and conditions of employment, including salaries, benefits, incentives or allowances equal to any other employee;
- (b) provide facilities and make modifications as may reasonably be required to



accommodate persons with disabilities.

(2) Notwithstanding the provision of subsection (1) of this section, an employer shall not contravene the provisions of section 7 of this Act if an employer can prove to the satisfaction of the Minister that;

- (a) after reasonable effort the employer has failed to find a person with disability; or
- (b) due to the nature of work an employer could not get a person with the skills or experience required; or
- (c) due to the nature of work or the circumstance of the working place it may not be possible to employ a person with disability; or
- (d) the individual with a disability is unable to perform the essential job functions.

(3) A private employer shall be entitled to apply for a deduction from taxable income equivalent to 10% of the total salary of an employee, apprentice or learner with disability.

(4) A private employer is entitled to apply for additional deductions from net taxable income equivalent to 10% of direct costs of improvements, modification or special services made or provided to ensure reasonable working environment to employees with disabilities.

(5) The deductions allowable under sub-sections (3) and (4) shall be made by the Minister in consultation with other relevant ministries.

(6) A private employer may appeal against any decision by the Minister to deny him deduction from taxable income under this Act to Tax Appeal Board.



(7) Minister may suspend the application of subsections (3) and (4) of this section to allow for the amendment of laws relating to applicable tax laws.

Education.

9. Persons with disabilities have the same rights to education, training in integrated settings and the benefits of research as all other citizens.

No denial to access to education.

10.(1) No person or learning institution shall deny admission to a person or persons with disability or disabilities to any course of study.

(2) Learning institution shall take into account the special needs of persons or person with disabilities or disability with respect to entry requirements, pass marks, curriculum, examinations, auxiliary aids and services, use of school facilities, class schedule, physical education requirements and other similar considerations.

(3) Every child with disability or disabilities shall be provided with appropriate support service from a qualified teacher in the most integrated setting possible.

Health.

11.(1) A person with disability is entitled to provision of medical care and measures that prevent the occurrence of impairments that cause permanent functional limitation or disability such as primary health care, pre-natal and post natal care, immunization campaigns against communicable diseases and safety regulations in government health centres.

(2) For the purpose of this section health centres include clinics, dispensaries and hospitals.

(3) Persons with disabilities shall be entitled to rehabilitation services aimed at maintaining their optimal levels.





(4) The Council shall be consulted in decision making and in the formulation of the national health policy under the Ministry responsible for health.

Accessibility and mobility.

12.(1) Persons with disabilities shall be entitled to a barrier-free and disability friendly environment to enable them to have access to public buildings and facilities for public use, roads, other social amenities, assistive devices and other equipment to promote their mobility.

(2) The provision of subsection (1) of this section, shall come into effect and bind owners of the existing public buildings and facilities for public use, roads and other social amenities, 12 months after this Act comes into force.

(3) Architects, construction engineers and other persons who are involved in the design and construction of the physical environment shall observe accessibility requirements from the beginning of the design process and ensure that all new buildings conform with designs aimed at creating access to persons with disabilities.

Accessibility standards.

13.(1) The Minister may, after consultation with the Ministers responsible for transport, communication, housing and sports by Regulations set up standards and guidelines on accessibility by persons with disabilities in relation to public transport vehicles, stations, stops, services, public buildings, sports and other recreational facilities.

(2) The accessibility requirement shall also be included in the design and construction of physical environment.

(3) The Minister in consultation with the Council by regulations set up a monitoring and enforcement mechanism to ensure compliance of standards and guidelines set up under this section.



Prohibition of denial to public premises.

14.(1) It shall be an offence for any person who denies a person with disability on the ground of his or her disability unless such denial is for the safety of the person with disability;

- (a) admission into any premises to which members of public are ordinarily admitted; or
- (b) the provision of any services or amenities ordinarily provides to members of the public.

(2) The proprietor of premises referred to in subsection (1) (a) of this sections, shall not have the right on the ground of a person's disability alone, to reserve rights of admission to his or her premises against such a person.

(3) Any decision to deny access to a persons with disability to public premises for reason other than their personal safety may be challenged before a court of law.

Information and communication.

15. The information service and documentation shall be made accessible to different groups of persons with disabilities in such form as:

- (a) Braille, tape services and large prints;
- (b) spoken information and appropriate technologies;
- (c) interpretation services, personal assistance and guides;
- (d) sign language; and
- (e) accessible computerized information.

Television programmes.

16. All television stations registered in Zanzibar shall provide a sign language inset or subtitles in all newscasts, educational programmes and programmes covering national events.



Access to telephone services.

17. All persons providing public telephones services shall as far as possible install and maintain telephone devices or units for persons with hearing disabilities and tactile marks on telephone sets to enable persons with visual disabilities to communicate through the telephone system.

Exemption from postal and customs charges.

18. The following articles shall be exempted from postal and customs charges:

- (a) printed and recorded literature, articles, equipment and other devices for use by persons with disabilities which are sent and, or received by mail within Zanzibar; and
- (b) aid and assistive devices for persons with disabilities sent outside Zanzibar by mail for repair:

Provided that aforesaid items are for personal or institutional purposes and are recommended for this exemption by the Council, and that the person with disability or organization is registered with the Council.

The right to judicial equality and protection.

19. Persons with disabilities have the right to equality before the law and to equal justice under the law such as:

- (a) the right to provision of legal documents in a format accessible to blind and partially sighted persons;
- (b) the right free of charge to sign language, interpretation services, Braille services and physical guide assistance in court rooms and during judicial proceedings and free legal aid;





- (c) the right to accessible government ministries; judicial services, buildings and courtrooms; law libraries and legal assistance centres.

Sports and recreation.

20. All persons with disabilities are entitled to free of charge, to the use of recreational or sports facilities owned by the Government during social, sports or recreational activities.

Coordinating Officer.

21. All government ministries shall under the provisions of this Act, establish and maintain a focal person for the purpose of ensuring the implementation and compliance with the provisions of this Act.

Offences.

22. A person is guilty of an offence if he or she:

- (a) as a parent, or guardian conceals a person with disability; or
- (b) contravenes or discriminates against persons with disabilities contrary to sections 7, 10, 11, or 14 of this Act; and shall, on conviction, be liable to a fine of not less than fifty thousand Shillings or imprisonment for a term of not less than 5 month or to both such fine and imprisonment.

### **PART III**

#### **CIVIC RIGHTS**

Appointment of persons with disabilities in the organs of the state.

23. The Government may initiate and encourage appointment of persons with disabilities in the organs of government which deal with running the affairs of the state.

Universal suffrage.

24.(1) All persons with disabilities have the same rights to participate in the political life in society as all other citizens including the right to vote in secret and to contest for elective offices.



(2) All persons with disabilities shall <sup>be</sup> entitled, at their request, to be assisted by persons of their choice in voting in presidential, parliamentary and civic elections.

(3) A person who undertakes to render assistance under subsection (2) of this section, shall do so strictly in accordance with the instructions of the voter.

(4) A person described in subsection (2) of this section, shall bind himself/herself, in accordance with the Election Act to comply with the said Act.

(5) A person who contravenes subsections (2) and (3) of this section is guilty of an offence.

Polling station.

25. Polling stations shall be made accessible to persons with disabilities during elections, and such persons shall in addition be provided with the necessary devices and assistive devices and services to facilitate the exercise of this right under this section.

#### **PART IV**

#### **ESTABLISHMENT OF THE ZANZIBAR NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES**

Establishment of the Zanzibar National Disability Council.

26.(1) There is hereby established a Council to be known as the Zanzibar National Council for Persons with Disabilities.

(2) The Council shall be an autonomous body corporate capable of suing and being sued.

(3) The Council shall consist of not more than 13 members.



Composition of Council.

27. The composition, proceedings and other matters of Council shall be in accordance with the provisions of the schedule to this Act.

Tenure of office.

28.(1) Appointed member of the Council shall hold office for a period of three years from the date of his or her appointment and shall be eligible for re-appointment for a second term only.

(2) Any member may resign his or her office upon giving one month notice in writing to the Minister.

Functions of the Council.

29.(1) Subject to the provisions of this Act, the Council shall have the following functions:

- (i) promotion of equalization of opportunity for persons with disabilities;
- (ii) elimination of discrimination against persons with disabilities and recommendation of measures to prevent discrimination;
- (iii) encouraging good practice in the treatment of persons with disabilities;
- (iv) coordination of policies and programmes relating to persons with disabilities;
- (v) monitoring and evaluation of programmes and activities of persons with disabilities;
- (vi) imparting knowledge and skills to persons with disabilities to enable them to become self employed;





- (vii) establishing, maintaining and updating records of persons with disabilities and their institutions and in this respect seek the assistance of the Sheha in registering disabled persons;
- (viii) endeavour to secure the reservation of casual and contractual positions in the private and public for persons with disabilities;
- (ix) provision of an integrated system of special and non-formal education for persons with all forms of disabilities and wherever possible to establish Braille and recorded libraries for persons with visual disability;
- (x) provision to the maximum extent possible assistive devices, appliances, UV sunglasses and sun creams and other equipment for persons with disabilities;
- (xi) investigate and make recommendations on any complaint made under this Act;
- (xii) securing the rehabilitation of persons with disabilities at the national and communities levels;
- (xiii) recommending exemptions and relieves to the government;
- (xiv) issuing annual reports pursuant to section 37 of this Act mobilizing fund resources and, or fund raising.



(2) Notwithstanding the provisions of subsection (1) of this section, the Council shall advise the Government on:

- (i) matters relating to health care, maintenance, education, vocational training, rehabilitation, employment, self employment and transportation;
- (ii) provisions of assistive devices and appliances and other equipments to persons with disabilities;
- (iii) the potential positive or detrimental impact of proposed legislation and budget proposals upon persons with disabilities;
- (iv) provision of tax exemptions, incentives and relieves:
- (v) importers of appliance and other equipments for use by persons with disabilities;
- (vi) employers who employ persons with disabilities;
- (vii) advise the Minister on the provisions of any international treaty or agreement relating to the rights of persons with disabilities and its benefits to the country;
- (viii) any other matter related to the development of persons with disabilities.



(3) Minister may suspend the application of subsection 2(iv)(a) and (b) of this section, to allow for amendment of laws relating to applicable tax laws.

(4) The Council may in exercise of its function form a committee from amongst its members.

Powers of entry.

30. The Council may enter or cause to be entered at all reasonable times any premises of an employer or public premises for the purpose of inspection and ensuring compliance with the provisions of this Act.

Keeping records.

31. The Council shall keep and maintain records of all organizations of or for persons with disabilities.

Complaints mechanism.

32.(1) The Council shall, through the Director, receive complaints in writing and conduct formal investigations immediately of any alleged offence of this Act, and shall for this purpose constitute a Complaints Committee.

(2) Where complaints brought by a person or persons aggrieved, or by a private or public person or entity, on behalf of a person or persons aggrieved by an offence under this Act, reports the complaint to the Director who shall refer the matter to the Complaint Committee.

(3) The Complaint Committee on receipt of the complaint, will not take any further steps where it is satisfied that;

- (i) the act complained of is not unlawful under this Act;
- (ii) the complaint is trivial, vexatious, misconceived or lacking in substance;
- (iii) the subject matter will be more effectively or conveniently dealt with by another statutory body.





(4) Where the Complaint Committee carries out a formal investigation and has reason to believe that the person concerned may have committed or may be committing the act in question, the Complaint Committee shall;

- (i) serve a notice on the respondent giving him/her the opportunity to make written and oral representations about the matter being investigated within one calendar month and, or
- (ii) require him or her to produce all documents in his/her possession or control relating to any such matter.

(5) The Complaint Committee shall make recommendations and a report of its findings to the Council.

(6) On reading the findings, the Complaint Committee shall seek to procure the settlement of the dispute between the complainant and the respondent and shall offer where possible conciliation services.

(7) Where the Complaint Committee is unable to settle the dispute and to reconcile the parties, it shall refer the matter to the council and the Council shall file on behalf of the party alleging non-compliance of this Act the matter to the High Court for determination within fourteen days.

(8) The complaints procedure laid down under this section shall not restrain any aggrieved person from filing a suit before the High Court or any other competent body with jurisdiction to hear the matter or making a formal report to the Director of Public Prosecutions where there is a violation of this Act.

Composition of  
Complaint  
Committee.

33. The Complaint Committee shall be made up of not more than five members of the Council who have legal, business and mediation skills and the Council may co-opt into



the Committee members of the international and or national NGOs working in the area of disabilities to advise the Complaints Committee.

Appointment of Director.

34.(1) There shall be a Director who shall be appointed by the President.

(2) The Director shall have the following qualifications:-

- (a) a person of high moral integrity in the community and respects of human rights;
- (b) conversant with disability and human rights issues; and
- (c) possessing a university degree and experience of not less than three years in the field of science and social development.

Functions of the Director.

35.(1) The functions of the Director shall be:

- (a) to execute powers and functions vested on the Council;
- (b) to co-ordinate activities of persons with disabilities and other stake holders;
- (c) to formulate strategies, measures and programme for the protection and promotion of human rights for persons with disabilities in order to achieve equal opportunities for persons with disabilities in education, training, employment and other areas;
- (d) to co-ordinate programmes for the protection and promotion of human rights for persons with disabilities;



- (e) to coordinate registration of persons with disabilities, their institutions, and organizations;
- (f) to give effect to any international treaty relating to the welfare or rehabilitation of persons with disabilities;
- (g) to perform any function related to the protection, improvement of the social and economic status of persons with disabilities;
- (h) to perform any function, assigned by the Council;

(2) The Director shall be responsible for day to day activities of the Council and be accountable to the Council.

(3) The Director shall be the secretary of the Council.

(4) Subject to any general or special directions of the Council, the Director shall be chief executive officer of the Council and supervisor of other staff of the Council.

(5) The salary and other remuneration for the Director and other staffs of the Council shall be paid from the fund established under sections 38 of this Act as will be determined by the Council.

Council to maintain the register.

36.(1) The Council shall establish and maintain a register of person with disabilities to be known as the Persons with Disabilities Register.

(2) The Director shall enter the entries in such a manner as the Council may from time to time determine.

(3) The register established under sub section (1) of this section, shall record persons with disabilities including those in possession of various levels of skills and training.





(4) The use of entries and particulars entered in the register shall be restricted to identification, job placement and statistical purpose.

(5) It shall be the duty of the relative of a person with disability or disabilities to cause the name of a person with disability or disabilities be entered in the register in the prescribed manner, not more than six months after the discovery of the disability or disabilities of such a person, otherwise the relative shall be committing an offence.

(6) Notwithstanding the provision of this section every sheha shall keep a record of all persons with disabilities who are ordinarily residents in their shehia and shall forward a copy of the record to the Director.

(7) A person is guilty of an offence if he knowingly gives false information to the Council for the purpose of being registered or for the purpose of acquiring any benefit or privilege due to persons so registered.

Annual report.

37.(1) As soon as practicable before budget session of each financial year the Council shall submit to the Minister a report on its activities during that year.

(2) The report shall include:

- (a) an information on anything done by the Council in the performance of its function, jointly or otherwise in co-operation with any other organization;
- (b) general survey of developments in matters within the scope of the Council's functions;
- (c) proposal of the Council activities in the current year; and
- (d) the budget and audited accounts report of the Council.



(3) The Minister shall lay a copy of the report before the House of Representatives.

## **PART V**

### **THE ZANZIBAR DEVELOPMENT FUND FOR PERSONS WITH DISABILITIES**

Establishment of Fund.

38.(1) There shall be established a fund to be known as the Zanzibar Development Fund for Persons with Disabilities.

(2) The Fund shall be established as a permanent fund and the income there from shall be used for the benefits of persons with disabilities.

(3) The Fund shall be administered by the Director under supervision of the Council.

Sources of Fund.

39.(1) The source of the Fund shall be:

- (a) such moneys as may be appropriated to the Council by the House of Representatives;
- (b) income generated by investments made by the Council;
- (c) from voluntary or statutory contributions;
- (d) from fund raising activities;
- (e) from loans approved by the Council;
- (f) any other grant or donations which the Council may receive for the purposes of the Fund;
- (g) any other source approved by the Council.



(2) Without limiting the generality of sub section (1) of this section, the Council may, out of the fund:

- (a) contribute to the expenses, including capital expenses of organizations of persons with disabilities;
- (b) contribute to the expense, including capital expenses of institutions that train persons in the care of persons with disabilities;
- (c) contribute to the capital expenses of projects undertaken by government for the benefit of persons with disabilities;
- (d) provide or contribute to the cost of assistive devises, recurring medical expenses and services;
- (e) pay allowances to persons with disabilities in the following categories and who have no other source of income:
  - (i) persons with severe disabilities and who are therefore not trainable in any skills;
  - (ii) aged persons with disabilities; and
- (f) make payments or contributions for such purposes as may be prescribed the by Council.

(3) Nothing in this section shall exempt the Government from its duties to persons with disabilities from any government contribution and allocations made under this section.

(4) The use of funds shall be authorized by the Council from the approved budget of the Council.





(5) Notwithstanding any provisions of this Act, the funds and assets of the Fund shall only be used in accordance with the laid down procedures.

(6) Subject to the provision of this Act, the Minister may by regulation provide for the procedure for the use of the funds.

Bank account.

40.(1) The Council shall open or cause to be opened a bank account in any bank approved by the Council.

(2) All the monies belonging to the Fund shall be deposited in the approved bank account or accounts.

Signatories.

41. The Chairperson and the Director shall be the signatories of the account.

Auditing of Fund.

42. The Fund shall be audited by the government auditor or an auditor approved by the Council.

## PART VI

### MISCELLANEOUS PROVISIONS

Ridicules to any person with disability.

43. Any person, who with intent to ridicule any person with disability, utters any word or sound or makes any gesture or exhibits any word or object intending that such word or sound shall be heard or gesture or object shall be seen by that person with disability, commits an offence under this Act.

Negligence by any person.

44.(1) Any person who, negligently causes a disability to any person is guilty of an offence and is liable on conviction to a fine of not less than five million shillings or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(2) The Court may order any person convicted under this section to pay the patient such sums of money in compensation as court may deem appropriate.



General penalty.

45. Any person found guilty of an offence under any provision of this Act and no penalty is expressly, shall be liable to a fine of not less than one hundred thousand shillings or imprisonment for a term not exceeding one year, or both such fine and imprisonment.

Incentives.

46. Any donations, bequest, subsidy or financial aid which may be made to government agencies involved in the rehabilitation of persons with disabilities or to organizations involved in such rehabilitation and registered with the Council for the purposes of this section shall, subject to the provisions of the Income Tax Act, be allowed as deductions from the donor's gross income for the purpose of computing taxable income.

Regulations.

47. The Minister shall make regulations for the better carrying out of the provisions of this Act including regulations for:

- (a) describing standards rules and regulation for architectural design and construction;
- (b) describing accessibility in public transport vehicles, stations and services;
- (c) describing accessibility in sports and recreational facilities;
- (d) describing expenditure of the funds;
- (e) describing procedures for appeal against decision by the Minister denying deduction from taxable income under this Act.





## **SCHEDULE**

### **COMPOSITION AND PROCEDURE OF THE COUNCIL (Made under section 27)**

1. The Council shall consist of the following members:
  - (a) Chairperson who shall be appointed by the President;
  - (b) Principal Secretary in the Ministry responsible for the person with disability;
  - (c) Principal Secretaries in each of the following ministries responsible for:
    - (i) Health and Social Welfare;
    - (ii) Youth, Employment, and Development of Women and Children;
    - (iii) Education and vocational training.
  - (d) Not more than 6 members nominated by organizations representing person with various categories of disabilities and fifty percent of them shall be women;
  - (e) One member appointed from a list of not less than three persons from an organization representing the interests of employees in Zanzibar;
  - (f) One member appointed from a list of three persons from an organization representing the interests of workers in Zanzibar;





2. The appointments under paragraphs (c) (d), (e) and (f) shall be made by the Minister in consultation and agreement with the organization of persons with disabilities.

3. The meeting might be ordinary or extra ordinary it shall depend on the circumstances of the need to convene the meeting.

4.(a) The Secretary of the Council shall give to each member fourteen day notice of the time and place of each meeting.

(b) The Secretary of the Council shall furnish each member agenda of the meeting in such notice.

5.(a) The Council shall meet quarterly for each year at its ordinary meeting and may conduct extra ordinary meetings as the Chairperson may deem necessary.

(b) The chairperson or in his/her absence any member appointed in that behalf shall preside over the meeting of the Council.

6.(a) The Council may invite any person who is not member to participate in the deliberation at any meeting of the Council;

(b) A person so invited shall not be entitled to vote.

7.(a) The decision at any meeting of the Council shall be by majority of votes and in the event of equality of vote the Chairperson shall have a casting vote in addition to his deliberate vote.



(b) (i) At any meeting of the council not less than nine eligible members shall constitute a quorum;

(ii) Subject to sub-paragraph (i) of this paragraph every member shall have one valid vote in every decision.


8. The Council shall cause to be recorded and kept details of all business conducted or transacted at its meeting, and the minutes of each meeting of the Council shall be read and confirmed or amended and confirmed at the next meeting of the Council and signed by the person presiding over that meeting.

9. Subject to this Act the Council may make standing orders for the regulation of its proceeding and business and may vary, suspend or revoke of such standing order.

10.(a) Members of the Council shall be paid from the Funds established under section 38 of this Act, such allowances as the Minister may determine.

(b) The Minister may make provision for reimbursement of any reasonable expenses incurred by a member of the Council in connection with the business of the Council.

PASSED in the House of Representatives on the 13<sup>th</sup> day of October, 2006.

  
( KHAMIS JUMA CHANDE )  
CLERK OF THE HOUSE OF REPRESENTATIVES  
ZANZIBAR.